

NORTHERN IRELAND POLICING BOARD

MINUTES OF 17th MEETING OF HUMAN RIGHTS AND PROFESSIONAL STANDARDS COMMITTEE HELD ON 13 JANUARY 2006 AT 10:00 AM IN WATERSIDE TOWER, BELFAST

PRESENT:

MEMBERS:

Mr Eddie McGrady (Chairman)
Mr Alan McFarland
Mrs Rosaleen Moore
Mr Suneil Sharma
Mrs Pauline McCabe
Mr William Hay

(1) Prof Sir Desmond Rea

HUMAN RIGHTS COMMISSIONERS IN ATTENDANCE:

(1) Professor Monica McWilliams, Chief Human Rights Commissioner.

(1) 6 Human Rights Commissioners

POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE

(2) Detective Chief Superintendent, IIB

(2) Detective Superintendent, IIB

(2) PSNI Representative, IIB

OFFICIALS IN ATTENDANCE:

(1) Mr Trevor Reaney, Chief Executive,
Mrs Sinead Simpson, Director of Policy
Four Board Officials

(1) **Item numbers 2**

(2) **Item Numbers 3**

1. APOLOGIES, ETC

Apologies for non attendance were received from Mr Paisley Jnr and Mrs Pauline McCabe.

2. PRESENTATION BY NORTHERN IRELAND HUMAN RIGHTS COMMISSION (NIHRC)

The Chairman of the Human Rights and Professional Standards Committee welcomed the Human Rights Commissioners to the meeting.

Professor McWilliams began by introducing the Commissioners, then opened the discussion on the following items.

- The NIHRC Strategic Plan – Members and Commissioners discussed NIHRC priorities for the coming year and the interface between the work of the NIHRC and the work of the Board
- A Consultation paper by NIO on extension of powers of the Human Rights Commission. The Committee was advised that the Consultation on the extension of powers for the Human Rights Commission will end on 8 February 2006. NOTED.
- One area of concern for Members centred on the potential overlap between Custody Visitors and the proposed extended role for the Commission. Professor McWilliams advised the Committee that the NIHRC's role was supportive and that there would be no overlap. However it was acknowledged that clear channels of communication would be necessary.

The Chief Commissioner also welcomed two reports completed by the Northern Ireland Policing Board;

- The Annual Human Rights Report
- The Report on the Policing of the Ardoyne and Whiterock parades 2005.

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The meeting discussed a number of Human Rights issues emerging from these reports.

It was agreed:

AGREED

That officials including the Board's Human Rights Advisors should make a comprehensive presentation to the NIHRC on the full range of Board Human rights activity.

A Member sought clarification about whether the Human Rights Commission would have any involvement in the 'On the Run' Legislation. Professor McWilliams advised the Committee that the Human Rights Commission have presented their views in a paper submitted to the Northern Ireland Affairs Committee. She also advised the Committee that NIHRC will meet with the Historical Enquiries Team.

Professor McWilliams ended her presentation by commending the Board and the Board's Human Rights Advisors on their work and the reports, she also acknowledged the level of expertise in both the Board and its Human Rights Advisors.

The Chairman thanked Professor McWilliams and the Commissioners and they left the meeting.

3. PRESENTATION BY PSNI INTERNAL INVESTIGATIONS BRANCH (IIB)

The Chairman welcomed Detective Chief Superintendent, IIB and her

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colleagues to the meeting and invited the Detective Chief Superintendent to give a presentation on the work of Internal Investigations Branch (IIB).

She began by outlining the role of IIB and its aims and objectives.

- Prevention and Detection
- Ownership
- Supervision & leadership
- Security, Screening & Vetting.

The role of Discipline Sub- Branch was discussed and the Detective Chief Superintendent explained the various disciplinary measures which can be taken by IIB. The Detective Chief Superintendent also stressed that there are strict guidelines as to what disciplinary cases could be referred to IIB and if a case was not appropriate for IIB it would always be referred back to the DCU Commander to deal with at local level.

The Detective Chief Superintendent provided discipline figures for 2005;

- 22 Officers Suspended
- 20 Officers re – positioned
- 287 investigations opened
- 125 Investigating Officers appointed
- 80 Investigations transferred from PONI for action
- 33 SAFECALL reports registered.

The Detective Chief Superintendent gave further information about the other Sub Branches within IIB - , Operations Sub- Branch, Policy Sub - Branch and OPONI Sub – Branch. She provided the Committee with statistics regarding Branch interaction with the office of the Police Ombudsman (OPONI)

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- 3009 Ombudsman files registered with (4606 allegations)
- 453 suitable for Informal Resolution
- 274 Informally resolved of 3009 registered
- 168 officers involved in Tracking & Trending
- 35 Regulation 20 Reports
- 46 Freedom of Information requests received during the period.

