

NORTHERN IRELAND POLICING BOARD

MINUTES OF A MEETING OF THE HUMAN RIGHTS & PROFESSIONAL STANDARDS COMMITTEE HELD ON 10 JUNE 2009 AT 9:30AM IN WATERSIDE TOWER, BELFAST

PRESENT:

MEMBERS:

Mr Basil McCrea (Chairperson)
Ms Mary McKee (Vice Chairperson)
Ms Martina Anderson
Mr Tom Buchanan
Mrs Rosaleen Moore
(1) Mr Peter Weir
Mr Suneil Sharma

POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:

(2) Mr Duncan McCausland (ACC Criminal Justice & ACC Operational Support)

PRICE WATERHOUSE COOPERS IN ATTENDANCE:

(3) Mr Martin Pitt

PARADES COMMISSION IN ATTENDANCE:

(4) Mr Ronnie Pedlow, Chairman
(4) Ms Rena Shepherd, Commissioner
(4) Ms Kelly Andrews, Commissioner

NORTHERN IRELAND POLICING BOARD HUMAN RIGHTS ADVISOR IN ATTENDANCE:

(5) Ms Alyson Kilpatrick

OFFICIALS IN ATTENDANCE:

Mr Peter Gilleece (Director of Policy)
(6) Mr David Wilson (Director of Planning)
5 Board Officials

- (1) Item number 5 - 16
- (2) Item number 7
- (3) Item number 1 - 6
- (4) Item number 5
- (5) Item number 1 – 16
- (6) Item number 11

1. APOLOGIES, ETC

Apologies were received on behalf of Mr Gearóid Ó hEára and Professor Sir Desmond Rea. NOTED.

2. MINUTES OF THE HUMAN RIGHTS & PROFESSIONAL STANDARDS COMMITTEE MEETING HELD ON 8 APRIL 2009

The Committee considered the draft minutes of the previous meeting.

It was:-

AGREED:

That the draft minutes of the Human Rights and Professional Standards Committee meeting held on 8 April 2009 be agreed.

3. MATTERS ARISING FROM THE MINUTES OF THE HUMAN RIGHTS AND PROFESSIONAL STANDARDS COMMITTEE MEETING HELD ON 8 APRIL 2009

3.1. PSNI Firearms Policy And Implementation Status Of Armed Response Vehicles (Item 3.5 Of Minutes Refers)

The Committee was advised that a letter had been included in Volume 2 papers. NOTED.

3.2 Suspension Of Civilian Staff (Item 3.7 of Minutes Refers)

The Committee was advised that a letter had been sent to the Chairperson of the Human Resources Committee and a response was awaited. NOTED.

3.3 Custody Visitors Scheme (Item 4.2 Of Minutes Refers)

The Committee was advised that a copy of the position paper regarding the Custody Visitors Scheme had been included with Volume 2 papers. NOTED.

3.4 Human Rights Advisors Briefing (Item 5 of Minutes Refers)

The Committee was advised that a letter had been sent to the Human Resources Committee to establish whose remit the inclusion of civilian staff in the PSNI Code of Ethics falls under. A response is awaited. NOTED.

3.5 Children And Young People Thematic (Item 6 Of Minutes Refers)

This has been actioned.

3.6 Presentation On Police Complaints In North Belfast (Item 7 Of Minutes Refers)

This has been actioned.

3.7 Deputy Chief Constable And Professional Standards Department (Item 9 of Minutes Refers)

This has been actioned.

3.8 Committee “Away Day” (Item 11 Of Minutes Refers)

This matter was dealt with under item 9.

3.9 Statistics On The Use Of CS Incapacitant Spray (Item 12.1 Of Minutes Refers)

The Committee noted the response from PSNI into the high usage of Incapacitant Spray in ‘G’ District. NOTED.

3.10 Questions for the Chief Constable (Item 13 of Minutes Refers)

This has been actioned.

4. CHAIRPERSON'S BUSINESS

4.1 Letter To Belfast Harbour Commissioner

The Committee were asked to agree the draft response to the Belfast Harbour Commissioner's request to use the PSNI Code of Ethics 2008.

It was:-

AGREED:

To issue the draft response.

5. MEETING WITH PARADES COMMISSION

The Chairperson welcomed the representatives from the Parades Commission to the meeting, and they were invited to update the Committee on a number of issues:-

- Communications between the Parades Commission and the PSNI;
- Determinations and the Code of Conduct;
- Regulations of marshals/stewards;
- Breaches of Public Order and Public Prosecution Legislation;
- Use or misuse of alcohol.

The Committee discussed these issues with the Parades Commission and expressed concerns around:-

- The perceived lack of Prosecutions arising from breaches of Parades Commission's Determinations;
- Clarity on the definition of marshals and stewards;
- The use of the Parades Commission Code of Conduct in determinations with respect to progressing prosecutions arising from breaches of the Code;
- Use /Misuse of alcohol.

Following a discussion, it was:-

AGREED:

- that the Director of Policy would liaise with the Chief Executive of the Parades Commission to make arrangements to bring the Parades Commission and PSNI to a future meeting of the Committee. This may also coincide with the outcome of the Ashdown review;
- The Board's Human Rights Advisor to look into the definition of 'marshals and stewards'.
- To write to PSNI to find out more about their communications strategy with respect to their strategy on confiscation of alcohol.

