

NORTHERN IRELAND POLICING BOARD

**MINUTES OF A MEETING OF THE COMMUNITY AND HUMAN RIGHTS
COMMITTEE HELD ON 17 MAY 2006 IN WATERSIDE TOWER, BELFAST**

PRESENT:

MEMBERS:

Mr Barry Gilligan (Chair)
Professor Sir Desmond Rea (Vice
Chair)
Ms Arlene Foster
Mrs Dolores Kelly
Ms Deirdre Mac Bride
Mrs Pauline McCabe
(1) Mr Ian Paisley Jnr
Ms Dawn Purvis
(2) Mr Suneil Sharma

**OPONI REPRESENTATIVES IN
ATTENDANCE**

(3) Mr Sam Pollock, Chief Executive
(3) Mr Gregg Mullan, Director of Policy
and Practice
(3) One OPONI Representative.

OFFICIALS IN ATTENDANCE:

Mr David Jackson, Director of
Community Affairs
Mrs Sinead Simpson, Director of
Policy
6 Board Officials

(1) Items numbers 1 – part 15

(2) Items numbers 1 – part 16

(3) Item numbers 2, 6.1 and 7 only

1. APOLOGIES

There were no apologies received.

2. PRESENTATION – OPONI QUARTERLY STATISTICS

The Chairman of the Community and Human Rights Committee welcomed Mr Sam Pollock and his colleagues from the Office of the Police Ombudsman for Northern Ireland (OPONI) and invited them to present their annual statistics on Complaints and Allegations.

The Committee was advised that during 2005/06:-

- A total of 3108 complaints against the police had been received, giving rise to 5381 allegations. There had been two Police Ombudsman call ins, 23 Chief Constable non- complaint referrals and 3 DPP referrals.
- 36% of the incidents took place in the street/road, 33% in a police station, 16% at domestic residences, 5%in police vehicle and 10% other.
- Allegations involving the use of weapons and other equipment indicated that the largest number of these related to the use of batons and handcuffs
- Statistics for completed complaints in 2005/06 showed that 27% of all complaints were closed due to non co-operation on the part of the complainant.

Other statistics the Committee received concerned:-

- Recommendations made to the PSNI Internal Investigations Branch (IIB)
- Allegations received in respect of each DCU
- Files submitted to the Public Prosecution Service
- Complaints categorised by rank of police officer

The Committee also received results of an Omnibus Survey which showed that at January 2006:-

- 84% of people surveyed were aware of OPONI
- 84% of people surveyed were aware of the independence of OPONI

Item No: 7.1

- 76% of people surveyed were confident in the impartiality of OPONI's investigations.

Following the presentation Members of the Committee discussed a number of issues regarding the statistics with OPONI Officials.

It was:-

AGREED

That further information would be sought from OPONI on the breakdown of 'Failure of Duty' allegation types and a breakdown of the 'Other' category in the table 'Allegations involving the use of weapons and other equipment'.

3. MINUTES OF THE COMMUNITY AND HUMAN RIGHTS COMMITTEE MEETING HELD ON 25 APRIL 2006

It was:

AGREED

That the minutes of the meeting of the Community and Human Rights Committee held on 25 April 2006 be agreed.

4. MATTERS ARISING FROM THE MINUTES OF THE COMMUNITY AND HUMAN RIGHTS COMMITTEE MEETING HELD ON 25 APRIL 2006

4.1 First Day Brief (Item 2 of Minutes refers)

4.1.1 Attendance Records of DPP Members

At their meeting on 25 April 2006 Members had agreed that consideration should be given to the publication of attendance records of DPP Members.

Following discussion it was:-

AGREED

That officials would pursue the publication of attendance records.

4.1.2 Monitoring of PSNI Strategies

The Committee had agreed that officials should provide proposals for a more structured approach to enable the Committee to better monitor the community impact of, and the impact on the Section 75 groupings of key PSNI Strategies. A paper was prepared by officials detailing a programme for developing a Community and Human Rights Strategic Plan, this paper was dealt with at Agenda item 19.

NOTED

4.1.3 Briefing by OPONI

The Committee had requested a date be arranged for it to receive a detailed briefing from OPONI on their role and work. The Director of Policy advised the Committee that a date was being finalised with OPONI. NOTED

4.1.4 Briefing by the Board's Human Rights Advisers

The Committee also requested a detailed briefing from the Boards Human Rights Advisors on their work to date. The Committee was advised that a briefing has been arranged for the evening of 23 May 2006. NOTED.

