

## **NORTHERN IRELAND POLICING BOARD**

### **MINUTES OF A MEETING OF THE HUMAN RIGHTS & PROFESSIONAL STANDARDS COMMITTEE HELD ON 2 SEPTEMBER 2009 AT 2:00PM IN WATERSIDE TOWER, BELFAST**

#### **PRESENT:**

#### **MEMBERS:**

Mr Basil McCrea (Chairperson)  
Ms Martina Anderson  
Mr Tom Buchanan  
Mr Suneil Sharma  
Mr Peter Weir

#### **POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:**

- (1) Acting Chief Constable Judith Gillespie
- (2) Acting Deputy Chief Constable Duncan McCausland
- (1) Chief Superintendent Tom Haylett, PSD
- (2) Chief Inspector Yvonne Davidson, PSD
- (2) Two Detective Inspectors, PSD

#### **HOME OFFICE IN ATTENDANCE:**

- (1) Superintendent Vic Marshall

#### **NORTHERN IRELAND POLICING BOARD HUMAN RIGHTS ADVISOR IN ATTENDANCE:**

Ms Alyson Kilpatrick

#### **OFFICIALS IN ATTENDANCE:**

Mr Peter Gilleece (Director of Policy)  
4 Board Officials

- (1) Item number 5
- (2) Item number 5 + 6

## **1. APOLOGIES, ETC**

Apologies were received on behalf of Mrs Rosaleen Moore, Ms Mary McKee and Mr Gearóid Ó hEára.

NOTED.

**2. MINUTES OF THE HUMAN RIGHTS & PROFESSIONAL STANDARDS COMMITTEE MEETING HELD ON 10 JUNE 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 10 June 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. Matters Arising From The Minutes Of The Human Rights And Professional Standards Committee Held On 8 April 2009**

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

The Committee noted a copy of correspondence received from the PSNI with an update in relation to the HMIC Inspection which took place in January 2009.

NOTED

**3.2 Matters Arising From the Minutes of the Human Rights and Professional Standards Committee Held On 10 June 2009**

**3.2.1 Meeting With Parades Commission (Item 5 Of Minutes Refers)**

The Committee was advised that the Parades Commission have been invited to the October Committee meeting.

The Committee was advised that a paper is attached at item 6 of the information papers which advised Members of the definition of Marshalls and Stewards.

The Committee noted a letter from ACC McCausland on the PSNI Strategy on the confiscation of alcohol. NOTED.

### **3.2.2 Human Rights Advisor Briefing (Item 6 Of Minutes Refers)**

The Committee was advised that Chief Superintendent Grimshaw has been invited to the November Committee meeting, to discuss Stop and Search Statistics. NOTED.

### **3.2.3 Committee Inquiry into Children and Young People (Item 7 of Minutes Refers)**

The Committee noted a paper which advised Members of Press and Public Relations Support to the thematic inquiry on Children and Young People. NOTED

### **3.2.4 Briefing Paper On The Human Resources Committee Consideration Of The Human Rights And Professional Standards Committee's Thematic Inquiry On Domestic Abuse Report (Item 8 Of Minutes Refers)**

The Committee was advised that a letter had been sent to the Human Resources Committee accepting the joint monitoring arrangements. NOTED.

### **3.2.5 Update on Independent Custody Visitor Scheme (Item 11 of Minutes Refers)**

The Committee was advised that a paper will be brought to the October Committee meeting detailing the Human Rights Advisors view on any perceived gaps between the roles of the Independent Custody Visitors and the role of the former Independent Commissioner for detained terrorist suspects. NOTED

#### **4. CHAIRPERSON'S BUSINESS**

##### **4.1 Meeting with Women's Aid**

The Chair advised Members that he had attended a meeting with Women's Aid in connection with the proposed roll out of MARAC (Multi-agency Risk Assessment Conference). NOTED

#### **5. BRIEFING PAPER ON THE TAYLOR REFORMS**

The Chair welcomed Superintendent Vic Marshall, Home Office, the acting Chief Constable, Chief Superintendent Haylett and Detective Inspector Clarke, PSNI, Professional Standards Department, to the Committee.

Enabling Legislation was introduced in England and Wales in December 2008. A Formal review will be undertaken when the legislation has been in place for 12 months. It was noted that PSNI would have the benefit of learning from practice in England and Wales.

