



# **OVERVIEW OF THE NORTHERN IRELAND POLICING BOARD'S HUMAN RIGHTS THEMATIC REVIEW ON POLICING WITH CHILDREN AND YOUNG PEOPLE**

The Northern Ireland Policing Board (the Board), as part of its statutory duty<sup>1</sup> to monitor PSNI compliance with the Human Rights Act 1998 and to ensure fair, efficient and effective policing for all of the people of Northern Ireland, has carried out a thematic review of the PSNI approach to policing with children and young people.

This is the second human rights thematic review to be published by the Board.<sup>2</sup> Thematic reviews have become an integral part of the Board's human rights monitoring work. The reviews, led by the Human Rights and Professional Standards Committee (the Committee), have enabled issues of concern to the community to be identified and have resulted in closer working between the Committee and the PSNI to improve service delivery.

As part of the thematic review into policing with children and young people, the Committee received oral testimony and written submissions from a wide range of stakeholders including those working with the most marginalised young people. Mechanisms were established to ensure that the opinions of young people on policing were taken into account and considered by the Committee. The Board's Human Rights Advisor also met with a large number of stakeholders individually, including police officers, to discuss the issues.

The terms of reference for the thematic review were necessarily limited in scope and covered:

- the policing of anti-social behaviour, including anti-social behaviour orders (ASBOs) and a consideration of 'naming and shaming';

<sup>1</sup> Under section 3 of the Police (Northern Ireland) Act 2000.

<sup>2</sup> The Board's first thematic review, examining the policing of domestic abuse, was published in March 2009 and can be downloaded through the Board's website: [www.nipolicingboard.org.uk](http://www.nipolicingboard.org.uk)

- police practice regarding the dispersal of young people, public order and crowd control, stop and search and other powers to control the activities of children and young people; and
- alternative proposals such as diversionary disposals and community restorative justice.

The central theme which has emerged from the thematic review is that the policing approach to children and young people needs to be multi-faceted yet cohesive. The experiences shared with the Committee show that children and young people can have very different experiences depending on where they happen to live. That is unacceptable and must be addressed.

Despite the fact that the Committee has been critical of some police practice in the thematic review, it wishes to make clear that it is impressed at the extent to which the PSNI is seeking out solutions to problems which are created by society rather than by the police. Operating sometimes in a vacuum, the PSNI has stepped into areas better (and more appropriately) the responsibility of other organisations. The PSNI recognises, perhaps better than most, that effective policing requires innovative ideas and collaboration with local communities. The PSNI also recognises that children and young people are central to any effective policing strategy.

The publication of the thematic review marks the start of a process of monitoring and review by the Committee in terms of the PSNI response to tackling the issues raised and recommendations made. The Committee intends to keep policing with children and young people on its agenda and it will continue to liaise with stakeholders to seek their valuable input and feedback.

The recommendations made by the thematic review are as follows:

**Recommendation 1**

The PSNI should record, for every reported incident of anti-social behaviour, the age or approximate age of both victim and perpetrator.

**Recommendation 2**

PSNI should involve youth advisers in the planning of operations involving children and young people.

**Recommendation 3**

To engage effectively with communities, particularly with children and young people, the PSNI should develop an outward facing team of officers with community policing experience in each District.

**Recommendation 4**

The PSNI should, through its participation in Anti-Social Behaviour Forums, develop links with local youth workers with the aim of addressing more effectively anti-social behaviour. Those partnerships should be represented on the Anti-Social Behaviour Forums.

**Recommendation 5**

The PSNI should provide within each District a nominated Anti-Social Behaviour Officer who has received the bespoke youth training as per Recommendation 24 of this thematic review.

**Recommendation 6**

In advance of any decision to apply for an ASBO the PSNI should consult the statutory agencies required by the 2004 Order and other statutory or voluntary agencies with which the child or young person has been in contact.

### **Recommendation 7**

In the event that ASBOs continue to be available to the PSNI as a measure to tackle anti-social behaviour, they should only be used for persistent anti-social behaviour when other alternatives have been tried and failed. ASBOs should not be used as a means of policing criminal activity.

### **Recommendation 8**

For a period of 12 months the PSNI should collate, and thereafter share with the Human Rights and Professional Standards Committee of the Policing Board, statistics which record the number of applications made, the nature of the application and details of the behaviour which resulted in the application for an ASBO. That information should be broken down according to District. The PSNI should begin recording no later than 1 April 2011.

### **Recommendation 9**

The PSNI should not, as part of an ASBO application, consider a term which prohibits a young person from entering his or her home.

### **Recommendation 10**

In all cases where an ASBO or Anti-Social Behaviour Contract is under consideration for a child the Youth Diversion Officer and Anti-Social Behaviour Officer should be involved in the decision-making process.

