

NORTHERN IRELAND POLICING BOARD

**MINUTES OF 19th MEETING OF HUMAN RIGHTS AND PROFESSIONAL STANDARDS
COMMITTEE HELD ON 10 MARCH AT 10:00 AM
IN WATERSIDE TOWER, BELFAST**

PRESENT:

MEMBERS:

- (1) Mr William Hay (Chairman)
Mrs Rosaleen Moore
Mr Ian Paisley jnr
Mr Alan McFarland

**OPONI REPRESENTATIVES IN
ATTENDANCE:**

- (2) Mr Greg Mullan (Director of Policy and Practice.
- (2) Two OPONI Representatives

PSNI REPRESENTATIVES:

- (3) Detective Chief Superintendent, Internal Investigations Branch(IIB)
- (3) Chief Inspector Representative Internal Investigations Branch (IIB)

OFFICIALS IN ATTENDANCE:

Mrs Sinead Simpson, Director of Policy
Five Board Officials

- (1) All Items except 4, 5 and 6.1
- (2) Item 2 only
- (3) Item 3 only

1. APOLOGIES, ETC

Apologies for non attendance were received from Mr Eddie McGrady, Mrs Pauline McCabe and Mr Suneil Sharma.

2. PRESENTATION – OPONI QUARTERLY STATISTICS

The Chairman welcomed Mr Greg Mullan and his Colleagues from the Office of the Police Ombudsman for Northern Ireland (OPONI), and invited them to present their quarterly statistics on complaints and Allegations.

Members were advised that:-

- A total of 2393 complaints against the police had been received, giving rise to 3993 allegations. There had been 2 Police Ombudsman call –in and 16 Chief Constable no complaint referrals
- The allegation type which had increased substantially was 'failure of duty'.
- 32% of the incidents took place in the police station, 37% on the street / road, 16% at domestic residence, 5% police vehicle and 10% other.
- Allegations involving the use of weapons and other equipment indicated that the largest number of these related to baton and handcuffs.
- Statistics for completed complaints showed that 29% of all complaints were closed due to non co-operation in the Quarters 1 – 3, 2005/06.

Members also received statistics on allegations received in respect of each District Command Unit, DCU, recommendations made to IIB, files submitted to the Public Prosecution Service (PPS), complaints by rank of police officer and allegations received by age groups and political opinion.

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

It was:

AGREED

To seek further information to establish if there was a link between a rise in the number of allegations involving the use of batons and handcuffs and an increase in the number of allegations by females.

It was:

AGREED

To seek further information concerning the cases classified as 'other' relating to incidents at headquarters.

3. PRESENTATION - PSNI SUSPENDED OFFICERS

The Chairman welcomed the Detective Chief Superintendent and Detective Chief Inspector, from IIB, to the meeting and invited them to give their presentation on suspended officers. A copy of the slides used in the presentation are attached at Appendix A.

Following the presentation Members discussed a number of issues arising from the presentation including :

- The Information that is supplied to an officer following the receipt of a complaint.
- Targets and Time lines for completion of IIB Investigations.
- Intelligence led Integrity Testing.
- The circumstances concerning a specific misconduct panel decision.

Following the presentation and discussion the Chairman thanked the IIB Representatives and they then left the meeting.

4. MINUTES OF THE HUMAN RIGHTS AND PROFESSIONAL STANDARDS COMMITTEE

4.1 Minutes Of The 17th Meeting Held On 13 January 2006

It was:

AGREED

That the minutes of the meeting of the Human Rights and Professional Standards Committee held on 13 January 2006 be agreed.

4.2 Minutes Of The 18th meeting Held On 31 January 2006 (Minutes attached)

It was:

AGREED

That the minutes of the meeting of the Human Rights and Professional Standards Committee held on 31 January 2006 be agreed.

5. MATTERS ARISING FROM THE MINUTES OF THE HUMAN RIGHTS AND PROFESSIONAL STANDARDS COMMITTEE HELD ON 13 JANUARY 2006

5.1 Presentation by PSNI Internal Investigations Branch (IIB) (Item 3 of Minutes Refers)

The Committee considered a paper which advised members on the guidelines used for Integrity testing. NOTED.

The Committee also considered a letter from PSNI in response to issues raised by the Committee in relation to reports being leaked to the Board rather than being taken through the internal PSNI “whistle blowing” processes. NOTED.

5.2 Work Of PSNI – Regulation 20 Review

Panel (Item 5.2 of Minutes refers)

A reply is awaited from PSNI.

5.3 Implementation of Requirements to Record

‘Stops’ (Item 5.4 of Minutes Refers)

The Committee considered a paper in response to its request for further information concerning a PSNI decision to postpone implementing the requirement to record ‘Stops’. NOTED.

5.4 Publicising Board Human Rights Work (Item

6.2 of Minutes Refers)

It was:

AGREED

That the paper detailing how best to publicise the work of the Human Rights Advisors should be presented to the new Community and Human Rights Committee.

