



THE POLICE SERVICE OF NORTHERN IRELAND

Human Rights Programme of Action 2007–2008





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Foreword by the Chief Constable, Sir Hugh Orde



We in the Police Service of Northern Ireland are in earnest about making Northern Ireland safer. In doing so, we are committed to respecting the human rights of all – of the community we protect, of victims, of suspects and of our own officers.

This Programme of Action sets out our main areas of development in Human Rights for the coming year and provides a response to the Policing Board's Human Rights Annual Report of 2007. We have welcomed the interaction with the Board and its advisers, Keir Starmer QC and Jane Gordon, which has provided an informed critique of contemporary issues in applying human rights to law enforcement.

We have continued to provide full access to all aspects of our work. Mr Starmer and Ms Gordon have made reference in their report to this unrestricted access they have been given to all documentation as well to events they wished to observe. PSNI has since its inception been the subject of unprecedented levels of scrutiny and has repeatedly opened its doors to oversight.

Amongst these several statutory mechanisms was the Oversight Commissioner. The Report cites the statement in the Commissioner's final report that: "a consciousness of human rights has taken root in a way that is unique among police services... and is a remarkable achievement which the police service and the people of Northern Ireland should be proud of".

In February of this year the PSNI joined with the Policing Board to host a major international conference: 'Policing the Future', which gave other law enforcement officials an opportunity to examine our achievement and consider how it may be applied to their own situations.

We have committed significant resources to establish and maintain that achievement. Assistant Chief Constable Drew Harris is our Human Rights Champion. We have a Human Rights Legal Adviser who plays a key role in providing guidance to all areas of our Service. Following last year's report we recruited a Human Rights Training Adviser who worked with our College to ensure the delivery of creative and practical training programmes which incorporated Human Rights standards.

Thankfully, this year's marching season passed off comparatively peacefully. Such an outcome has not come without a great deal of planning, effort and negotiation. Police have to deal with conflicting rights of individuals and groups. We seek to take all such rights into consideration to foster a peaceful resolution.

This year also saw the end of Operation Banner under which military assistance was provided to PSNI. This represents another substantial challenge for my officers who, time and again, have shown their ability to adapt to a changing environment.

Recognising the human rights of all members of our society is central to our performance as a police service. This informs how we train and equip our officers, and how we plan and carry out our duties thus enabling us to continue to contribute to the development of a safer Northern Ireland for all.



Part II

Introduction to the Police Service of Northern Ireland's Human Rights Programme of Action 2007–2008

The protection of human rights has always been at the core of policing. The introduction of the Human Rights Act 1998 in October 2000 served to formalise this in a way that had not before existed.

The Police Service of Northern Ireland has developed programmes to ensure that all its officers understand the principles of human rights and the obligations placed upon them. This is reflected in the policies, planning and practice of the Service.

There is a recognition that understanding of human rights must deepen and broaden with changing circumstances and law. There is also a recognition that it is important to refresh understanding so that human rights continues to be seen as an important tool to effective policing.

The PSNI keeps under review the external changes in the legal interpretation of the ECHR as well as the internal needs of those whose task it is to uphold the law.

The production of this Programme of Action further demonstrates the PSNI's commitment to Human Rights based policing. It sets out the main areas of work which we are currently undertaking or which we plan to commence. It is grouped to show how our work links in to the 44 recommendations contained in the latest Human Rights Report published by the Policing Board in September 2007.

The professional scrutiny of the Policing Board's advisers has been setting over recent years a challenge to the PSNI. The PSNI has made use of this detailed scrutiny to maintain and indeed raise the standard that has been achieved.



Part III

Championing Human Rights



The achievements of the Police Service of Northern Ireland in conducting a human rights based approach to policing have been widely recognised. This has been made possible by the willingness shown by our officers and staff to apply human rights to the difficult demands of policing our society.

This is, and will remain, a 'work in progress'. My approach is to take nothing for granted and to ensure that high standards are set and met. This involves a continual assessment of our policies, our training and our performance.

It is essential that human rights principles and obligations assist our officers to carry out their duties effectively as set out in Section 32 of Police (NI) Act 2000. By doing so Northern Ireland will become a safer place for all sections of our society. The PSNI proactively seeks to identify current human rights issues and how

they affect operational officers in their day-to-day roles. Thus we will ensure that our approach remains relevant and effective.

The Policing Board's report into our performance is welcome. It acknowledges the progress we have made in the past year, whilst in making 44 recommendations challenges us to continue to seek improvement.

This is a challenge I am happy to meet.

