

NORTHERN IRELAND POLICING BOARD

**MINUTES OF A MEETING OF THE HUMAN RIGHTS & PROFESSIONAL
STANDARDS COMMITTEE HELD ON 10 OCTOBER 2007 AT 10:00AM IN
WATERSIDE TOWER, BELFAST**

PRESENT:

MEMBERS:

Mr Basil McCrea (Chair)
Ms Mary McKee (Vice Chair)
Ms Martina Anderson
Mrs Rosaleen Moore
Mr Brian Rea
Mr Suneil Sharma
Mr Peter Weir

OFFICIALS IN ATTENDANCE:

Mr Peter Gilleece (Director of Policy)
5 Board Officials

HUMAN RIGHTS ADVISOR:

(1) Ms Jane Gordon, Assistant Human Rights
Advisor

(1) Item numbers 8 and 9 only

1. APOLOGIES, ETC

Apologies were received from Mr Gearóid Ó hEára. NOTED.

**2. MINUTES OF THE HUMAN RIGHTS & PROFESSIONAL STANDARDS
COMMITTEE MEETING HELD ON 12 SEPTEMBER 2007**

It was:-

AGREED:

That the draft minutes of the previous meeting held on 12 September 2007 be
agreed.

3. MATTERS ARISING FROM THE MINUTES OF THE HUMAN RIGHTS AND PROFESSIONAL STANDARDS COMMITTEE MEETING HELD ON 12 SEPTEMBER 2007

3.1 Strategic Review Of Parading (Item 3.1 Of Minutes Refers)

At a previous meeting of the Human Rights and Professional Standards Committee, Members requested a copy of the report on the meeting with PSNI and residents of the Bogside. Members have now received a copy of this report. NOTED.

3.2 Meeting With The Strategic Review Of Parading Body (Item 4.3 Of Minutes Refers)

At the September 2007 Human Rights and Professional Standards Committee, Members requested a meeting with the Strategic Review of Parading Body. The Vice Chair advised that she, and another Committee Member, had attended this meeting on 8 October 2007. Members were advised that it was a very positive meeting. A note of the meeting was included in Members' papers. NOTED.

3.3 Presentation From The Office Of The Police Ombudsman For Northern Ireland (Item 5 Of Minutes Refers)

At the September 2007 meeting, Members of the Committee had requested further information surrounding statistics. A Board official provided Members with the number of complaints from April 2006 to March 2007, regarding allegations involving handcuffs and allegations occurring in Police Stations by DCU and by individual stations.

It was:-

AGREED:

That these statistics would, in future, be presented to the Committee on a 6 monthly basis.

3.4 Quarterly PACE 1/TA Stop And Search Returns – January – March 2007 (Item 7 Of Minutes Refers)

At the September 2007 Committee meeting, Members requested further information regarding:-

- the religious breakdown of persons stopped and searched;
- the arrests that have followed from stop/searches.

A Board official advised Members that the PACE 1/TA form does not record the religion of persons stopped and searched. Members were also advised, that the additional information requested regarding arrests following stop and search would be a very labour intensive exercise, as the PACE 1/TA is a paper exercise and would involve searching the NICHE system.

It was:-

AGREED:

That in future Members would be provided with Stop/Search statistics by District Command Unit (DCU).

3.5 Statistics On Use Of CS Incapacitant Spray (Item 8 Of Minutes Refers)

At the September 2007 Committee meeting, Members requested that officials seek further information from PSNI on various incidents of CS Spray. Members received a paper which provided them with the requested details. NOTED.

3.6 Proposal To Introduce TASER To The Police Service Of Northern Ireland (Item 11 Of Minutes Refers)

At the September 2007 Committee meeting, Members requested a copy of the presentations on TASER. This had been issued to Members after the meeting.

Members also requested that officials write to the Chief Constable advising that further information was being sought from the Board's Human Rights Advisors. Members also requested that the Human Rights Advisors comment on the capability gap at the October 2007 Board meeting.

Members were advised that all requests had been actioned. NOTED.

3.7 Engagement With Human Rights Non Governmental Organisations (NGOs) (Item 13 Of Minutes Refers)

This matter was dealt with at item 10.

4. CHAIR'S BUSINESS

4.1 Custody Visitors

The Chair advised Members of a meeting being held at the Hilton Hotel, Templepatrick, on 10 October 2007 for new Custody Visitors. NOTED.

4.2 Application For New Independent Custody Visitors

The Chair advised Members that the closing date for applications was 12 October 2007. However, flexibility would be allowed due to the postal strike. NOTED.

5. APPROPRIATE ADULT SCHEME

The Committee considered a paper which updated Members on the potential development of an Appropriate Adult Scheme for Northern Ireland.

The Service Monitoring Manager advised Members that she had attended a meeting of the Steering Group on 9 October 2007 and confirmed that the NIO were keen to set up a scheme. NOTED.

6. IMMIGRATION DETAINEES IN POLICE CUSTODY

The Committee considered a paper which sought Members' views on any action to be taken regarding concerns raised by Custody Visitors in relation to the detention of immigration detainees.

