

NORTHERN IRELAND POLICING BOARD

**MINUTES OF THE HUMAN RIGHTS & PROFESSIONAL STANDARDS COMMITTEE
MEETING HELD ON WEDNESDAY, 23 MARCH 2011 AT 9:30AM IN PARLIAMENT
BUILDINGS, BELFAST**

PRESENT:

MEMBERS:

- (1) Mr Basil McCrea (Chairperson)
Mrs Mary McKee (Vice Chairperson)
- (1) Ms Martina Anderson
- (2) Mr Jonathan Bell
Mrs Rosaleen Moore
Mr Gearóid Ó hEára
- (3) Mr Alastair Ross

**POLICE SERVICE OF NORTHERN
IRELAND (PSNI) IN ATTENDANCE:**

- (4) Mrs Judith Gillespie, Deputy Chief Constable
- (4) Mr Will Kerr, ACC Criminal Justice
- (4) C/Superintendent Alan Todd, Operational
Support
- (4) 2 PSNI Representatives

**POLICE OMBUDSMAN FOR
NORTHERN IRELAND (OPONI) IN
ATTENDANCE:**

- (5) Mr Sam Pollock, Chief Executive
- (5) Mr Greg Mullan, Director of Research &
Performance
- (5) 2 OPONI Representatives

**BOARD HUMAN RIGHTS ADVISOR
IN ATTENDANCE:**

- (6) Ms Alyson Kilpatrick

**BOARD SPECIALIST ADVISOR ON
PROFESSIONAL STANDARDS IN
ATTENDANCE:**

- (7) Mr Dave Jones

OFFICIALS IN ATTENDANCE:

- Mr Peter Gilleece, Director of Policy
- (8) Mr Sam Hagen, Director of Corporate
Services
- 6 Board Officials

- (1) Except Item number 1 and part items 5 and 6
- (2) Part Item numbers 5 and 6
- (3) Item number 1 and Part Item 5
- (4) Item number 6.2 only
- (5) Item number 5 only
- (6) Except Part Item 4.1
- (7) Except Part Item 6.1
- (8) Item numbers 1, 5 and 15

1. APOLOGIES, ETC

Apologies were received on behalf of Mr Suneil Sharma. Mr Jonathan Bell and Mr Alastair Ross advised that they were available for only part of the meeting. NOTED.

No conflicts of interest arising from the agenda were declared by Members.

2. MINUTES OF THE HUMAN RIGHTS AND PROFESSIONAL STANDARDS COMMITTEE MEETING HELD ON 9 FEBRUARY 2011

The Committee considered the draft minutes of the Committee meeting held on 9 February 2011.

It was:-

AGREED:

That the draft minutes of the Human Rights and Professional Standards Committee meeting held on 9 February 2011 be agreed.

3. MATTERS ARISING FROM THE HUMAN RIGHTS AND PROFESSIONAL STANDARDS COMMITTEE MEETING HELD ON 9 FEBRUARY 2011

3.1 Correspondence from Commission for Victims and Survivors (Item 4.1 of Minutes Refers)

Officials had responded on behalf of the Committee to the letter from the Commission for Victims and Survivors. NOTED.

3.2 Operation Exposure – Minors Photographs (Item 4.3 of Minutes Refers)

A copy of a transcript of the Chief Constable's remarks at launches of the Children and Young People's Report and the Board's Human Rights Annual Report were included in the papers for the meeting. NOTED.

3.3 Independent Custody Visiting Scheme – Self Introduction (Item 7 of Minutes Refers)

Arrangements to permanently implement the Self Introduction Process on the Independent Custody Visiting Scheme had been put in place and would come into operation from 1 April 2011. A list of team meeting dates had been issued to the Committee. NOTED.

3.4 Inquests (Item 15.1 of Minutes Refers)

At the December 2010 Board meeting, the Chief Constable had confirmed that he would provide an outline of the costs of legacy inquests and a list of legacy inquests ongoing. Correspondence from the Deputy Chief Constable which provided further information in respect of these matters was included in the papers for the meeting. NOTED.