The Detective Chief Superintendent then gave details about the Confidential Reporting Line (SAFE CALL) advising that this was an independent company and that it was operated 24/7. There were no tape-recording or contemporaneous notes taken. It was operated by ex police career detectives based in the UK and it was not monitored under the Lawful Business Practice Regulations.

The Detective Chief Superintendent concluded her presentation by advising the Committee of the contents of the 6 monthly reports for each of the Sub- Branches. Members were then given an opportunity to ask questions.

Members expressed concern at random integrity testing and how it would be carried out. The Committee was advised that it had been agreed with the NIO that it would be intelligence led.

It was

AGREED

- To report to Members on the guidelines used for intelligence led, as opposed to random, integrity testing.
- To raise with PSNI any “learning points” which can be derived from recent reports leaked to the Board.

The Committee sought further information about Suspended Officer statistics and enquired about trends in suspensions for new recruits.

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The Detective Chief Superintendent was able to confirm that 6 of the 22 suspended officers were new recruits.

The Chairman thanked the Detective Chief Superintendent and her colleagues for their presentation and they left the meeting. A copy of the slides used in the meeting is attached at Appendix A.

4. MINUTES OF THE HUMAN RIGHTS AND PROFESSIONAL STANDARDS COMMITTEE MEETING HELD ON 11 NOVEMBER 2005

The Committee considered the draft minutes of the 11 November 2005 meeting.

It was:

AGREED

That the minutes of the meeting of the Human Rights and Professional Standards Committee held on 11 November 2005 be agreed and adopted by the Board.

5. MATTERS ARISING FROM THE MINUTES OF THE HUMAN RIGHTS AND PROFESSIONAL STANDARDS COMMITTEE HELD ON 11 NOVEMBER 2005

5.1 Presentation By Police Ombudsman's Office On Complaints Against PSNI (Item 2 of Minutes Refers)

A request was made to PONI, and they agreed that in future reports from PONI would show part time reserve officers and full time Reserve officers separately. NOTED

5.2 Work Of PSNI – Regulation 20 Review Panel (Item 3 of Minutes refers)

A reply is awaited from PSNI and will be brought to next Committee. NOTED

5.3 Review Of Firearms Training (Item 5.1 of Minutes Refers)

This matter was dealt with at agenda item 18

5.4 Implementation of the Requirement to Record ‘Stops’ (Item 5.4 of Minutes Refers)

A reply is awaited from PSNI and NIO and will be brought to next Committee. NOTED

5.5 Police Officers On Suspension (Items 5.7 and 10 Of Minutes Refers)

At their last meeting, the Human Rights And Professional Standards Committee, agreed that further information should be sought from PSNI on a number of specific cases. Members received a paper detailing further information on these cases. NOTED

5.6 Human Rights / Protective Equipment (Item 5.9 and 19 of Minutes Refers)

Members were advised by the Director of Policy that a question on this matter was put to the Chief Constable at the December Board meeting. NOTED.

5.7 Compensation Claims Paid Between July and September 2005 (Item 11 of Minutes refers)

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At their last meeting, the Committee agreed that an issue arising from the schedule of Compensation Claims paid between July and September 2005 should be brought to the attention of the Finance and General Purposes Committee. This was actioned and Members received a copy of a letter from the Chairman of the Finance and General Purposes Committee dealing with the concerns raised.
NOTED

5.8 OPONI – Policy and Practice Investigation into the Impact of OPONI Regulation 20 Recommendations (Item 13 of Minutes Refers

This matter was dealt with at agenda item 12

5.9 Registration of Notifiable Memberships (Item 14 of Minutes Refers

This matter was dealt with at agenda item 14

6. CHAIRPERSON'S BUSINESS

6.1 Date of Taser Presentation

The Chairman advised Members that the presentation on Taser was scheduled for 31 January 2006 at 1.00pm in Waterside Tower

6.2 Publicising The Board's Human Rights Work

The Chairman advised Members that the Board's Human Rights Advisors Annual report would be issued by June 2006. He also reminded the Committee Members of the nature and scope volume of work currently being undertaken by the Human Rights Advisors and the benefits to be gained by publicising the unique processes in place between PSNI and the Board.

It was:

AGREED

- That a paper would be prepared detailing how best to publicise the work of the Human Rights Advisors.
- That the paper should be circulated to all members of the Committee before its next meeting.

7. SUMMARY OF COMPLAINTS AGAINST TRAFFIC WARDENS

The Committee considered a paper which provided a statistical summary of complaints against traffic wardens for the period October to December 2005. NOTED.

