

## **NORTHERN IRELAND POLICING BOARD**

### **MINUTES OF A MEETING OF THE HUMAN RIGHTS & PROFESSIONAL STANDARDS COMMITTEE HELD ON 12 NOVEMBER 2008 AT 10:00AM IN WATERSIDE TOWER, BELFAST**

#### **PRESENT:**

#### **MEMBERS:**

Mr Basil McCrea (Chairperson)  
Ms Mary McKee (Vice Chairperson)  
Ms Martina Anderson  
Mr Tom Buchanan  
Mrs Rosaleen Moore  
Mr Brian Rea  
Mr Suneil Sharma

#### **PSNI IN ATTENDANCE:**

- (1) Sir Hugh Orde (Chief Constable)
- (1) Mr David Jones (ACC Crime Support)
- (1) Mr David Cox, Historic Enquiries Team
- (1) Mr Phil James, Historic Enquiries Team

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

- Mr Peter Gilleece (Director of Policy)
- (2) Mr Sam Hagen (Director of Corporate Services)
- 4 Board Officials

- (1) **Item number 5**
- (2) **Item number 10**

#### **1. APOLOGIES, ETC**

Apologies were received on behalf of Mr Gearóid Ó hEára and Mr Peter Weir. NOTED.

#### **2. MINUTES OF THE HUMAN RIGHTS & PROFESSIONAL STANDARDS COMMITTEE MEETING HELD ON 10 SEPTEMBER 2008**

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 September 2008 be agreed.

**3. MATTERS ARISING FROM THE MINUTES OF THE HUMAN RIGHTS AND PROFESSIONAL STANDARDS COMMITTEE MEETING HELD ON 10 SEPTEMBER 2008**

**3.1 Meeting Held On 27 August 2008**

**3.1.1 Monitoring Of Country Of Origin Of Catholic Applicants To The PSNI (Item 3.8 Of Minutes Refers)**

The Committee considered the information provided, and it was:-

**AGREED:**

That officials would provide Members with the outcome of the recommendations made to the May 2008 Human Resources Committee.

**3.1.2 Briefing – Deputy Chief Constable and Head of PSNI Professional Standards Department on PSNI Professional Standards (Items 5 And 8 of Minutes Refers)**

The Committee considered correspondence received from the Deputy Chief Constable.  
NOTED.

**3.1.3 Briefing – Human Rights Annual Report 2008 And An Update On Implementation Of The McCord Report Recommendations From The Board’s Human Rights Advisor (Item 6 Of Minutes Refers)**

The Committee was advised that this had been actioned. NOTED.

#### **3.1.4 Proposals on Improving the Effectiveness of Committee Business** (Item 9 of Minutes Refers)

This matter was dealt with under agenda item 6.

### **3.2 Meeting Held On 10 September 2008**

#### **3.2.1 Costs Associated With The Provision Of Human Rights Advice 2008/09** (Item 4.1 Of Minutes Refers)

This matter was dealt with under agenda item 7.

#### **3.2.2 Trends and Patterns in Complaints and Allegations in North Belfast** (Item 5 of Minutes Refers)

The Committee noted the response from Chief Superintendent Gary White.

It was:-

#### **AGREED:**

That Chief Superintendent White would be invited to attend a future meeting of the HRPS Committee to discuss issues arising from the report.

#### **3.2.3 Briefing from OPONI** (Item 6 of Minutes Refers)

The Committee was advised that a press release was not issued but that material had been provided to the Chair of the Committee for his interview with Agenda NI.

#### **3.2.4 Operation Ballast Update** (Item 7 of Minutes Refers)

The Committee was advised that the action points had been actioned. NOTED.

### **3.2.5 Human Rights Annual Report 2008 (Item 8 of Minutes Refers)**

The Committee was advised that the action points had been actioned.

## **4. CHAIR'S BUSINESS**

### **4.1 OPONI**

The Committee discussed a proposal to meet with OPONI and also the timing of the release of the OPONI report on the Londonderry TASER incident.

Following discussion, it was:-

#### **AGREED:**

That the Director of Policy would communicate with OPONI regarding the timing of the report on TASER.

### **4.2 Staffing Policy Directorate**

The Chair advised the Committee he would discuss the shortage of staff within Policy Directorate with the acting Chief Executive.

## **5. LUNDY ARTICLE – 'CAN THE PAST BE POLICED?'**

The Chairperson welcomed the Chief Constable, ACC Jones, the Historical Enquiries Team Director Dave Cox and Historical Enquiries Team Deputy Director Phil James to the meeting and invited him to brief the Committee on the Patricia Lundy article on the Historical Enquiries Team (HET).

The Chief Constable advised Members that since the article was still in draft form, he was disappointed it had appeared on the internet. He expressed disappointment on the content of the paper.

The Director of HET conveyed his disappointment on the content of the article but acknowledged Dr Lundy could take credit for initiating some changes.

Members felt that the article raised concerns regarding:

- Public perception and confidence in HET;
- The staffing composition of HET;
- Independence of HET;
- Concerns about how the report had been published in the public domain.

Members also expressed concerns regarding the HET response to Dr Lundy's article.

Following a lengthy discussion on the report, it was:

**AGREED:**

That the Chief Constable would advise the Committee how he intended to respond to the article by Dr Lundy.