3.5 Fatal Shooting (Item 15 of Minutes Refers)

A letter from the Deputy Chief Constable dated 8 March 2010, in response to a letter from the Committee regarding the fatal shooting of Mr Marc Alexander Ringland was included in the papers for the meeting. NOTED.

4. CHAIRPERSON'S BUSINESS

4.1 Cost of Human Rights Advice

The Board's Human Rights Advisor left the meeting.

The Chairperson referred to an enquiry from the Chairperson of the Resources and Improvement Committee with regard to the position of the Human Rights & Professional Standards Committee on a recent newspaper report concerning the cost of the provision of human rights advice to the Board. The Chairperson had also sought reassurance from the Human Rights and Professional Standards Committee, that it was content with the costs associated with the provision of human rights advice for the Board. The Chairperson advised the article was published in the Belfast Telegraph on 19 February 2011.

The consensus view among Members was that the quality of human rights advice and expertise provided by the Board's Human Rights Advisor was outstanding and the article represented an attack on the individual who had been named.

It was:-

AGREED:

That the Committee was content that the costs incurred in respect of receiving human rights advice was satisfactory.

During discussion of this item, Mr Gearóid Ó hEára asked that it be recorded that the community impact from the Human Rights and Professional Standards Committee was incredible. The Vice Chairperson and a number of Members asked that it also be recorded that the Committee had paid fulsome tribute to the work of the Director of Policy and his staff who had dealt with a number of difficult issues in an outstanding way.

It was:-

AGREED:

That officials should prepare a record of achievement describing the output and value that the Committee has achieved in securing community input and confidence in relation to a number of sensitive policing issues.

5. MEETING WITH THE OFFICE OF THE POLICE OMBUDSMAN FOR NORTHERN IRELAND

The Board's Human Rights Advisor rejoined the meeting.

The Vice Chairperson welcomed the representatives from the Office of the Police Ombudsman for Northern Ireland.

5.1 Complaints against the Police – Trends and Patterns

The representatives highlighted the main trends contained in the OPONI Statistical Report – Complaints against the Police 1 April 2004 – 28 February 2011. The representatives referred to complaints about incivility being reduced by 20% and highlighted the recent report prepared by the Ombudsman's Office concerning incivility complaints, suggesting that dissemination of the findings had informed PSNI Training Branch and were being relayed to Operational Support.

The OPONI representatives confirmed that, it was planned to undertake a similar project in respect of oppressive behaviour.

The meeting discussed a number of aspects arising from the Statistical Report, particularly the level of complaints arising in 'A' and 'D' Districts. The Committee was advised that OPONI was carrying out further research into the officer characteristics in respect of complaints and it was anticipated that a report on this matter would be available in the summer.

The meeting also discussed the percentage of cases where recommendation for prosecution was made by the Ombudsman and the decision was taken by the Public Prosecution Service (PPS) not to proceed. The OPONI representatives reminded Members, that although a charge may not be proceeded with, other disciplinary action may well be taken by the Chief Constable in respect of such cases.

5.2 OPONI Report – Incivility Complaints

The Committee noted correspondence received from PSNI in response to a letter from the Committee concerning a report prepared by OPONI in relation to incivility complaints. NOTED.

5.3 Local Resolution

The Committee considered a paper which provided an overview of an OPONI report, published in March 2011 on a local resolution pilot project for 'D' District – June 2010 – November 2010. NOTED.

The OPONI representatives highlighted the main findings contained in the report and advised that the new pilot system of local resolution had proved successful, reducing the average length of time taken to resolve complaints of a less serious nature from 104 days to 30 days.

In welcoming the report and its findings, the Committee queried the issues arising in relation to the pilot being rolled out to other Districts. OPONI representatives referred to the planning, commitment and cultural change that was required for the scheme to be effective and suggested that there was a need to ensure that appropriate legislative requirements were in place before it was rolled out.