Item No: 7.1

4.2 Release of District Commanders Reports to the Community (Item 3.1 of Minutes refers)

The Director of Community Affairs advised the Committee about progress in developing an options paper to the Committee suggesting ways in which the community could be more involved in the work of DPPs and that this should be available for the next meeting. NOTED

The Director of Community Affairs advised the Committee that both he and the Chairman of the Committee had met with the Vice Chairman of Belfast DPP to discuss the withdrawal of Ulster Unionist members from Belfast DPP. He advised Members that it was a positive meeting and there was every indication that the Unionist members would return to the next meeting of Belfast DPP on 22 May 2006. NOTED

4.3 Organising the Business of the Committee (Item 4 of Minutes refers)

The Director of Community Affairs advised the Committee that a Sub Group has been set up to oversee the implementation of the Boards Community engagement Strategy. He also advised Members that a briefing session will be held to develop a Strategic Plan. NOTED

5. MINUTES OF 19TH HUMAN RIGHTS AND PROFESSIONAL STANDARDS COMMITTEE MEETING HELD ON 10 MARCH 2006.

It was:

AGREED

That the minutes of the meeting of the Human Rights and Professional Standards Committee held on 10 March be agreed.

6 MATTERS ARISING FROM THE MINUTES OF THE 19th HUMAN RIGHTS AND PROFESSIONAL STANDARDS COMMITTEE MEETING HELD ON 10 MARCH 2006

6.1 Presentation – OPONI Quarterly Statistics (Item 2 of Minutes refers)

The Committee considered a paper which provided information from OPONI Statisticians in response to queries raised by Members of the Human Rights and Professional Standards Committee on 10 March 2006. NOTED

6.2 Publicising Board's Human Rights Work (Item 5.4 of Minutes refers)

The Director of Policy updated the Committee on the Board's Human Rights ongoing work and programme.

It was:-

AGREED

That a paper would be brought to a future Committee meeting which would include ways in which the Human Rights Advisors' work could be publicised.

6.3 Police Officers on Suspension (Item 5.5 of Minutes refers)

The Committee considered a paper which provided Members with details of officers on suspension from the service. (The paper was listed on the agenda at item 12)

Following consideration of the paper it was:-

AGREED

That further information should be sought from PSNI regarding :

Item No: 7.1

- Information on whether any further action could be taken to reduce the length of time taken in processing the cases of suspended officers.
- Further information on Case 6.
- Whether there is still ongoing disciplinary action in respect of Case 1, where an officer was reinstated following acquittal at court.
- The percentage of suspended officers who have completed less than two years service.

6.4 Register of Notifiable Membership (Item 5.8 of Minutes refers)

The Committee considered a paper concerning the outcome of the PSNI Notifiable Membership second registration process.

It was:-

RESOLVED

- To accept the result of the process as reflective of Notifiable Membership within the PSNI.
- To continue to keep the matter under review.

6.5 Attenuating Energy Projectiles (AEPS) and Children and Young People (Item 6.2 of Minutes refers)

The Committee considered a paper which sought Members views on how to progress the issue of the need for a child impact assessment for AEP. Officials advised the Committee of the background to this issue.

It was:-

AGREED

Item No: 7.1

- To write to the Northern Ireland Commissioner for Children and Young People (NICCY) to establish their views on the extent to which PSNI have taken on board their concerns; if they are content with the monitoring system, and if there are any remaining child impact issues;
- To inform the Derry DPP of progress to date
- That current guidance on AEPs – re Children and the use of force would be brought to the next Community and Human Rights Committee.

6.6 Quarterly Statistics on the Use of CS Incapacitant Spray (Item 9 of Minutes refers)

The Committee considered a paper detailing PSNI's response to Members of the Human Rights and Professional Standards Committee request for further information regarding,

1. The use of CS Spray in certain DCU areas, and
2. The number of incidents in certain areas where CS Spray was deployed but not used. NOTED

It was:-

AGREED

- To advise PSNI that their letter of reply was being sent to the relevant DPPs, and
- To copy the PSNI response to the relevant DPPs.

6.7 AEPs – Consideration of the Need for a Child Impact Assessment (Item 6.3 of Minutes refers)

This item was dealt with at agenda item number 6.5

7. COMPLAINTS AGAINST THE POLICE

This paper, which provided a statistical summary of complaints against the police during 2005/06, was dealt with at agenda item number 2.

8. SUMMARY OF COMPLAINTS AGAINST TRAFFIC WARDENS

The Committee considered a paper on complaints against traffic wardens for the period January to March 2006. During this period there were no complaints received.