8. PB1 AND PB2 REPORTS

The Committee considered a paper which provided a statistical summary of PB1 reports (incidents where AEPs were fired by police) and PB2 reports (Incidents of serious public disorder). NOTED

9. POLICE OFFICERS ON SUSPENSION

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

It was:

AGREED

That further information should be sought on a number of specific

cases.

10. QUARTERLY STATISTICS ON THE USE OF CS INCAPACITANT SPRAY

The Committee considered a paper which provided information on the use of CS Incapacitant Spray. It provided information which detailed incidents when the spray was deployed, when it was deployed and subsequently used, and the location and nature of each of these incidents. NOTED

It was:

AGREED

To ensure that the Board's Human Rights Advisors consider the issues around training detailed in the "Bailey Report"

11. BRITISH IRISH RIGHTS WATCH – RESPONSE TO REPORT 14 OF THE OVERSIGHT COMMISSIONER

The Committee considered a paper which contained a response by the British Irish Rights Watch to the 14th report by the Oversight Commissioner. NOTED

12. REGULATION 20 REPORTS

The Committee considered a paper which gave details of Regulation 20 reports and the time scale involved between the incident and the report being received. NOTED

It was:

AGREED

To explore with PONI the possibility of having an early interim report on any issues (policy/ Training etc) emerging from ongoing Regulation 20 investigations,

13. CONSULTATION ON POWERS OF THE NORTHERN IRELAND HUMAN RIGHTS COMMISSION

The Committee considered a paper which advised Members of a consultation paper on proposals for additional powers, in order to enhance the effective working of the Northern Ireland Human Rights Commission. The Committee Members also considered a draft response to the Northern Ireland Office.

It was:

AGREED

- That the draft response should be reconsidered in the light of Members' comments regarding the Custody Visitor Scheme.
- That a revised draft should be circulated to the Committee before the next Board meeting.

14. REGISTRATION OF NOTIFIABLE MEMBERSHIP

The Committee considered a consultation paper received from PSNI which provided an assessment of whether the second process of registration of notifiable membership within PSNI had achieved the intent of the legislation.

A number of Members requested that clarification be sought from PSNI on the officers who had not to date registered.

It was:

RECOMENDED

That the Board consider the matter and that a paper that reflected the Committee's discussion, and the PSNI response on the officers who have

not registered should be brought to the next Board meeting to consider the way forward.

15. AMENDMENT TO REPORT INTO THE DISCHARGE OF FIREARM AT CARRICKFERGUS ON 14 JUNE 2003

The Committee considered a paper which brought to Members attention, an amendment to a Police Ombudsman Regulation 20 Report into the discharge of a firearm at Carrickfergus in 2003, that was included in the June 2005 Committee Papers. NOTED

16. SUMMARY OF REPORT BY THE POLICE OMBUDSMAN ON THE DISCHARGE OF BATON ROUNDS BY POLICE OFFICERS DURING 2001 AND 2002

The Committee considered the content of a report, which has been received from OPONI, on the discharge of baton rounds during 24 separate incidents during 2001 -2002. NOTED

17. PSNI – WEARING OF NAME BADGES

The Committee considered a paper which advised members of the content of General Order 324/2005 entitled Police Service of Northern Ireland – Wearing of Name Badges, which updated the previous General Orders on this matter

and consolidates other guidance recently agreed. NOTED

18. REPORT BY ALAN BAILEY M. A. INTO PSNI FIREARMS TRAINING POLICY AND PROCEDURES

The Committee considered a report by Alan Bailey M.A. into PSNI Firearms Training Policy and Procedures. Members discussed the report and the merits in extending training on the use of CS Spray.

It was

AGREED

That the relevant recommendations in the report should be considered by the Board's Human Rights Advisors, as part of their ongoing work.

Members also noted that the HMIC report was still awaited.

19. ISSUES ARISING FROM THE CRIMINAL JUSTICE INSPECTION (NI) REPORT ON THE OFFICE OF THE POLICE OMBUDSMAN FOR NORTHERN IRELAND

The Committee considered a paper concerning issues arising from the CJINI Inspection Report on the Office of the Police Ombudsman for Northern Ireland in December 2005. **NOTED.**

20. INFORMATION PAPERS

There were no Information papers at this meeting

21. SCHEDULE OF PRESENTATIONS

The Committee considered a paper which listed presentations for 2006 and Members were asked if there were any other topics which should be included.

It was:

AGREED

That the dates of some of the OPONI Statistical presentations would be changed.

22. QUESTIONS FOR THE CHIEF CONSTABLE

There were no questions for the Chief Constable arising from the meeting

23. PRESS ISSUES

There were no matters arising.

24. ANY OTHER BUSINESS

There was no further business to discuss.

25. DATE OF NEXT MEETING

Members are asked to agree the date of the next meeting as 10 March 2006.

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Secretariat
January 2006

Chairman