

NORTHERN IRELAND POLICING BOARD

MINUTES OF 6th MEETING OF HUMAN RIGHTS AND PROFESSIONAL STANDARDS COMMITTEE MEETING HELD ON 14 MAY 2004 AT 10:00 AM IN WATERSIDE TOWER, BELFAST

PRESENT:

MEMBERS:

Mr Eddie McGrady (Chairman)
Mr William Hay (Vice-Chairman)
Mrs Pauline McCabe
(1) Mr Alan McFarland
(2) Mr Ian Paisley Jnr

OFFICE OF THE POLICE OMBUDSMAN

(3) Head of Research

OFFICIALS IN ATTENDANCE:

Director of Policy and Accountability
Head of Research and Statistics
Two Board Officials

- (1) From item number 3 onwards
- (2) From part of item number 3 onwards
- (3) Item number 3

1. APOLOGIES, ETC

Apologies for non-attendance were received from Mrs Rosaleen Moore and Mr Suneil Sharma.

2. MINUTES OF THE HUMAN RIGHTS AND PROFESSIONAL STANDARDS COMMITTEE MEETING HELD ON 10 MARCH 2004

The minutes of the Human Rights and Professional Standards Committee meeting held on 10 March 2004 were agreed and signed.

3. MATTERS ARISING FROM THE MINUTES OF THE HUMAN RIGHTS AND PROFESSIONAL STANDARDS COMMITTEE MEETING HELD ON 10 MARCH 2004

3.1 Regulation 20 Reports From The Office Of The Police Ombudsman (Item 3.1 Of Minutes Refers)

The Committee noted the contents of a letter dated 19 March 2004 from the Office of the Police Ombudsman which sought clarification on the information which had been requested in relation to the costs of investigations into the discharge of a firearm at the Monagh By-Pass and allegations of a serious assault on a Mr P Devenney.

The Committee agreed that the Ombudsman's Office should be advised that the reason for requesting the information was that the cost of investigations was a matter of public interest.

3.2 Complaint Against The Board (Item 3.2 Of Minutes Refers)

Members noted that: -

- the Committee's recommendation regarding a complaint against the Board had been accepted by the Corporate Policy Committee
- the Chairman of the Board had advised the complainant of the outcome of the complaint.

Officials gave a report in relation to a meeting, which they had held with the complainant on 7 May 2004.

Officials explained that a review would be undertaken in relation to the Board's policy for dealing with complaints against the Board. The Committee asked to be advised of the outcome in due course.

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

The Committee noted that:-

- The Board's response to the draft Code of Ethics for the Office of the Police Ombudsman had been approved by the Corporate Policy Committee at its meeting on 22 April 2004.
- While advice was awaited from the Police Staff Associations in relation to the publication of the results of a survey which had been carried out amongst Police Officers regarding the work of the Ombudsman, Members noted that this issue had been raised at both Board and Corporate Policy Committee level and to avoid duplication, should be removed from the matters arising of this Committee.

A paper outlining proposals for meetings between the Board and the Office of the Police Ombudsman would be presented to the Corporate Policy Committee for consideration at its next meeting.

3.4 Presentation – PSNI Internal Investigations Branch (Item 6 Of Minutes Refers)

The Committee requested Officials to ask the PSNI for information in relation to the use of the misconduct procedures.

3.5 Northern Ireland Affairs Committee – New Inquiry Into The Functions Of the Office of the Police Ombudsman For Northern Ireland (Item 12.2 Of Minutes Refers)

The Committee noted that a response had been approved by the Corporate Policy Committee to the Northern Ireland Affairs Committee Inquiry regarding the functions of the Office of the Police Ombudsman.

4. PRESENTATION – OFFICE OF THE POLICE OMBUDSMAN FOR NORTHERN IRELAND – JANUARY – MARCH 2004 STATISTICS

The Chairman welcomed the Police Ombudsman's Head of Research to the meeting and invited him to give a presentation regarding complaints, which have been made against the Police.

The Head of Research then gave a presentation during which he highlighted the following:.

- There had been a 7% reduction in the number of complaints which had been lodged in 2003/2004 compared to 2002/2003.
- While there had been an increase in allegations of failure of duty,
- there had been a reduction in the number of allegations of oppressive behaviour in 2003/2004 compared to 2002/2003.
- The largest proportion of factors underlying complaints had been arrest.
- The largest proportion of incidents leading to complaints took place in Police Stations.
- Approximately 10% of allegations in 2003/2004 involved the use of weapons and other equipment, compared to 15% of allegations in 2002/2003.
- There had been a significant reduction in the number of complaints, which had been lodged in all four Belfast District Command Units (DCUs).

During a subsequent discussion the following issues were covered:-

- The number of complaints which had been lodged against the Police Service of Northern Ireland (PSNI) for failure of duty.
- The number of cases which had been completed during quarters 1–3 of 2003/2004.

- The complaints information that is supplied to District Commanders on a monthly basis.

The Committee asked to be provided with the following:-

- An analysis of the allegation types for DCUs which saw a significant increase in allegations in 2003/2004.

The Chairman thanked the Head of Research and he left the meeting.

5. CHAIRMAN'S BUSINESS

The Chairman had no business to report to the Committee.

6. PB1 AND PB2 REPORTS

The Committee noted that there were no PB1 reports (incidents where baton rounds had been fired by the Police) or PB2 reports (incidents of serious public disorder) during the period 1 January to 31 March 2004.

7. REGULATION 20 REPORTS FROM THE OFFICE OF THE POLICE OMBUDSMAN

7.1 Report Into The Discharge Of Thirty Three Baton Rounds In North Belfast On 4 May 2002

The Committee noted the contents of a report in relation to the discharge of thirty three baton rounds in North Belfast on 4 May 2002.

