

NORTHERN IRELAND POLICING BOARD

MINUTES OF THE HUMAN RIGHTS & PROFESSIONAL STANDARDS COMMITTEE MEETING HELD ON WEDNESDAY, 9 NOVEMBER 2011 AT 4:00PM IN PARLIAMENT BUILDINGS, STORMONT, BELFAST

PRESENT:

MEMBERS:

Mr Conall McDevitt (Chairperson)
Mr Ryan Feeney (Vice Chairperson)
Mrs Joan O'Hagan
Mr Robin Newton
Ms Caitríona Ruane
Ms Deborah Watters

POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:

(2) Mrs Judith Gillespie, Deputy Chief Constable
(3) Mr Will Kerr, ACC Urban Region
(2) Chief Superintendent George Clarke,
Professional Standards Department

PROFESSIONAL STANDARDS ADVISOR:

(1) Mr Dave Jones

OFFICE OF THE POLICE OMBUDSMAN IN ATTENDANCE:

(1) Ms Olwen Laird, Acting Chief Executive
(1) Mr Greg Mullan, Director of Research &
Performance
(1) 2 Statisticians

BOARD'S HUMAN RIGHTS ADVISOR IN ATTENDANCE:

Ms Alyson Kilpatrick

OFFICIALS IN ATTENDANCE:

Mr Peter Gilleece, Director of Policy
4 Board Officials

- (1) Item numbers 5.1 and 5.2
- (2) Item number 5.2
- (3) Item numbers 5.2 and 5.3

1. APOLOGIES, ETC

Apologies were received on behalf of Mr Gerry Kelly. 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 13 OCTOBER 2011

The Committee considered the minutes of the Committee meeting held on 13 October 2011.

It was:-

AGREED:

That the draft minutes of the meeting held on 13 October 2011 be agreed.

3. MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD ON 13 OCTOBER 2011

3.1 Police Beat Article (Item 3.1.3 of Minutes Refers)

The Committee considered a paper which provided Members with a response to their enquiry on the status of police officers working with the Police Federation for Northern Ireland.

Members were also advised that a paper had been put to the Board's Human Resources Committee on this issue and any action will be brought back to the Human Rights and Professional Standards Committee.

3.2 Future Human Rights Thematic Reviews (Item 3.1.4 of Minutes Refers)

The Committee was advised that a paper would be brought to a future meeting with details of possible future thematic reviews.

Following this discussion, it was:-

AGREED:

To obtain from PSNI, the perceived religion and gender of victims of paramilitary shootings.

3.3 Parading Issues – Dedicated meeting with ACC Finlay, and meeting with ACC Kerr and C/Superintendent Mark Hamilton (Item 5.1 of Minutes Refers)

Members had a discussion on Child Intervention Panels (CIPs).

It was:-

AGREED:

- To advise PSNI that the Committee should be kept updated on the proposed integration of the CIPs into family support Hubs;
- To ask PSNI whether or not consideration could be given to have learning and good practice from CIPs built into training programmes at the new Police College.

3.4 Complaints and Allegations in ‘A’ District – Meeting With ACC Kerr and C/Superintendent Mark Hamilton

The Committee noted a letter from the Office of the Police Ombudsman for Northern Ireland (OPONI) in response to a request for an analysis on the number of complaints recorded against those substantiated at District level. NOTED.

4. CHAIRPERSON’S BUSINESS

4.1 Correspondence – OPONI Report – McGurk’s Bombing

The Committee considered correspondence received from the Chief Constable, Office for the Police Ombudsman for Northern Ireland (OPONI) and Crown Solicitor’s Office (CSO) regarding the McGurks Bar Bombing.

The Committee discussed what the next course of action should be and the possibility of asking CJINI to take forward an inspection in relation to PSNI acceptance and processing of OPONI recommendations.

Following discussion, it was:-

AGREED:

That Director of Policy should discuss proposed inspection with CJINI to be combined with inspection proposed by CPPPC. A paper to be brought to the next CPPPC meeting.

4.2 PSNI Debrief Of Public Order Events – Summer 2011

Members were advised that a structured debrief of public order events in summer 2011 had been organised by the PSNI to take place on 23/24 November 2011 at the Radisson Roe Resort Hotel, Limavady. Members were asked to indicate their availability to attend.

It was:-

AGREED:

That Members would advise officials regarding their availability.

4.3 Appointment of Human Rights Advisor

The Director of Policy briefed Members on the appointment of a Human Rights Advisor to the Northern Ireland Policing Board and advised that they are required to:-

- Agree a Panel; and
- Agree on a Human Rights expert to sit on the Panel.

Following discussion, it was:-

AGREED:

- That the Panel should consist of Members of the HR&PS Committee and include members of all political parties. The Independent Assessor and a Human rights expert would also sit on the panel;
- The independent assessor should advise the panel but not vote;
- To provide Members with a copy of the OCPANI guidelines;
- That officials would contact 3 agreed named Human Rights experts to seek the availability of one to sit on the Panel; and
- That the Director of Policy would contact Members to agree schedule of meetings for the Panel.