### **Recommendation 11**

In every case where a child or young person is implicated in anti-social behaviour the police should consider, in conjunction with relevant agencies, advice and support to include whether there are any projects or initiatives to support the young person and his or her family.

### **Recommendation 12**

PSNI should amend its policy to provide that the police will not resist an application for reporting restrictions in relation to an ASBO made against a person under the age of 18 years and in the event that there is no application made on the child's behalf the PSNI will not publish the details of the child.

### **Recommendation 13**

PSNI policy should be amended to include the following guidance. Police officers should never release images or other details of any person under the age of 18 years into the public domain save where the release is necessary for the purpose of protecting the general public or the young person from serious injury and only after all reasonable methods have been tried and failed. Each and every decision to release a single image or other detail into the public domain must be justified. In each case before the decision is taken the PSNI should conduct a detailed risk assessment and consult with all relevant individuals and agencies. A record of the risk assessment and consultation must be recorded.

### **Recommendation 14**

PSNI policy should be amended to prohibit the detention of any person under the age of 16 years where that person has been arrested in respect of breach of an ASBO alone.

### **Recommendation 15**

The PSNI should forthwith incorporate within the relevant Policy Directive or Service Procedure guidance which recognises the particular vulnerabilities of young persons with a disability. Thereafter that should be included within relevant training.

### **Recommendation 16**

The PSNI should consider limiting applications for ASBOs to people over the age of 18 years old and should instead consider the alternative disposals available in respect of children.

### **Recommendation 17**

In the event that PSNI considers an ABC to be lawful and appropriate for a child under the age of 10 years, which should only ever be an exceptional case, the human rights implications should be fully explored. Thereafter, an assessment should be provided annually to the Human Rights and Professional Standards Committee of those instances where an ABC has been entered into in respect of a child under the age of 10 years.

### **Recommendation 18**

The reason(s) for PSNI use of AEP during public disorder situations should be recorded on the electronic use of force monitoring form and included in the six monthly use of force report provided to the Human Rights and Professional Standards Committee.

### **Recommendation 19**

PSNI should, forthwith, review policy documents, Service Procedures and recording forms for the purposes of deleting the term 'Youths Causing Annoyance.' PSNI should provide an assurance to the Human Rights and Professional Standards Committee that the term 'Youths Causing Annoyance' is no longer used as a classification when recording or reporting on any type of incident.

### **Recommendation 20**

District Commanders should include in their quarterly spreadsheets detailing police use of powers to stop, search and question, the age, or approximate age, of all persons against whom the stop, search and question power have been used. This information should be forwarded to the Central Statistics Branch for inclusion in the quarterly reports that are provided to the Board and that are published on the PSNI's website.

### **Recommendation 21**

The PSNI should review the deployment of officers with a view to securing that officers, in particular neighbourhood officers, Youth Diversion Officers and Anti-Social Behaviour Officers, are assigned to duty according to their particular interest, skills and experience and thereafter remain in that position for at least two years.

### **Recommendation 22**

The PSNI should make a service wide commitment, using the Dunmurry initiative as a template, to ensuring that officers have completed a six week placement in a Neighbourhood Policing Team in the local area before being deployed to a Response Team or to a Tactical Support Group.

### **Recommendation 23**

The PSNI should progress the roll-out of Youth Independent Advisory Groups by securing that each District has its own group within six months of the publication of this report.

### **Recommendation 24**

The PSNI should consider developing bespoke youth training which will be delivered at Police College and thereafter by refresher training within Districts. All officers who will be deployed within Neighbourhood Policing Teams, Response Teams and Tactical Support Groups should have received the training before taking up their positions.

### **Recommendation 25**

PSNI should provide for a specialist Youth Diversion Officer to be available to each Public Protection Unit. Each Youth Diversion Officer should liaise with colleagues within each PPU and across the PSNI to ensure a consistent approach.



### **Recommendation 26**

The PSNI should report to the Human Rights and Professional Standards Committee with its review of the immediate cautioning pilot within three months of the publication of this report.

### **Recommendation 27**

The PSNI should report to the Committee within six months of the publication of this report setting out the structures and formal processes in place for working with community restorative justice schemes.

### **Recommendation 28**

The PSNI should consider rolling out the Integrated Offender Management model across Northern Ireland.

### **Recommendation 29**

There should be an increased focus on providing opportunities for young people across Northern Ireland to meet with police officers with the aim of building relationships. The opportunities should be available locally but form part of a regional strategy which is delivered consistently in all policing Districts. The model consultation programme currently operating out of Police College should be extended across all Districts.

### **Recommendation 30**

The PSNI should establish a steering group dedicated to issues concerning children and young people. The strategic lead should be the PSNI Champion for children and young people.

This summary document is intended to give a brief overview only. It should be noted that the full version of the thematic review is available for download on the Northern Ireland Policing Board website: [www.nipolicingboard.org.uk](http://www.nipolicingboard.org.uk)



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