NOTED

9. POLICE IDENTIFICATION IN NORTHERN IRELAND

The Committee considered a paper concerning the publication of a report entitled 'Police Identification in Northern Ireland'. The report presented the findings of an investigative research project carried out by OPONI. Members were asked to agree whether they would like a response from PSNI on how the recommendations will be progressed. NOTED

It was:-

AGREED

- To ask PSNI to provide a response on how the recommendations contained in the report will be progressed.
- Committee Members should be provided with a full copy of the report on request.

10. MONITORING SECTARIAN, RACIST AND HOLDING CENTRE COMPLAINTS

The Committee considered a paper which provided information on complaints against PSNI which have a sectarian or racist dimension or which arise from a period in detention. NOTED

It was:-

AGREED

To write to OPONI to seek clarification regarding the classification of 'sectarian' complaints and what falls into this classification.

11. PUBLIC CONSULTATION – DRAFT POLICE AND CRIMINAL EVIDENCE (AMENDMENT) (NORTHERN IRELAND) ORDER 2006 AND ASSOCIATED CODES OF PRACTICE.

The Committee considered a paper which advised that the Northern Ireland Office has commenced a twelve week public consultation on the draft Police and Criminal Evidence order 2006 and the associated codes of practice.

Members were asked to consider the information and advise officials of any comments they would wish to make by 14 June 2006.

It was:-

AGREED

- That Board Officials should contact the NIO seeking an extension on the 14 June deadline and that the matter would be brought back to the June Committee meeting for further information.

Item No: 7.1

- Board Officials to circulate a draft response on the order and codes of practice to the Committee pre 14 June Meeting.
- Board officials to seek clarification on the arrangements between UK Immigration and PSNI on detention of foreign nationals and numbers of foreign nationals detained.

12. PSNI OFFICERS ON SUSPENSION

This item was dealt with at Agenda item 6.2.

13. REPORT INTO THE DISCHARGE OF CS INCAPACITANT SPRAY

13.1 AT CRUMLIN ROAD , BELFAST ON 26 DECEMBER 2004

The Committee considered the content of a report, which has been received from OPONI, under Section 55(4) of the Police (NI) Act 1998 regarding the discharge of CS Incapacitant spray at Crumlin Road on 26 December 2004. NOTED

13.2 AT JUNCTION OF SWANLINBAR ROAD / SLIGO ROAD ON 27 DECEMBER 2004

The Committee considered the content of a report, which has been received from OPONI, under Section 55(4) of the Police (NI) Act 1998 regarding the discharge of CS Incapacitant spray at Junction of Swanlinbar Road / Sligo Road on 27 December 2004. NOTED

13.3 AT ANTRIM ON 29 DECEMBER 2004

The Committee considered the content of a report, which has been received from OPONI, under Section 55(4) of the Police (NI) Act 1998 regarding the discharge of

CS Incapacitant spray at Antrim on 29 December 2004. NOTED

14. MINUTES OF THE 27th COMMUNITY INVOLVEMENT COMMITTEE MEETING HELD ON 9 MARCH 2006

It was:

AGREED

That the minutes of the meeting of the Community Involvement Committee held on 9 March be agreed.

15. MATTERS ARISING FROM THE MINUTES OF THE 27th COMMUNITY INVOLVEMENT COMMITTEE MEETING HELD ON 9 MARCH 2006

15.1 Presentation – Knife Awareness and Disposal Campaign.

The Committee considered a paper which provided Members with an update on the Knife Disposal and Awareness initiative that is being introduced jointly by the PSNI, the Board and the Community Safety Unit of the NIO. NOTED

15.2 Update on Recommendations in North Belfast Research Project

The Director of Community Affairs advised the Committee about PSNI response to a number of the recommendations from the North Belfast research report, including:

- Employment of a Youth worker
- Progress between key Stakeholders in relation to reducing attacks on school buses.
- Update on the PSNI CASE programme.

It was:-

AGREED

That copies of the report, 'Young People's Attitudes and Experiences of Policing, Violence and Community Safety in North Belfast' be reissued to all Members of the Committee.

15.3 Belfast DPP – Attendance Record for Members

This item was dealt with at Agenda item number 4.2.

15.4 Custody Visitors Antrim PSNI Station – 3 March 2006

The Committee considered a paper informing Members of correspondence between the Chief Constable and the Chairman of the Board in relation to the incident at Antrim Serious Crime Suite on 3 March 2006. NOTED

It was:

RESOLVED

That the learning from this incident be incorporated into future training for Custody Visitors.

15.5 Role of the Board in Gaining the Co-Operation of the Public with the Police in Preventing Crime

The Director of Community Affairs advised the Committee that a sub group had been set up to consider the role of the Board in gaining the co – operation of the public with the police in preventing crime. The Members of this Committee are, Barry Gilligan (Chairman), Dawn Purvis, Dolores Kelly, Suneil Sharma, Ian Paisley Jnr, and Deirdre Mac Bride.

