



POLICE SERVICE OF NORTHERN IRELAND HUMAN RIGHTS ASSESSMENT - SCREENING CHECKLIST

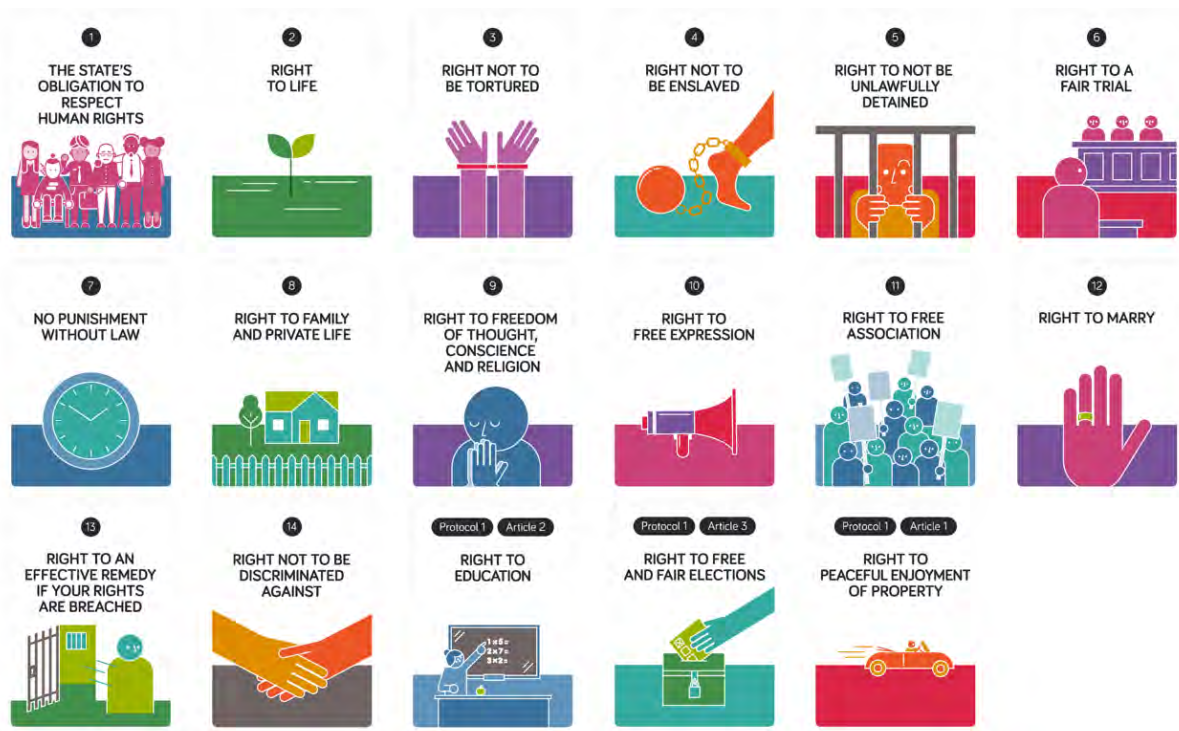
The Human Rights Assessment form must be used to inform your decision making when developing new or existing Service Policies / Service Instructions.

The purpose of conducting a Human Rights Assessment is to identify, understand and manage the potential corporate impacts of developing or amending Service Policies and / or Service Instructions on Police Service of Northern Ireland’s compliance with the Human Rights Act. This Human Rights Assessment will help you as the policy author to gain an understanding of the potential impact of corporate activities on human rights compliance. It is important to carry out the Human Rights Assessment at any early stage so that any identified outcomes can be incorporated within the decision making process.

Identifying and addressing Human Rights issues during the Service Policy / Service Instruction development phase will reduce the likelihood of difficulties (e.g. legal challenge, loss of public confidence,) during the implementation of the Service Policy / Service Instruction.

It should remain a live document and be reviewed at key milestones during development.

Details	
Service Policy / Service Instruction:	
Reference Number (if known):	
Title:	
Author:	
Owning Department / Branch:	
Issue Date:	
Review Date:	



Human Rights

The Human Rights Act (HRA) 1998 incorporated the European Convention on Human Rights (ECHR) within UK law. The HRA 1998 applies within Northern Ireland and it protects a number of key human rights for all individuals. Rights can be either 'Absolute', i.e. they can never be taken away or withheld; 'Limited', i.e. they may be limited only under explicit circumstances and others are 'Qualified' i.e. they require a balance between the rights of the individual and the needs of the wider community or state interest.