The Committee was advised that the Chief Constables Forum (CCF) had approved a paper recommending the PSNI implement the Taylor Reforms. It was noted that Recommendation 13 of the PSNI Strategic Review refers to reducing bureaucracy around misconduct and within that context the Taylor Reforms were to be taken forward.

Members asked questions on the various forms of sanctions currently imposed by the PSNI.

One Member also raised the issue of any impact on the OPONI role. Superintendent Marshall advised the Committee that implementation of the Taylor Reforms had, if anything, enhanced the IPCC (Independent Police Complaints Commission) role in England and Wales.

Superintendent Marshall spoke on the sanctions for misconduct and gross misconduct cases.

- The maximum sanction for misconduct being a final written warning and, the maximum for gross misconduct is dismissal.
- Members raised the issue of officers' pension rights when they are dismissed. Following discussion, it was:

**AGREED**

That officials would contact the Crown Solicitors Office to clarify the position on pension forfeiture when an officer has been dismissed.

**6. 2008/09 PSNI USE OF FORCE REPORT**

The Chair welcomed Acting Deputy Chief Constable McCausland to the Committee. He acknowledged ACC McCausland's comprehensive report on PSNI Use of Force.

Members raised various question and concerns with Acting Deputy Chief Constable McCausland including issues around the use of AEPs.

Members referred to specific incidents and statistics and sought clarity from Acting Deputy Chief Constable McCausland on these issues. It was:

**AGREED:**

- That officials should check with PSNI as to whether any minors were injured on 13 July 2009 in an incident where AEPs were fired.
- A letter would be sent to Acting Deputy Chief Constable McCausland to request that future use of Force reports highlight any correlation

between high incidents of usage and public disorder events / other circumstances.

## **7. HUMAN RIGHTS ADVISORS BRIEFING**

The Board's Human Rights Advisor briefed the Committee on the following:-

### **Patten Recommendation 4 and Human Rights Annual Report**

The Board's Human Rights Advisor will meet with the Head of PSNI College to discuss the implementation and monitoring of Patten Recommendation 4.

The Advisor then discussed the format of the HR Annual Report with Members.

### **Stop and Search**

There was a discussion on the Stop and Search Statistics with Members.

**Operation Ballast** – The Human Rights Advisor advised the Committee that there are 4 recommendations in the Ballast report which are still to be implemented. She advised Members that HET had offered to brief the Committee on this issue.

**Ardoyne Parades** – The Human Rights Advisor advised the Committee that she had attended the Parades at Ardoyne on 13 July 2009 and her observations would be included in the Human Rights Annual Report consistent with past practice. There was some discussion as to whether a separate report on Ardoyne should be prepared.

Following the Human Rights Advisor's briefing, it was:

**AGREED:**

That the Human Rights Adviser would provide an example of chapter 6 prepared in line with the proposed new format for the Human Rights Annual Report to the October Committee.

**8. BRIEFING PAPER ON NSPCC WORKSHOP: TRAVELLER CHILDREN WITNESSING DOMESTIC VIOLENCE – MULTI AGENCY CHALLENGES TO PROVIDING SUPPORT**

The Committee considered a request from the NSPCC to hold a multi agency workshop. Following discussion, it was agreed that the Committee would provide support. It was:

**AGREED**

- That Committee would support the workshop and jointly fund the workshop with the Community Engagement Committee.
- That officials would send a letter to NSPCC advising them of the Committee's decision.

**9. INFORMATION PAPERS**

The Committee was asked to note the paper provided. NOTED

**10. QUESTIONS FOR THE CHIEF CONSTABLE**

There were no matters arising.

**11. COMMUNICATION ISSUES**

There were no matters arising.

## **12. ANY OTHER BUSINESS**

### **12.1 November Committee Meeting**

It was agreed that there was a need for an additional meeting in November. A date and time will be arranged by officials and Members will be notified accordingly.

### **12.2 Proposals to Appoint Expert Consultant on Policing on an Ad Hoc Basis**

The Committee were advised on the outcome of a procurement exercise to Secure the services of an expert consultant on an ad hoc basis.

It was:

#### **AGREED**

To appoint Mark Reber for a minimum period of 2 days to carry out a review of the Committee's statutory remit to keep itself informed as to police complaints and disciplinary proceedings and trends and patterns in complaints against the police.

## **13. DATE OF NEXT MEETING**

The date of the next meeting was agreed for Wednesday, 14 October 2009 at 9.30am in Waterside Tower, Belfast.

(Meeting closed at 17.00 pm)

**Secretariat**

**September 2009**

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**Chairperson**

Record No: 119215