It was:-

AGREED:

- That the Committee should write to the PSNI to seek a formal response on the local resolution pilot report and its effect on the level of complaints;
- That the Committee should seek clarification from the OPONI on any legislative obstacles that could restrict rolling out of the system on a permanent basis service wide.

6. PROFESSIONAL STANDARDS

6.1 Monitoring Framework for Professional Standards

The Board's Specialist Advisor on Professional Standards left the meeting.

The Vice Chairperson reminded Members that in August 2010, the Committee had approved the procurement of a specialist advisor to produce a monitoring Framework for Professional Standards. The advisor, Mr Dave Jones, had completed his field work and produced a report for the Committee which made 17 recommendations.

The Vice Chairperson sought the support of the Committee to retain the specialist advisor to assist in taking forward the implementation of the framework and advised that appropriate budgetary provision had been made.

It was:-

RESOLVED:

That the current Specialist Advisor on Professional Standards, Mr Dave Jones, should be engaged to assist with taking forward the implementation of the Monitoring Framework.

The Specialist Advisor rejoined the meeting and the Chairperson invited him to comment on his report. A copy of the report, Monitoring Framework for Professional Standards was tabled at the meeting.

Mr Jones advised that the report had 2 purposes, to address the concerns identified by Members on the issue of PSNI Professional Standards and the development of a Monitoring Framework for Professional Standards.

He advised that the framework could be broken down into 4 categories – public complaints; quality of service issues that impacted on professional standards; internal discipline; and other issues relevant to professional standards. He highlighted the recommendations contained in the report.

Members discussed the recommendations, and it was:-

AGREED:

- That the Committee should adopt the Monitoring Framework for Professional Standards, while acknowledging it remained a work in progress;
- That further research should be done to provide national and international comparisons.

The Chairperson thanked Mr Jones for his work to date.

6.2 Briefing Paper on Policing With the Community Commitments and the Dissatisfaction Process

The Committee considered a letter dated 8 February 2011 from ACC Criminal Justice concerning Policing with the Community 'Commitments' and the Dissatisfaction Process.

It was:-

AGREED:

That approval in principle be given to the proposals for a speedier 'Dissatisfaction' process for local complaint handling by the PSNI, but sought clarification regarding the legislative challenges and concerns the OPONI had raised.

The Chairperson welcomed the Deputy Chief Constable, ACC Criminal Justice and other PSNI representatives to the meeting and invited them to brief the Committee on the Service Excellence Programme Board.

The PSNI representatives distributed a copy of a document which outlined the key principles of engagements, partnership and service delivery to take forward the Policing with the Community Strategy. The PSNI representatives identified the main work streams being taken forward to improve the experience of members of the public who contacted the police. Reference was made to a project rolled out in 'E' District during the summer 2010 and the welcomed higher rates of victim uptake.

The meeting discussed:-

- The priority for the Service Executive Programme Board to consider how quality of service issues, rather than complaints, were addressed;
- The invitation from PSNI to the Board to be represented on the Service Excellence Programme Board;

- The project conveying information about police activity via Facebook and the resources required to roll this out Service wide;
- How the Service Executive (formerly known as Top Team) communicated with local police;
- The pilot project in 'D' District on local resolution, which aimed to increase complainant satisfaction, speedier resolution and reduced bureaucracy;
- The impact on first line managers of the pilot dissatisfaction process and future training needs;
- The cultural change that was required in Constables and first line managers in moving away from referring all complaints to OPONI.

The Chairperson thanked the PSNI representatives for their input and asked that the Board be kept informed of developments. The PSNI representatives left the meeting.

It was:-

AGREED:

That the Committee should write to OPONI for their views as to what extent an extension of the pilot could assess the impact of local resolution on first line supervisors.

6.3 Police Ombudsman Report on Advice and Guidance

The Committee considered an update on a request for analysis by the Police Ombudsman's Office in respect of complaints that result in a recommendation for "advice and guidance". NOTED.