The following questions should be considered:

What is the aim / intention / rationale of the Service Policy / Service Instruction?

Who are the relevant stakeholders that should be consulted in the formulation of this Service Policy / Service Instruction?

Is this Service Policy / Service Instruction expected to positively promote compliance with human rights? If so, how?

Will the application of the Service Policy / Service Instruction interfere with any of the Articles below?

2: Right to Life	<input type="checkbox"/>	3: Prohibition of torture, inhuman or degrading treatment	<input type="checkbox"/>
4: Prohibition of slavery and forced labour	<input type="checkbox"/>	5: Right to liberty and security	<input type="checkbox"/>
6: Right to a fair and public trial	<input type="checkbox"/>	7: Right to no punishment without law	<input type="checkbox"/>
14: The prohibition of discrimination	<input type="checkbox"/>	Protocol1 Article 1: Protection of property and enjoyment of possessions	<input type="checkbox"/>

If 'Yes' has been selected, what is the interference and who will be impacted by it? Please set out the mitigations in place within the Service Instruction or Service Policy to prevent any violation of the Article? For example, what measures are included within the document to demonstrate the principles of proportionality, legality, accountability and necessity? If necessary, seek legal advice from [Legal Services](#)

Will the application of the Service Policy / Service Instruction interfere with any of the Qualified Rights (Articles) below?

8: Right to respect for private and family life, home and correspondence	<input type="checkbox"/>	10: Right to freedom of expression	<input type="checkbox"/>
9: Right to freedom of thought, conscience and religion	<input type="checkbox"/>	11: Right to freedom of peaceful assembly and association	<input type="checkbox"/>

If 'Yes' has been selected for any of the Articles 8 to 11, these are 'Qualified' Rights and interference is only permissible if all following apply:

- (a) There is a clear legal basis for the interference; and
- (b) The action / interference seeks to achieve a Legitimate Aim (see table below); and
- (c) The action is necessary in a democratic society.

Indicate below the relevant Legitimate Aim(s) to be used. If necessary, and seek legal advice from [Legal Services](#)

Legitimate Aim	Article 8	Article 9	Article 10	Article 11
National Security:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Public Safety:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Economic wellbeing of the country:	<input type="checkbox"/>			
Prevention of disorder or crime:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Protection of health or morals:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Protect of the rights and freedoms of others:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prevent the reputations or rights of others:			<input type="checkbox"/>	
Prevent the disclosure of information received in confidence:			<input type="checkbox"/>	
			<input type="checkbox"/>	

Please provide further details:

SCREENING CHECKLIST

Please use the screening checklist below to assist you when reviewing and considering the potential impact upon Human rights compliance within the Service Police and/or Service Instruction.

Criteria	Yes / No / N/A
Have relevant human rights obligations, risks and compliance processes been identified?	(Select)
Please provide detail below	

Does the Service Policy / Service Instruction identify any adverse impacts on human rights compliance?	(Select)
Please provide detail below	

Does the Service Policy / Service Instruction identify any positive impacts on human rights compliance?	(Select)
Please provide detail below	

Does the Service Policy / Service Instruction incorporate human rights compliance linked to operational decision-making (e.g. <i>P.L.A.N./briefing/ risk assessment/ tactical options/ policy</i>)?	(Select)
Please provide detail below	

Does the Service Policy / Service Instruction incorporate relevant content to identify vulnerability and sufficient controls to mitigate risks to those affected by vulnerability? <i>(e.g. briefing/ risk assessment/ tactical options/ policy)?</i>	(Select)
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Please provide detail below

Have any amendments to existing Service Policies or Service Instructions been submitted to PSNI Corporate Policy Branch for review?	(Select)
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Please provide detail below

Outcome

Policy writers are provided with a practical checklist tool to develop, monitor and quality assure the integration of human rights principles and outcomes within new or existing PSNI Service Policy and or Service Instruction(s)

Explanatory Note

The PSNI Human Rights Assessment - Screening Checklist is a tool for PSNI Policy authors to develop new or existing Service Policies and or Service Instructions in order to continue to promote and incorporate the integration of human rights issues and outcomes within PSNI policy and corporate practice. It is intended to act as a checklist to assist policy authors to develop policy and service instructions in accordance with PSNI's human rights obligations.

Sign Off

I am satisfied this assessment demonstrates compliance with the Human Rights Act 1998.

Author:		Date:	
Department / Branch:		Date:	
Received by Corporate Policy:		Date:	