6. HUMAN RIGHTS ADVISOR BRIEFING

The Board's Human Rights Advisor briefed and updated the Committee on the following

- Update on the Police Ombudsman report on an investigation into the circumstances surrounding the death of Raymond McCord junior and related matters
- Amendment to Taser Guidance
- Stop and Search
- Patten Recommendation 4
- Inappropriate Associations

- Taser Post Implementation Review Report
- NIPB response to PACE consultation
- DNA
- Resign\Retire Issue

Following the update and discussion, it was:-

AGREED

- A closed meeting will be arranged between PSNI and the Committee on the use of Stop and Search;
- To bring a revised template to record Stop and Search to the September meeting;
- The Chair of the Committee would ask the Board for delegated authority to agree a draft response to the DNA consultation; and
- A paper on the Human Rights issues arising from the consultation on a review of PACE, would be brought to the July Board;
- That a concrete proposal on Patten Recommendation 4 would be considered in the autumn.

7. COMMITTEE INQUIRY INTO CHILDREN AND YOUNG PEOPLE

The Committee considered a paper which updated Members on the Committee's inquiry into children and young people.

Members discussed the various options on proposals for the next steps with respect to engagement with children and Young People. The following issues arose;

- Age groups
- The need for sensitivity with young people
- The role of PSNI
- Funding
- The use of the media

- How young people interact

On the issue of funding, Members discussed the option of approaching PSNI for funding towards this. The general view was if PSNI were willing to fund part of this, it would be accepted.

It was:-

AGREED

- That in principle PSNI could be approached for funding for any further working this area.
- Board officials would consider a communications strategy for children and young people.
- To draft a further paper for Members of Human Rights and Professional Standards and Community Engagement Committee s outlining how further work in this area may progress. Paper to be submitted to the Community Engagement Committee and issued to Members of HRPS.

Following the Committee business, Members were presented with a short film made by young people. The Committee discussed the views expressed by young people from the short film.

Members requested copies of the short film as evidence for the Committee Inquiry and a further report providing context to the short film.

8. BRIEFING PAPER ON THE HUMAN RESOURCES COMMITTEE CONSIDERATION OF THE HUMAN RIGHTS AND PROFESSIONAL STANDARDS COMMITTEE'S THEMATIC INQUIRY ON DOMESTIC ABUSE REPORT

The Committee considered a paper on the Human Resources Committee's consideration of the Thematic Inquiry Report on Domestic Abuse. This was considered at the Human Resources Committee meeting on 14 May 2009 following.

Following this it was:-

AGREED

- To accept the joint monitoring arrangements proposed regarding training and diversity, while the Human Rights Committee would retain overall responsibility, in line with the Boards Human Rights Monitoring framework, for the Domestic Abuse Report. Monitoring will continue to be carried out on the Committee's behalf by the Boards Human Rights Advisor and the Boards Human Rights Advisor will continue to report solely to the Human Rights and Professional Standards Committee.
- That the Human Resources Committee's Vice Chair would act as a link between the 2 committees on this issue.

9. TERMS OF REFERENCE FOR THE BEST PRACTICE REVIEW OF THE COMMITTEE

Members were advised that the work of the Committee will be inspected and reported to the Committee Away Day on 24 June 2009. The Chair advised Members that Martin Pitt will be speaking to Members individually over the next week.

Members then discussed the Committee Away Day and were advised to indicate whether or not they were intending to stay overnight. Members were advised that the Board would be liable for any rooms booked and not subsequently used.

10. BRIEFING PAPER ON THE PSNI RESPONSE TO THE NORTHERN IRELAND HUMAN RIGHTS COMMISSION (NIHRC) REPORT ON A VISIT TO ANTRIM PSNI STATION ON MONDAY, 23 MARCH 2009

The Committee was provided with a copy of the NIHRC report on the visit to Antrim PSNI Station on Monday 23 March 2009. Members were asked to note the information provided. It was;

AGREED

That the Human Rights Advisor would review the Human Rights principles and standards that apply in respect of detention for the July Board Meeting.

11. UPDATE ON INDEPENDENT CUSTODY VISITOR SCHEME

The Director of Planning briefed Members on the Independent Custody Visitor Scheme. He advised Members on:-

- Custody Visitors recruitment
- Proposed training and the revision of the Custody Visitors Handbook
- Custody Visitors annual report

The Director of Planning also briefing Members on the four recommendations from the Board's Human Rights Annual Report 2007.

Following discussion it was:-

AGREED

The Board Human Rights Adviser would consider the Independent Custody Visitors Scheme in relation to perceived gaps in the roles of the Custody Visitor and the Independent Commissioner for detained terrorist suspects, as part of the Human Rights annual report.

12. INFORMATION PAPERS

The Committee was asked to note the papers provided. NOTED.

13. QUESTIONS FOR THE CHIEF CONSTABLE

It was:-

AGREED:

That a question would be drafted to be put to the Chief Constable in relation to:-

- The PSNI criteria for negotiation on the Flying of Flags

14. COMMUNICATION ISSUES

It was:-

AGREED:

That a news release on the update regarding Stop and Search and the meeting with the Parades Commission should be prepared and circulated to Members.

15. ANY OTHER BUSINESS

There were no matters arising.

16. DATE OF NEXT MEETING

The date of the next meeting was agreed for Wednesday, 2 September 2009 at 2:00pm in Waterside Tower, Belfast.

(Meeting closed at 13.20hrs)

Secretariat
June 2009

Chairperson