

NORTHERN IRELAND POLICING BOARD

MINUTES OF A MEETING OF THE HUMAN RIGHTS & PROFESSIONAL STANDARDS COMMITTEE HELD ON 13 FEBRUARY 2008 AT 10:00AM IN WATERSIDE TOWER, BELFAST

PRESENT:

MEMBERS:

Ms Mary McKee (Chair)
Ms Martina Anderson
Mrs Rosaleen Moore
Mr Gearóid Ó hEára
Mr Brian Rea
Mr Suneil Sharma
Mr Peter Weir

OFFICIALS IN ATTENDANCE:

Mr Peter Gilleece (Director of Policy)
5 Board Officials

OFFICE OF THE POLICE OMBUDSMAN IN ATTENDANCE:

(1) Mr Sam Pollock, Chief Executive
(1) 2 Representatives

POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:

(2) Mr Paul Leighton (Deputy Chief Constable)
(2) Chief Superintendent Tom Haylett, Head of Professional Standards Department
(2) Superintendent, Professional Standards Department

(1) Item number 5
(2) Item number 9

1. APOLOGIES, ETC

No apologies were received.

In the absence of the Committee Chair, Mr Basil McCrea, the meeting was chaired by Ms Mary McKee. NOTED.

2. MINUTES OF THE HUMAN RIGHTS & PROFESSIONAL STANDARDS COMMITTEE MEETING HELD ON 16 JANUARY 2008

It was:-

AGREED:

That the draft minutes of the previous meeting held on 16 January 2008 be agreed.

3. MATTERS ARISING FROM THE MINUTES OF THE HUMAN RIGHTS AND PROFESSIONAL STANDARDS COMMITTEE MEETING HELD ON 16 JANUARY 2008

3.1 Background To The Establishment Of Armed Response Vehicles (ARVs) (Item 3.1 Of Minutes Refers)

The Committee was advised that copies of the training schedule and a breakdown of where the ARV officers had been recruited from, had been sent to all Committee Members on 8 February 2008. NOTED.

3.2 AEPs (Item 3.4 Of Minutes Refers)

The Committee was advised that the Board's Human Rights Advisors would consider General Order 57/2007 and report back to the Committee at a later date. NOTED.

3.3 Regulation 20 Review Panel (Item 3.5 Of Minutes Refers)

The Committee was advised that the PSNI response was attached at item 10.1.

3.4 Amnesty International Report (Item 3.6 Of Minutes Refers)

The Committee was advised that figures on outward training by PSNI would now be provided on a quarterly basis. NOTED.

3.5 Monitoring Of Country of Origin (Item 12.1 of Minutes Refers)

The Committee was advised that statistics on the Country of Origin of PSNI recruits would be collated by PSNI and brought to a future Committee meeting. NOTED.

3.6 TASER Update (Item 5 Of Minutes Refers)

The Committee was advised that the status of the legal test was previously documented and that no further action was required. NOTED.

3.7 McCord Update (Item 6 Of Minutes Refers)

The Committee was advised that the Board's Human Rights Advisors were actioning the Committee's enquiries regarding the number of PSNI Handlers still in post.

Members were also advised that the Ballast status report would be referred back to the March 2008 Board meeting. NOTED.

3.8 Presentation – Criminal Justice Department (Item 8 Of Minutes Refers)

The Committee was advised that the Director of Policy had written to ACC Criminal Justice, PSNI regarding recommendations 25 and 36. NOTED.

3.9 Presentation – Operational Support Department (Item 9 Of Minutes Refers)

The Committee was advised that the Director of Policy had written to ACC Operational Support, PSNI regarding recommendations 6 and 7. NOTED.

3.10 Questions for the Chief Constable (Item 11 of Minutes Refers)

The Committee was advised that this matter had been referred to the Corporate, Planning and Performance Committee. NOTED.

Following the matters arising there was a short discussion on Equality Impact Assessments (EQIAs) and the internal capacity within PSNI to complete EQIAs. It was:-

AGREED:

That this issue would be raised at the Human Resources Committee

4. CHAIR'S BUSINESS

4.1 TASER Training – 24 January 2008

The Chair and one Committee Member had attended the TASER training.

The Member reported that the training had been very clear and open with a lot of questions being asked and answered. He also reported that various scenarios had been used during the training which were very useful. NOTED.

4.2 Launch Of The Code Of Ethics – 6 February 2008

The Committee was advised that the event had been well attended and the contribution of officials in organising the event was acknowledged.

A Member did however feel there was not enough representation at this event. NOTED.

**4.3 Meeting with Non Governmental Organisations (NGOs) – Stormont -
6 February 2008**

The Chair referred the Committee to a paper on the meeting with NGOs. The Committee was advised that all points raised by the NGOs had been brought to the Board meeting on 7 February 2008. NOTED.

4.4 Criminal Justice Week – 18 – 22 February 2008

The Committee were referred to a detailed plan of activities for the Criminal Justice Week. NOTED.

5. OFFICE OF THE POLICE OMBUDSMAN FOR NORTHERN IRELAND (OPONI) STATISTICS

The Chair welcomed the Chief Executive of OPONI and his colleagues to the meeting.

The Committee was advised that OPONI had completed a Policy and Practice investigation into the actions taken by police arising from recommendations contained in Regulation 20 reports to the Chief Constable. The Committee was advised that the report would be made available to the Board by mid March 2008.

A presentation by OPONI then followed on statistics for all 29 policing areas, but highlighted North Belfast statistics as an example. A copy of the slides used in the presentation is attached at Appendix 'A'.

