

# HUMAN RIGHTS 2013 OVERVIEW

Monitoring the  
compliance of the  
Police Service of  
Northern Ireland with  
the Human Rights  
Act 1998

Annual Report  
**2013**



# **NORTHERN IRELAND POLICING BOARD**

## **OVERVIEW OF THE HUMAN RIGHTS ANNUAL REPORT 2013<sup>1</sup>**

The Northern Ireland Policing Board (the Policing Board) is required by section 3(3)(b)(ii) of the Police (Northern Ireland) Act 2000 to monitor the performance of the Police Service of Northern Ireland (PSNI) in complying with the Human Rights Act 1998. In order to assist it with fulfilling this duty, the Policing Board appointed Human Rights Advisors in 2003 to devise a framework which sets out in detail the standards against which the performance of the police in complying with the Human Rights Act 1998 is monitored by the Policing Board and identifies key areas to be examined. The Policing Board's Performance Committee (the Committee) is responsible for implementing the monitoring framework. The Committee is assisted in this task by the Policing Board's Human Rights Advisor. Every year since 2005, the Human Rights Advisor has presented the Committee with a Human Rights Annual Report.

The Human Rights Annual Report contains an overview of the monitoring work carried out during the year by the Committee and the Human Rights Advisor, highlighting both good police

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<sup>1</sup> The full version of the Human Rights Annual Report 2013 can be accessed through the Policing Board website: [www.nipolicingboard.org.uk](http://www.nipolicingboard.org.uk)

practice and areas in which practice could be improved. The key areas of police work discussed in the Report are: (1) The PSNI Programme of Action; (2) Training; (3) Policy; (4) Operations; (5) Complaints, Discipline and the Code of Ethics; (6) Public Order; (7) Use of Force; (8) Covert Policing; (9) Victims; (10) Treatment of Suspects; (11) Policing with the Community; (12) Human Rights Awareness in the PSNI; (13) Privacy, Data Protection and Freedom of Information; and (14) Children and Young People.

Formal recommendations are made where it is believed that PSNI action is necessary. Since 2005 the PSNI has implemented 196 recommendations contained within the Annual Reports. That is testament to PSNI's commitment to ensuring that a positive human rights culture and awareness exists within the organisation. However, as demonstrated by the 8 recommendations from last year that remain outstanding and the 8 new recommendations made in this year's Human Rights Annual Report, maintaining a human rights culture is an ongoing commitment. PSNI has welcomed the oversight provided by the Policing Board in this regard, with ACC George Hamilton describing the Human Rights Annual Report as a "*positive and welcome challenge*".<sup>2</sup>

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<sup>2</sup> In his introductory comments to the *PSNI Programme of Action 2012 – 2013*. This document is available to download through the PSNI website: [www.psni.police.uk](http://www.psni.police.uk)

Another way in which the Committee and the Human Rights Advisor monitor and report upon PSNI's human rights compliance is by way of a thematic review. This approach enables a more detailed examination of specific areas of policing from a human rights perspective. A key feature of the thematic review is use of the community's experience of policing to assist with informing the evidence base against which police policy and practice on the ground is evaluated. Four human rights thematic reviews have been published to date and have made a combined total of 73 recommendations.<sup>3</sup>

The most recent human rights thematic review was published in October 2013 and considers police powers to stop and search and stop and question under the Terrorism Act 2000 and the Justice and Security (NI) Act 2007. The thematic review provides in-depth scrutiny of the use of the powers and it makes 11 recommendations for the PSNI to implement. It is hoped that this thematic review will not only assist and improve

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<sup>3</sup> A thematic review on the policing of domestic abuse was published in March 2009 and an update report was published in May 2011. A thematic review examining policing with children and young people, was published in January 2011 and an update report was published in February 2014. A thematic review which considered the way in which PSNI engages with lesbian, gay, bisexual and transgender individuals was published in March 2012 and an update report will be prepared during 2014. A thematic review of police powers to stop, search and question individuals under the Terrorism Act 2000 and the Justice and Security (Northern Ireland) Act 2007, was published in October 2013. All of these thematic reviews and update reports are available to download through the Policing Board's website: [www.nipolicingboard.org.uk](http://www.nipolicingboard.org.uk)

police practice, but that it will also assist the community by putting into the public domain as much information about the use of stop and search powers as is possible. The Committee wishes to encourage further discussion with the community and will continue to engage with PSNI and stakeholders on this important issue.

Monitoring the implementation of the thematic recommendations and the Human Rights Annual Report recommendations will be taken forward by the Committee, with the assistance of the Human Rights Advisor, and will be reported upon publically in due course.

## **Human Rights Annual Report 2013: Recommendations**

### **Training**

1. PSNI should, during 2014, deliver bespoke youth training to student officers at Police College, develop youth training to be delivered to police officers and civilian staff and recommence the delivery of its training course to police trainers on children, young people and human rights.
2. PSNI should report to the Performance Committee within 3 months of the publication of the Human Rights Annual Report 2013 on the training delivered to police officers and civilian staff in respect of children and young people. That

report should detail the nature of the training delivered and to whom the training was delivered by role, rank and District. That report should also specify the training planned for the upcoming year including the nature of the training and the persons to whom the training is to be delivered by role, rank and District.

3. Each District Commander should include child protection training as a priority within his or her District training plan for delivery in 2014.

### **Policy**

4. In the event that PSNI decides to introduce a test purchase of alcohol scheme it should notify the Performance Committee of that decision and, in advance of any introduction of the scheme, provide to the Committee a detailed briefing on the operation of the scheme with a particular emphasis on those measures intended to protect the welfare and safety of children.

### **Complaints, Discipline and the Code of Ethics**

5. PSNI should put in place a system which identifies trends and patterns in OPONI policy recommendations. If recurring recommendations are made, the system should highlight these and require PSNI to take further action. That system should be put in place within 6 months of the

publication of the Human Rights Annual Report 2013. PSNI should thereafter provide the Performance Committee with an annual report highlighting trends and patterns in OPONI policy recommendations and any recurring recommendations. The report should also outline how lessons learned from the OPONI investigations have been communicated throughout the Police Service and how they have resulted in organisational change.

6. PSNI should report to the Performance Committee, within 6 months of the publication of the Human Rights Annual Report 2013, on the processes it has in place to monitor trends and patterns in complaints and misconduct matters arising in respect of civilian staff.

### **Use of Force**

7. PSNI should publish forthwith its Manual of Policy, Procedure and Guidance on Conflict Management. Only those parts of the policy that cannot be published due to the information being of a confidential nature should be redacted.

### **Covert Policing**

8. In the course of the post-implementation review of UAS to be provided to the Policing Board PSNI should identify and explain the extent to which UAS has been used for



surveillance purposes together with a detailed explanation of the framework within which PSNI uses UAS for overt surveillance and for surveillance which does not relate to a specific operation or investigation.





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Human Rights Annual Report 2013 Overview

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