## **6. IMPROVING THE EFFECTIVENESS OF COMMITTEE BUSINESS**

The Committee considered a paper which provided Members with an alternative approach to conducting Committee business. Members were in agreement with the proposed new approach and also expressed concern that there was not always enough time at the meeting to discuss the various important issues.

It was:-

**AGREED:**

- to accept the new approach and agree the recommendations;

- That an “Away Day” or an evening would be arranged to discuss how Committee effectiveness might be improved.

## **7. FUTURE PROVISION OF HUMAN RIGHTS ADVICE**

The Committee considered a paper which advised Members on the future provision of human rights advice to the Policing Board.

The various options were discussed at length and, in particular, options 2 and 3.

Verbal feedback from Keir Starmer QC was provided to the Committee. Members agreed to proceed on the basis of option 3, i.e. dedicated in-house junior resource working with external barristers at junior and senior level.

Members were also advised that a temporary process was being considered. The Director of Policy outlined the process for recruiting a resource on a fixed term contract on the basis of a single tender action.

Following a discussion, it was:-

### **AGREED:**

- to explore option 3 i.e. dedicated in-house junior lawyer, 2 external lawyers, one being at a more senior level in terms of international experience;
- That the provision for Human Rights advice would be put in place on a fixed term contract. A candidate has been identified who has been interviewed by Keir Starmer QC and who would be interviewed again by an internal panel consisting of Chairman and Vice Chairman of the Board and Chairperson and Vice Chair Person of the Human Rights and Professional Standards Committee.

## **8. MEETING WITH NGOS HELD ON 12 OCTOBER 2008**

The Committee considered a paper which provided Members with feedback from the meeting with NGOs and the Chairperson of HRPS on 21 October 2008. Following the meeting, Members were asked to agree that the Human Rights Advisors be asked to develop Terms of Reference around 2 thematic reports for 2009.

It was:-

### **AGREED:**

That the Human Rights Advisors be asked to develop Terms of Reference issues relating to:

- LGBT;
- Children & Young People

## **9. REVIEW OF OFFICIALS ATTENDANCE AT PSNI REGULATION 20 COMMITTEE REVIEW PANEL**

The Committee considered a paper which sought Members views with regard to the continuing merit in the 'observer' status at Board official level, for attendance at PSNI Regulation 20 Committee Review Panel.

Following discussion, it was:-

### **AGREED:**

That this would be discussed with the Board's new Human Rights Advisor and to explore the possibility of an enhanced role at Regulation 20 meetings. Following this, the Committee's views would be raised with PSNI.

## **10. POLICE APPEALS TRIBUNAL**

The Committee was asked to consider whether to set aside the administrative fee in providing documentation to an appellant's legal representative following a PSNI appeals tribunal. Following discussion, it was:-

### **AGREED:**

There was no specific reason to set aside the administrative fee to copy the transcript to the appellant, and the fee should not be waived.

## **11. COMPLAINTS AGAINST POLICE**

The Committee was provided with a statistical summary of complaints against the police for the period 1 April to 30 September 2008, and commented on the reduction of allegations.

It was:-

### **AGREED:**

That officials would write to OPONI and ask for an explanation regarding some aspects of the report.

## **12. REPOSITIONING OF OFFICERS SEPTEMBER 2008**

The Committee was provided with details of repositioned officers. Members expressed concerns surrounding the number of Data Protection cases, and it was:-

### **AGREED:**

That officials would obtain more information from PSNI on the cases where there were breaches of Data Protection.

### **13. CUSTODY VISITING STATISTICS 2<sup>ND</sup> QUARTER 2008/09**

The Committee was provided with statistics on custody visits carried out between July and September 2008.

The Committee discussed the scheme and it was felt that the whole scheme should be looked at as Custody Visitor Volunteers were feeling under valued.

Following discussion, it was:-

#### **AGREED:**

That the Vice Chairperson of the Committee would take this forward with the Director of Planning

### **14. PSNI FIREARMS POLICY AND IMPLEMENTATION STATUS OF ARMED RESPONSE VEHICLES**

The Committee noted correspondence from ACC Operational Support, on the PSNI Firearms Policy and Implementation Status of Armed Response Vehicles (ARVs).

It was:-

#### **AGREED:**

That this would be referred to the new Human Rights Advisor for consideration.

### **15. INFORMATION PAPERS**

#### **15.1 NI Affairs Committee**

#### **15.2 Survey Of The Attitudes Of Police Officers**

**15.3 FOI Request**

**15.4 PSNI Substance Misuse Policy**

NOTED.

**16. PUBLICATIONS, CORRESPONDENCE AND PRESS**

**16.1 Letter ACC Toner, Outcome of Review of ACPO AEP Guidance**

Members were advised that this letter would be referred to the Boards new Human Rights Advisor

**16.2 Letter Chief Constable Funding HET**

NOTED.

**16.3 Letter Deputy Chief Constable – Allegation Of Malpractice**

NOTED.

**17. QUESTIONS FOR THE CHIEF CONSTABLE**

There were no matters arising.

**18. COMMUNICATION ISSUES**

There were no matters arising.

**19. ANY OTHER BUSINESS**

There were no matters arising.

**20. DATE OF NEXT MEETING**

The date of the next regular meeting was agreed for Wednesday, 11 February 2009 at 10:00am in Waterside Tower, Belfast.

(Meeting closed at 5:30pm).

**Secretariat**  
**November 2008**

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**Chairperson**