5 PROFESSIONAL STANDARDS MONITORING FRAMEWORK

5.1 Meeting with OPONI

The Chairperson welcomed the representatives from the Office of the Police Ombudsman (OPONI) to the meeting.

Members considered a paper which provided details of trend and patterns in complaints and allegations, officers with 3 or more complaints and a trend analysis of allegations of oppressive behavior reported against the PSNI:-

Members also considered statistics provided which gave details of injury claims received and costs of claims settled.

5.2 Proposed Reforms to Police Discipline and Unsatisfactory Performance Procedures in Northern Ireland

Deputy Chief Constable and Chief Superintendent George Clarke joined OPONI at the meeting.

The DCC began by advising the Committee that the level of incivility complaints had reduced from this time last year but stressed there was no room for complacency.

Members raised their concerns regarding the number of complaints in 'E' District and requested a breakdown of particular areas within the District. Members also had concerns around criminal damage cases and requested a breakdown by District of this and questioned whether any of the criminal damage was attributable to TSG operations.

One Member asked that it be recorded that there was also a positive story coming out of these figures and that was that confidence in policing had increased over the year.

Members raised various questions and concerns with OPONI and PSNI Representatives, some of which centered around;

- Types of allegations in particular 'other' categories;
- Current approach by the PSNI for dealing with officers who have 3,5 and 7 complaints against them; and
- Local resolution and pilot project in 'D' District.

It was:-

AGREED:

- That PSNI would request the relevant data from OPONI to enable the service to establish the cause in the upward trend of complaints and allegations in 'E' District;
- That PSNI would report back to the Committee by the end of the year, detailing their strategy for dealing with the issue; and
- PSNI would provide a breakdown of criminal damage incidents by District and whether further breakdowns of the statistics could establish whether incidents were linked to certain operations.

Members discussed the issue of retired police officers not co-operating with OPONI investigations.

The DCC explained that serving officers must comply. However, retired officers do not and in refusing to comply they are not committing an offence under the law.

The DCC stated that PSNI would prefer if all retired officers complied with OPONI but reinforced that the PSNI have no power in law to force them. The Committee agreed to write to the Minister of Justice on the matter.

OPONI were asked how they ensured that the recommendations for PSNI, following an OPONI report, were implemented.

It was:-

AGREED:

To write to OPONI regarding how they monitored implementation of the recommendations made to the PSNI in reports issued by the OPONI.

The Chairperson thanked the representatives from OPONI and the PSNI for their contribution and they left the meeting.

5.3 Strategic Management Board of the Public Protection Arrangements Northern Ireland (PPANI)

ACC Kerr briefed the Committee on his role as Chair of the Strategic Management Board.

The Committee referred to concerns expressed by the previous Committee that Assistant Chief Constable, as chair of the Strategic Management Board could not speak on behalf of the PPANI. Assistant Chief Constable Kerr explained that the PPANI did not exist as one body.

Following discussion, it was:-

AGREED:

That officials would write to the Department of Justice for clarification on their role with respect to the PPANI given that the Department provides funding for the arrangements.

6. INFORMATION PAPERS

The Committee noted information papers circulated separately to Members in Volume 2 of the papers.

- 6.1 PSNI Update on Police Contribution to PPANI Including MARAC Arrangements**
- 6.2 PSNI Strategic Overview**
- 6.3 Department Of Justice Community Initiatives**
- 6.4 HR&PS Committee Programme Of Work 2011/12**
- 6.5 Regulation 20 Review Panel Meeting**
- 6.6 Regulation 20 Report**
- 6.7 Correspondence and Press Articles**
- 6.8 PSNI Freedom of Information Requests Received**

Members raised an issue on 'noted' papers and sought clarification on a definition of 'noted'.

Following discussion, it was:-

AGREED:

- To bring a paper to Corporate Policy, Planning and Performance Committee to discuss 'noted' papers and the use of different terminology for these papers; and

- To provide Members with a list of previously 'noted' papers for the Human Rights and Professional Standards Committee.

7. QUESTIONS FOR THE CHIEF CONSTABLE

It was:-

AGREED:

- To draft a question on what action the PSNI are taking to address criminal activity within loyalist and republican communities;
- Compliance with, and internalisation of, findings and recommendations of reports by OPONI;
- The improper relaxation of passport checks by the UK Border Agency has raised concerns with respect to human trafficking and in particular, children being trafficked through Northern Ireland and the Republic of Ireland.
- Complaints data shows reductions in officers with 3 or more complaints in some DCUs – how is the PSNI learning the lessons from these DCUs and disseminating across the PSNI to all DCUs to ensure consistency in practice.

8. COMMUNICATION ISSUES

No communication issues were received.

9. ANY OTHER BUSINESS

There were no matters arising.

10. DATE OF NEXT MEETING.

The date of the next meeting was arranged for Thursday, 8 December 2011 at 9.30am in Waterside Tower, Belfast.

(Meeting closed at 7:50pm).

Member Services

November 2011

Chairperson