5.5 Police Officers On Suspension (Item 9 Of Minutes Refers)

At its meeting in February 2006 the Committee had requested further information on a number of specific cases. The Committee considered a paper detailing the requested Information and it was:

AGREED

To write back to PSNI stating why the length of service, of the officer suspended, was required.

5.6 Regulation 20 Reports (Item 12 of Minutes Refers)

At its meeting on 20 February 2006 the Committee has asked Officials to explore the possibility of having an early interim report on any issues emerging from ongoing Regulation 20 investigations. Officials advised Members that the Independent Assessment Panel had recommended (Recommendation 3) that the Board request membership of the Regulation 20 Committee and that this was being pursued. NOTED.

5.7 Consultation on Powers of the Northern Ireland Human Rights Commission (Item 13 of Minutes refers)

The draft response to the NIO on the consultation paper on proposals for additional powers in relation to the Northern Ireland Human Rights Commission had been discussed and signed off at February 2006 Board meeting. NOTED.

5.8 Registration of Notifiable Membership (Item 14 of Minutes Refers)

The Board had approved the Committee's recommendation concerning Notifiable Membership at its February Board Meeting. NOTED.

It was:

AGREED

That a paper should be presented to the new Community and Human Rights Committee updating the new Members on this issue.

5.9 Report by Alan Bailey M.A into PSNI Firearms Training Policy and Procedures (Item 18 of Minutes Refers)

At the February 2006 Community Involvement Committee, it had been agreed that the relevant recommendations in Alan Baileys report should be considered by the Board's Human Rights Advisors as part of their ongoing work. NOTED.

5.10 Schedule of Presentations. (Item 21 of Minutes Refers)

A number of amendments to the schedule would be brought to the attention of the new Committee. NOTED.

6. CHAIRMAN'S BUSINESS

6.1 Update Committee on correspondence between Keir Starmer QC and BIRW

The Director of Policy advised the Committee that she had received a copy of a report by British Irish Rights Watch (BIRW) which commented on the Board's reports on the Ardoyne and Whiterock Parades. She advised the Committee that the Board's Human Rights Advisers had read the report and were concerned with a number of inaccurate statements contained in the BIRW Report and had responded to BIRW.

It was:

AGREED

- That the Committee should ask the Northern Ireland Human Rights Commission to consider the BIRW report and respond.
- That this matter be drawn to the attention of the new Community and Human Rights Committee.

6.2 AEPs and Children and Young People

The Committee considered correspondence received through the Chair of the Human Rights AND Professional Standards Committee, from the Children's Law Centre regarding the firing of AEPs and Children and young people.

It was:

AGREED

To write to PSNI and ask for their comments on this correspondence.

6.3 Main Findings From Research Conducted By The Institute For Conflict Research (ICR)

The Director of Policy referred the Committee to a paper that had been tabled which gave details of the main findings of the research carried out by the Institute for Conflict Research (ICR). NOTED.

6.4 NIO Chaired Steering Group re Alternative Approaches to Conflict Management

The Director of Policy reminded the Committee that she represents the Board on the Steering Group on Alternative Approaches to Conflict Management. This group is Chaired currently by the NIO but it is planned that Chairmanship will be moving to the Home Office. The Director of Policy asked the Committee for their comments.

It was:

AGREED

That the Northern Ireland Policing Board should continue to be represented on this Steering Group.

7. RECENTLY PUBLISHED OPONI REPORTS

The Committee considered three recently published OPONI reports and their key findings:-

- Equality Monitoring Report,
- Analysis of CS Spray use during 2004, and
- Police-led informal resolutions of police complaints. NOTED

8. POLICE OFFICERS ON SUSPENSION

The Committee considered a paper which provided a statistical summary of PSNI officers on suspension. NOTED

9. QUARTERLY STATISTICS ON THE USE OF CS INCAPACITANT SPRAY

The Committee considered a paper detailing quarterly statistics on the use of CS Incapacitant Spray.

It was:

AGREED

Further information should be sought from PSNI in respect of the use of CS Incapacitant Spray in Moyle, Fermanagh, Craigavon, Strabane and Omagh DCUs.

The Committee also registered its concern at the cost to policing in dealing with disorder associated with drunkenness and that this is a matter which should be perused by the new Board.

10. QUARTERLY PACE 1/TA STOP SEARCH RETURNS OCTOBER to DECEMBER 2005

The Committee considered a paper which provided a quarterly statistical return of the PACE1/TA stop searches. NOTED

11. MONITORING SECTARIAN, RACIST AND HOLDING CENTRE COMPLAINTS

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

12. COMPLAINTS AGAINST THE POLICE

The Committee considered a paper which provided a statistical summary of complaints against the police for quarters 1 – 3 of 2005/06. NOTED.