16. CUSTODY VISITOR STATISTICS (FEBRUARY AND MARCH 2006)

The Committee considered a paper which summarised the key points of the information contained in the statistical summary of custody visits carried out during February and March 2006. NOTED.

17. PSNI RECRUITMENT COMPETITION 10 – THE WORK OF THE INDEPENDENT COMMUNITY OBSERVERS

The Committee considered a paper which advised Members of the work carried out by the Independent Community Observers during the tenth PSNI recruitment campaign. Members were asked to note the information provided. NOTED.

18. KNIFE AWARENESS AND DISPOSAL CAMPAIGN

This item was dealt with at agenda item no 15.1.

19. PROGRAMME FOR A STRATEGIC PLANNING EVENT

The Committee considered a paper which sought Members' approval for a strategic planning event for the Community and Human Rights Committee. Members were asked to agree dates when such an event would take place.

It was:-

AGREED

Item No: 7.1

- That Members would receive a synopsis of the Committees' (HRPS and CIC) achievements to date along with details of work areas falling to this Committee.
- That dates should be agreed before the next Committee, for the strategic planning event.

20. CORRESPONDENCE FROM NIO – MESSAGE IN A BOTTLE SCHEME

The Committee considered a paper regarding an invitation from the NIO to contribute financially to a community safety initiative designed to provide reassurance to elderly and vulnerable members of the community. Members were asked to decide if they wished to support a £10k contribution by the Board towards the cost of the scheme. While the Committee welcomed the concept of the scheme, it was not considered to fall within the remit of 'making arrangements for obtaining the co operation of the public in the prevention of crime.'

It was:-

RESOLVED

It was not appropriate to support the request for the financial contribution of £10k towards the scheme.

21. CRIMINAL JUSTICE AWARD SCHEME 2006

The Committee considered a paper which made Members aware of the Criminal Justice Awards Scheme 2006. NOTED

22. BOARD MEMBERS' SUPPORT FOR DPPs

The Committee considered a paper which sought Members' views on a proposal for Board Members to provide support to the work of the 26 DPPs. Members were asked to consider the proposal presented and advise officials if they are content to proceed on this basis.

It was:-

AGREED

- That Officials provide Members with further clarification on their roles and responsibilities when providing support to the work of DPPs, and
- A paper is brought to the Board addressing Members issues concerning providing support for DPPs.

23. HONORARIUM TO THE CHIEF EXECUTIVE OF A DISTRICT COUNCIL FOR WORK IN SETTING UP THE DPP

The Committee considered a paper concerning a request for the Board to pay 75% of an Honorarium to a Council Chief Executive for work carried out in setting up the DPP.

It was:-

RESOLVED

Not to approve the request for payment of 75% of the Honorarium.

24. INFORMATION PAPERS

24.1 Criminal Justice Northern Ireland – Stakeholders Conference

Members were asked to advise Officials if they wish to attend this conference.

24.2 PSNI Outreach Programme in Schools

The Committee considered a paper which updated Members on the work PSNI are currently engaged in with schools.

It was:-

AGREED

That Members be given the opportunity to observe a CASE module being delivered within a school.

25. CONSULTATION ON PARADES COMMISSION REVIEW OF ITS STATUTORY DOCUMENTS

The Committee considered a paper which contained a draft response to the Parades Commission Review of its Statutory documents.

It was:-

AGREED

That the response as drafted be issued to the Parades Commission along with a cover letter detailing the need for user friendly language in such documents.

26. REPORT INTO THE CIRCUMSTANCES SURROUNDING THE DEATH OF ALICE MCLOUGHLIN AT PORTADOWN ON 6 JULY 1991

The Committee considered a paper which provided information on an investigation carried out by the OPONI under section 62 of the Police (NI) Act 1998 into the circumstances surrounding the death of Alice McLoughlin at Portadown on 6 July 1991.

It was:-

AGREED

- To recommend to the Board that OPONI's position on the issue of retired officers co operating in PONI investigations should be supported, and
- To draft a letter to OPONI to be considered by the Board at its meeting on 1 June.

27. QUESTIONS FOR THE CHIEF CONSTABLE

A question to be addressed to the Chief Constable regarding Members' concerns about the detention of foreign nationals in PSNI stations.

28. PRESS ISSUES

There were no matters arising.

29. ANY OTHER BUSINESS

There were no matters arising.

30. DATE OF NEXT MEETING

Members are asked to agree the date of the next meeting as 14 June 2006 at 2.00pm.

The meeting closed at 1.30pm

Secretariat

May 2005

Chairman