Following the presentation there was a general discussion, and the Committee raised various questions. The Chair advised OPONI that all the questions would be recorded by Officials and submitted in writing following the meeting.

Following the presentation, it was:-

AGREED:

- That officials would draft a list of Members' questions and forward to OPONI;
- That officials would distribute a copy of the guidance on the use of CS Spray to Committee Members.
- That officials would distribute the OPONI summary of Regulation 20 reports into CS Spray usage in 2004

6. COMPLAINTS AGAINST THE POLICE

The Committee considered a paper which provided them with a statistical summary of complaints against the police for the period 1 April to 30 September 2007. NOTED.

7. PACE AND TACT/JSA STATISTICS: APRIL TO SEPTEMBER 2007

The Committee considered a paper which provided them with a statistical summary of the PACE/TACT shop searches. NOTED.

8. STATISTICS ON THE USE OF CS INCAPACITANT SPRAY

The Committee considered a paper which provided them with statistics on the Use of CS Incapacitant Spray. NOTED.

9. DEPUTY CHIEF CONSTABLE PRESENTATION ON REGULATION 20 AND PROFESSIONAL STANDARDS DEPARTMENT (PSD)

The Chair welcomed the Deputy Chief Constable and his colleagues to the meeting.

The Deputy Chief Constable introduced Chief Superintendent Haylett, Head of the Professional Standards Department.

Chief Superintendent Haylett gave an overview of the structures and the role of the Professional Standards Department, and provided details on the functions of the PSD and the procedures for Misconduct Hearings including reference to possible sanctions. The Committee was provided with statistics on these formal hearings.

Following this, the Deputy Chief Constable and the Head of Professional Standards Department spoke on the Integrity Unit and explained their role within the PSD.

The presentation concluded with statistics on the following:-

- integrity testing;
- safe call reports;
- informal resolutions;
- discipline files

Following the presentation, the Committee raised questions on the following issues with the PSNI:-

- appeals process and the line of appeal for the various sanctions;
- increase in number of officers requiring to resign and dismissal;
- appeals tribunals;
- Integrity testing.

REGULATION 20 REPORTS

The Deputy Chief Constable briefed the Committee on Regulation 20 procedures.

The Committee was provided with statistics showing the number of Regulation 20 reports received since 2001 and the breakdown of these figures. The Committee was also provided with various Regulation 20 reports and the PSNI response to the recommendations in these reports.

10. INFORMATION PAPERS

10.1 Formal Response From Regulation 20 Review Panel

The Committee considered the formal response for the Regulation 20 review process.
NOTED.

10.2 Correspondence and Recent Press Coverage

The Committee was asked to note the various correspondence and press coverage.

On the issue of TASER and the legal advice received by the Board, one Member advised that all Board Members would receive correspondence from a firm of solicitors regarding the PSNI decision to deploy TASER with respect to Sections 3 and 6 of the Northern Ireland Act 2000.

A Member of Sinn Fein asked that it be recorded that Sinn Fein had proposed a motion at a previous Board meeting that the Board should seek new independent legal advice regarding its statutory obligations under the 2000 Act and that Sinn Fein do not accept the legal opinion provided to the Board by Crown Counsel on this matter.

11. PROGRESS REPORT FROM NIO ON LESS LETHAL WEAPONS ISSUE

The Committee considered a paper which provided information received from the NIO in relation to:-

- the UK Less Lethal Weaponry Steering Group's request to DOMILL for medical research into the impact of AEPs on children;
- an update on the status of the recommendations contained in Annex 3 of the Steering Group's 5th Report.

The Committee expressed concerns regarding paragraphs 25 and 26 of the document relating to publishing the medical evidence on AEPs. It was:-

AGREED:

That officials would write to the NIO seeking clarification on the recommendations contained in paragraphs 25 and 26 of the Steering Group's 5th Report.

12. QUESTIONS FOR THE CHIEF CONSTABLE

There were no matters arising.

13. COMMITTEE PRESENTATIONS – 9 APRIL 2008

The Committee was asked to identify any relevant items they wished to discuss with the Equality Commission and Parades Commission at the Meeting on 9 April.

It was:-

AGREED:

That officials would formulate an agenda and questions for the meeting with the Parades Commission and Equality Commission on 9 April 2008.

14. COMMUNICATIONS ISSUES

The following communication issue was agreed.

- the use of CS Incapacitant Spray

15. ANY OTHER BUSINESS

15.1 Thematic Human Rights Report 2008

The Committee considered a paper which asked Members to consider potential issues for the Thematic Report as part of the Human Rights Monitoring Framework.

Following a discussion on the various options, it was:-

AGREED:

- to introduce thematic reporting as part of the annual Human Rights Monitoring Framework;
- The Director of Policy and the Board's Human Rights Advisors would prepare a paper for the Committee on the development and methodology of the Thematic Report.
- Domestic violence should be the subject of the first thematic report. The Human Rights Advisor would consider whether the report could also include consideration of the subject of violence against women.

Following a general discussion, it was:-

AGREED:

- that officials would check with PSNI if all recommendations had been acted on with regard to work carried out 2 years ago on Hate Crime;
- That officials would provide the Committee with information on the role of Public Protection Units.

16. DATE OF NEXT MEETING

The date of the next meeting was arranged for Wednesday, 9 April 2008 at 2:00pm in Waterside Tower, Belfast.

(Meeting closed at 12:45pm).

Secretariat

February 2008

Chair