7.2 Report Into The Discharge Of Seven Baton Rounds At Mount Vernon, Belfast On 11 September 2002

The Committee noted the contents of a report regarding the discharge of seven baton rounds at Mount Vernon, Belfast on 11 September 2002. The Committee referred to a recommendation, which had been made in the report regarding the military and asked Officials to check that this recommendation had been referred to the Independent Commissioner for Military Complaints for consideration.

Officials explained that there appeared to be a discrepancy between the number of regulation 20 reports which were recorded on the Office of the Police Ombudsman's website and those which had been received by the Board. The matter would be clarified for the next meeting of the Committee when Officials undertook to bring any outstanding regulation 20 reports to the attention of Members.

8. SUMMARY OF INFORMATION ON PSNI SUSPENDED OFFICERS

The Committee considered the contents of a paper, which outlined details of PSNI Officers who had been suspended from duty.

The Committee referred to a number of Officers who had been reinstated to the PSNI following a case in which the Court had acquitted them. Members requested Officials to ask the PSNI for information in relation to disciplinary action which was taken following acquittals by Courts.

9. SUMMARY OF COMPLAINTS AGAINST TRAFFIC WARDENS

The Committee considered the contents of a paper, which outlined details of complaints against Traffic Wardens during the period January to March 2004.

10. SUMMARY OF COMPLAINTS AGAINST THE POLICE

This paper was considered at item number 3.

11. SUMMARY OF COMPENSATION CLAIMS

The Committee considered the contents of a paper, which outlined details of civil action claims, which had been paid by the PSNI between January and March 2004.

Members agreed that the Finance and General Purposes Committee should be asked to provide the Committee with an analysis of the 37 claims that had been paid during this period to Police Officers at a cost of £350,926.

Members referred to a Committee, which the PSNI had indicated that they would be setting up to consider claims and agreed that, the Finance and General Purposes should be asked for an update on this issue.

12. INFORMATION PAPERS

The Committee noted the contents of a letter dated 1 April 2004 from A/Assistant Chief Constable Gillespie regarding the Chief Constable's Notes of Guidance on the Registration of Notifiable Memberships.

Members discussed the criteria for selecting organisations on the Notifiable Membership List.

The Committee requested Officials to ask PSNI for an analysis of the information in relation to the memberships of Organisations which had been notified to the PSNI by Police Officers.

13. CORRESPONDENCE FROM DEPUTY CHIEF CONSTABLE ON WATER CANNON

The Committee noted the contents of a letter dated 18 March 2004 from the Deputy Chief Constable on the deployment of water cannons and guidance for their use.

The Committee noted that the Board's Human Rights Advisor would be considering the guidelines for the use of water cannons as part of his work on the Human Rights Monitoring Framework.

14. NORTHERN IRELAND HUMAN RIGHTS COMMISSION – REPORT 3 – PROBATIONER CONSTABLES AND STUDENT OFFICERS

The Committee considered the contents of reports, which had been published recently by the Northern Ireland Human Rights Commission regarding probationer Constables and Student Officers.

The Committee agreed that Officials should prepare a paper on the reports.

The Committee also agreed that a meeting should be arranged with the new Human Rights Commission when it is appointed in the near future.

15. POLICE COMPLAINTS AUTHORITY REPORT ON POLICE DRIVING 'FOLLOWING FATAL PURSUIT' AND 'POLICE PURSUITS IN WALES'

The Committee noted the contents of a report which had been published by the Police Complaints Authority on Police Driving 'Following Fatal Pursuit' and 'Police Pursuits in Wales'.

16. HOME OFFICE RECORDING OF “STOPS” IMPLEMENTATION GUIDANCE

The Committee noted the contents of a paper, which outlined details of guidance that had been issued to Police Services and Police Authorities on implementing new recording requirement, under recommendation 61 of the Stephen Lawrence Inquiry Report.

Officials outlined details of the related recommendation in the Patten Report and implementation of this recommendation by the PSNI.

The Committee agreed that a quarterly statistical return of the PACE 1/Terrorism Act stop searches should be requested from PSNI in order to gauge the level of usage.

17. MONITORING COMPLAINTS WITH A RACIST OR HUMAN RIGHTS DIMENSION AND THOSE ARISING FROM A PERIOD IN DETENTION

The Committee noted the contents of a paper, which outlined details of complaints against PSNI which had a racist or human rights dimension or which had arisen from a period in detention.

18. QUESTIONS FOR THE CHIEF CONSTABLE

The Committee agreed that a question should be formulated to ask the Chief Constable at the next Board meeting regarding the apparent reluctance of PSNI Senior Officers to authorise the deployment and use of baton rounds in what appear to be very dangerous situations.

19. ANY OTHER BUSINESS

19.1 Schedule of Presentations to the Committee

The Committee noted the contents of a paper, which was tabled at the meeting which outlined details of presentations to the Committee during 2004/2005.

19.2 Issues relating to the Committee in the Oversight Commissioner's Report

The Committee noted a paper which was tabled at the meeting regarding issues relevant to the Human Rights and Professional Standards Committee, which had been highlighted in the recent Oversight Commissioner's Report.

The Committee requested Officials to follow up the issues, which were highlighted in the Oversight Commissioner's Report.

20. PRESS ISSUES

There were no press issues arising out of this meeting

21 DATE OF NEXT MEETING

The Committee agreed that the next meeting of the Committee should be held during the first week of September 2004.

(Meeting closed 12:15 pm).

Secretariat

May 2004

CHAIRMAN