13. COMPENSATION CLAIMS PAID BETWEEN OCTOBER AND DECEMBER 2005

The Committee considered a paper which provided a summary of settled civil action claims. NOTED.

14. AN EVALUATION OF POLICE – LED INFORMAL RESOLUTION OF POLICE COMPLAINTS IN NORTHERN IRELAND

This matter was dealt with at agenda item 7.

**15. ATTENUATING ENERGY PROJECTILES (AEP) (IMPACT ROUNDS) –
CONSIDERATION OF THE NEED FOR A CHILD IMPACT ASSESSMENT**

The Committee considered a paper relating to AEP Impact Rounds and consideration for the need of a child impact assessment. The matter arose from a recent public meeting of Derry District Policing Partnership.

It was:

AGREED

That the Board should monitor the discussion between PSNI and the Children's Commissioner on this issue and that the Committee should receive an update in due course.

**16. REPORT INTO THE DISCHARGE OF CS INCAPACITANT SPRAY AT
MAGHERABUOY HOTEL PORTRUSH ON 14 NOVEMBER 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 Magherabuoy Hotel Portrush on 14 November 2004.

NOTED

**17. REPORT INTO THE DEATH OF A MALE AT CHAMBERLAIN STREET / WILLIAM
STREET LONDONDERRY ON 23 APRIL 2005**

The Committee considered a paper on the death of a male at Chamberlain Street/ William Street, Londonderry on 23 April 2005. The investigation did not reveal any criminal or misconduct offences by any Member of PSNI. NOTED.

18. REPORT INTO THE DISCHARGE OF CS INCAPACITANT SPRAY AT LIMAVADY ON 27 NOVEMBER 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 Limavady on 27 November 2004. NOTED

19. REPORT INTO THE DISCHARGE OF CS INCAPACITANT SPRAY AT BALLYMENA ON 13 NOVEMBER 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 Ballymena on 13 November 2004. NOTED

20. REPORT INTO THE DISCHARGE OF CS INCAPACITANT SPRAY AT BALLYNAHINCH 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 Ballynahinch on 27 December 2004. NOTED

21. REPORT INTO THE DISCHARGE OF CS INCAPACITANT SPRAY AT COLERAINE ON 25 SEPTEMBER 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 Coleraine on 25 September 2004. NOTED

22. REPORT INTO THE DISCHARGE OF CS INCAPACITANT SPRAY AT COLERAINE ON 16 NOVEMBER 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 Coleraine on 16 November 2004. NOTED

23. REPORT INTO THE DISCHARGE OF CS INCAPACITANT SPRAY AT NEWRY ON 22 OCTOBER 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 Newry on 22 October 2004. NOTED

24. CS INCAPACITANT SPRAY – GENERAL ORDER 28/2004

The Committee considered a paper which advised Members of the reissue of the PSNI General Order 28/2004 on CS Incapacitant Spray on 3 February 2006 and the amendments which have been made. NOTED.

25. ANALYSIS OF CS SPRAY USE DURING 2004

This matter was dealt with at agenda item 7.

26. PUNISHING DISORDER – SENTENCING PUBLIC ORDER OFFENCES IN NORTHERN IRELAND

The Committee considered a draft paper produced in January 2006 by the Institute for Conflict Resolution entitled 'Punishing Disorder - Sentencing Public Order Offences in Northern Ireland'. The Committee agreed that this should be a Board issue for the new Board.

It was:

AGREED

That a question concerning the report should be drafted for the Chief Constable at the next Board Meeting.

27. DRAFT MEDIATION MODEL

The Committee considered a paper regarding a draft Mediation Model that OPONI is planning to introduce to assist in resolving complaints against the police. NOTED.

28. HMIC BASELINE ASSESSMENT REFRESH REPORT

The Committee considered a paper regarding the key issues and areas of concern highlighted in the most recent Baseline Assessment Refresh Report by HMIC. Officials advised that a corporate response by the Board was being drafted for consideration at the Board Meeting on 28 March 2006. NOTED.

29. KEY ISSUES RELATING TO HUMAN RIGHTS FROM THE PSNI BASELINE

INFORMATION PAPERS

29.1 BRITISH IRISH RIGHTS WATCH REPORT– PLASTIC BULLETS

The Committee considered a report by British Irish Rights Watch on Plastic Bullets. NOTED.

30. QUESTIONS FOR THE CHIEF CONSTABLE

A question to be drafted for Chief Constable regarding the paper at item 26 of the agenda.

31. PRESS ISSUES

There were no matters arising.

32. ANY OTHER BUSINESS

32.1 National Water Cannon Conference.

Members were advise that the National Water Cannon Conference will be held at PSNI Steeple on 30 March 2006

33. DATE OF NEXT MEETING

Members were advised that all Board Members would be notified of the dates of meetings as soon as they are confirmed.

SECRETARIAT

March 2006

Chairman