Following a discussion, it was:-

AGREED:

That the Committee write to PSNI and the Borders and Immigration Agency (BIA), to seek clarification on the process for dealing with illegal entrants held in police custody. This was also to be raised with the Northern Ireland Human Rights Commission.

7. RAISING AWARENESS OF THE WORK OF THE COMMITTEE

The Committee considered a paper which sought Members' views on raising awareness of and profiling the work of the Committee.

Following a general discussion, it was:-

AGREED:

That the Communications Managers would report back to the Committee with a programme of actions to support Committee business.

8. REVIEW OF THE PSNI CODE OF ETHICS

In February 2006, the Policing Board decided to review the PSNI Code of Ethics. There followed the setting up of a working group, and various consultations before the final draft was presented to the Committee.

The Board's Human Rights Advisor, Ms Jane Gordon, briefed the Committee on the amendments made to the PSNI Code of Ethics. She spoke in detail on each of the amendments and answered questions and concerns of Members with regard to the amendments.

Following discussion, it was:-

RECOMMENDED:

That the final draft of the PSNI Code of Ethics be agreed and placed before the December 2007 Board meeting for signing off.

It was further:-

AGREED:

- that the policy on "inappropriate association" be brought back to a future Human Rights and Professional Standards Committee;
- that advice on political activity be brought back to the next Committee meeting in November 2007;
- the consultation document on organisations be made available to Committee Members;
- to ensure in future human rights monitoring that Articles 2.1 and 2.2 are reordered;
- to seek a corporate line on the use of photographs.

9. ATTENUATED ENERGY PROJECTILE (AEP)

The Committee considered a paper which advised Members of:-

- the Board's decision taken in March 2005;
- the outcome of a meeting between Board Members, the Board's Human Rights Advisors, representatives from PSNI, NIO and the NI Commission for

Children and Young People (NICCY), to discuss child impact issues surrounding the use of AEPs and to seek Members' views on any residential issues of continuing concern.

The Board's Human Rights Advisor, Ms Jane Gordon, briefed Members on this matter and a lengthy discussion followed regarding the subject of AEPs and child impact issues.

Members concerns surrounded the following:-

- medical evidence;
- absence of an Equality Impact Assessment;
- who was consulted regarding the use of AEPs.

Following the discussion, it was:-

AGREED:

- officials would check who had been consulted;
- officials would ascertain what advice was received from the Human Rights Commission and NICCY;
- officials would write to the Northern Ireland Office regarding an update on the medical information from (DOMILL);
- A paper would be brought back to the November 2007 Committee meeting which would be set out the Board's position.

**10. MEETING WITH NON GOVERNMENTAL ORGANISATIONS (NGOs) –
25 SEPTEMBER 2007**

The Committee considered a paper which updated Members on a meeting with NGOs on 25 September 2007.

The Chair of the Committee advised that this was still very much work in progress, and was not to be seen as a formal process.

It was:-

AGREED:

That the Chair of the Committee would write to the NGOs and clarify the Committee's position.

11. COMMITTEE MONITORING OF OUTSTANDING PATTEN RECOMMENDATIONS

The Committee considered a paper which sought Members' agreement on a process for the Committee to oversee the implementation of the outstanding Patten recommendations.

It was:-

AGREED:

That the outstanding recommendations should be completed before the 2008 Human Rights Advisors Annual Report.

12. CONSULTATION – THE POLICE OMBUDSMAN REVIEW

The Committee would consider a paper on the Board's position on relevant recommendations within the Police Ombudsman's Report. It was suggested that any response would be deferred until after the Board had had an opportunity to meet the new Ombudsman.

13. UPDATE ON PROGRESS TOWARDS THE IMPLEMENTATION OF THE PSNI FIREARMS POLICY

The Committee considered a paper which updated Members on the progress towards the implementation of the PSNI Firearms Policy as detailed in the Northern Ireland Policing Plan 2007/2010. NOTED.

14. REGULATION 20 REPORTS

14.1 Report Into The Discharge Of CS Incapacitant Spray At Milltown View Tullalley, Londonderry On 15 August 2004

14.2 Report Into An Assault By A Police Officer At Strand Road, Londonderry On 4 February 2005

14.3 Report Into The Discharge Of A Firearm At Dungannon Primary School On 24 December 2005

The Committee noted the Regulation 20 reports.

15. INFORMATION PAPERS

The Committee noted the Deputy Chief Constable's response regarding bullying and harassment complaints within the PSNI as reported in the Irish News on 5 June 2007.

16. QUESTIONS FOR THE CHIEF CONSTABLE

There were no matters arising.

17. COMMUNICATION ISSUES

There were no matters arising.

18. ANY OTHER BUSINESS

There were no matters arising.

19. DATE OF NEXT MEETING

The date of the next meeting was arranged for 14 November 2007 at 2:00pm at Waterside Tower, Belfast.

(Meeting closed 1:00pm).

Secretariat

October 2007

Chair