7. RELEASE OF IMAGES OF CHILDREN AND YOUNG PEOPLE

A paper which provided an overview of recommendation 13 of the Board's Children and Young People Thematic, relating to the release of images of young people by the PSNI was included in the papers for the meeting. NOTED.

8. THEMATIC REVIEW ON DOMESTIC ABUSE: UPDATE REPORT

A paper which provided an update report outlining PSNI progress in implementing the 14 recommendations made in the Board's Domestic Abuse Thematic Review, was included in the papers for the meeting.

It was:-

AGREED:

- To defer consideration of the paper to the next Committee meeting;
- To circulate the update report to key stakeholders.

9. STOP AND SEARCH STATISTICS OCTOBER TO DECEMBER 2010

A paper providing Stop and Search statistics for the period October to December 2010 was considered by the Committee. NOTED.

10. CUSTODY VISITORS STATISTICS OCTOBER TO DECEMBER 2010

A paper which summarised the key points relating to a statistical report of custody visits carried out between October and December 2010 was included in the papers for the meeting. NOTED.

11. DEPARTMENT OF JUSTICE CONSULTATION – RETENTION OF FINGERPRINTS AND DNA

The Committee considered a paper in relation to a consultation by the Minister of Justice on the proposed changes to the law in relation to the retention of fingerprints and DNA. The Committee considered a draft response to the consultation, and it was:

RESOLVED:

That a response should be issued to the Minister, based on a Board reply issued in August 2009 relevant to a Home Office enquiry.

12. INFORMATION PAPERS

12.1 Correspondence from the Pat Finucane Centre & British/Irish Rights Watch In Relation To the McGurk's Bar Bombing Report

12.2 Home Affairs Committee Press Release In Relation To TASERS

12.3 Press Release On '116000' Missing Children's Hotline

12.4 Correspondence to Public Achievement

12.5 Correspondence from Dr Michael Maguire, Criminal Justice Inspection NI

12.6 PSNI Strategic Review Report

12.7 PSNI FOI Request – Misconduct or Alleged Misconduct

12.8 PSNI FOI Request – Allegation of Sexual Assault/Sexual Misconduct

12.9 PSNI FOI Request – Superintendents Written Warnings

NOTED.

13. QUESTIONS FOR THE CHIEF CONSTABLE

There were no matters arising.

14. COMMUNICATION ISSUES

There were no matters arising.

15. ANY OTHER BUSINESS

15.1 Correspondence from PSNI Regarding Recent Press Release

The Committee noted a letter from the Deputy Chief Constable regarding recent press releases in relation to the PSNI approach to substance misuse, testing and enforcement. NOTED.

15.2 Forfeiture of Police Pension

The Committee considered a paper tabled at the meeting, which described the Board's Forfeiture Policy and Procedures and how the issue of possible pension forfeiture for a former police officer is considered.

It was:

AGREED:

That the Committee further considers the matter when any change to the forfeiture issue is fully discussed by the Police Negotiating Board (PNB) and recommendations reached.

15.3 Briefing Paper on Response to the Best Practice Review of the Human Rights and Professional Standards Committee and Assessment of Committee Effectiveness

The Committee considered a paper and an Internal Audit Follow-Up Report, tabled at the meeting, containing the Committee's response to recommendations outlined in the

Best Practice Review of the Human Rights and Professional Standards Committee and Assessment of Committee Effectiveness. NOTED.

15.4 Article in Policebeat Magazine

The Committee discussed a recent article in the Police Federation for Northern Ireland magazine 'Policebeat' regarding the Policing Board's actions in relation to human rights.

It was:

AGREED:

To write to the Chief Constable to request his views on the article.

Members indicated that a meeting with representatives of the Federation would provide an opportunity to address their concerns.

(Meeting closed 12.55pm).

Secretariat

March 2011

Chairperson