Drew Harris
Assistant Chief Constable



Part IV

Departmental responses to the recommendations of the Northern Ireland Policing Board Human Rights Annual Report 2007





Criminal Justice Department

Recommendation	Response	Current Status	Projected Completion Date
1. The PSNI should draw up and publish an annual Human Rights Programme of Action within three months of our human rights reports on an ongoing basis.	Accepted by Criminal Legislation and Procedures Branch	This document will be published on the PSNI internet site within the time frame recommended.	December 2007
9. The PSNI should include reference to the rights, vulnerabilities and issues faced by children and young people in operational briefings relating to anti-social behaviour, youths causing annoyance and other operations involving children and young people	Accepted by Community Safety Branch	The Youth Issues team have addressed the issues of Rights and Young People through the Policy document 'Policing Children and Young People'. Consultation on rights continues through the mechanisms of the Youth IAG (Independent Advisory Group) and the Police College. Revision of the Youth Diversion Scheme procedure will identify some of the issues on recording information, liaison with parents/guardians and other matters of general procedure.	YDS Scheme March 2008
11. The PSNI should consider amending its policy on policing unlawful public sexual activity to include specific guidance to officers on how they can ensure arrest operation are conducted sensitively and with the least interference with Article 8 of the European Convention on Human Rights.	Accepted by Community Safety Branch	This recommendation will be included as part of the review of the general service order.	April 2008



Recommendation	Response	Current Status	Projected Completion Date
<p>29. The PSNI should require all Minority Liaison Officers to review the district command and control log on a monthly basis as a matter of standard practice to identify incidents which may constitute hate incidents and crimes but which may not be recorded as such.</p>	<p>Accepted by Community Safety Branch</p>	<p>PSNI are introducing a new IT system that will enable this task to be managed more easily. The guidance will be passed to Minority Liaison Officer (MLOs) at future MLO conferences, which are held twice each year. The recommendation will be included as part of the next policy review.</p>	<p>April 2008</p>
<p>30. The PSNI should work with the PPS to agree standard definitions and policies and a more integrated approach to the prosecution of hate crime.</p>	<p>Accepted by Community Safety Branch</p>	<p>This forms part of the work involved in responding to a similar Criminal Justice Inspectorate inspection report already at an advanced stage.</p>	<p>April 2008</p>
<p>31. The PSNI should amend its policy on authorised encampments to emphasise that an unauthorised encampment may not be removed unless a suitable alternative site is available or Article 3 of the Unauthorised Encampment (Northern Ireland) Order 2005 applies and ensure that officers are aware of the terms of the 2005 Order and the proper scope of their powers under it.</p>	<p>Accepted by Community Safety Branch</p>	<p>This will take place as part of the review of the service instructions and after consultation with partners involved in the process including the traveller community.</p>	<p>April 2008</p>



Recommendation	Response	Current Status	Projected Completion Date
<p>32. The PSNI should report to the Policing Board on a six monthly basis setting out the number of police orders issued under the unauthorised Encampment (Northern Ireland) Order 2005 and short summaries of the circumstances relating to each order.</p>	<p>Accepted by Community Safety Branch</p>	<p>The data is already collected by PSNI and can be reported on as recommended.</p>	<p>January 2008</p>
<p>34. The PSNI should consider appointing a dedicated traveller liaison officer.</p>	<p>Not accepted.</p>	<p>In effect the PSNI already have a dedicated Traveller Liaison Officer. He also acts as a liaison for other areas including Race, Lesbian Gay Bi-sexual and Transgender (LGBT), older persons, disability groups etc. Additionally MLOs (Minority Liaison Officers) in each District perform similar operational function depending on the needs of the local community.</p>	<p>N/A</p>
<p>40. The PSNI should consider extending the knowledge sharing project model to a variety of partnership agencies.</p>	<p>Partially accepted by Policing with the Community Branch</p>	<p>This recommendation has been partially accepted on the basis that a business case is being prepared for the ACC Criminal Justice. He is supportive of the principles of Knowledge Sharing. However, the business case is still under consideration and no final decision has been made at this time.</p>	<p>Unknown at this stage.</p>



Recommendation	Response	Current Status	Projected Completion Date
44. The PSNI should report by January 2008 on its progress in establishing the public Protection Units within each of its eight DCU's.	Accepted by Community Safety Branch	Community Safety Branch will lead in the implementation of this project on behalf of Criminal Justice Department. Progress will be reported upon in January 2008.	January 2008

Northern Ireland Police College

Recommendation	Response	Current Status	Projected Completion Date
2. The PSNI should produce a report in March 2008 setting out the outcomes and findings to date of the audit of district training materials.	Partially accepted by Police College	An approach to auditing the District Training materials was devised by the former Human Rights Training Advisor. The NIPB Human Rights advisors agreed this approach. The departure of Human Rights Training Advisor and the protracted nature of recruiting a replacement have led to a delay in actioning and managing this audit process. This recommendation will be a priority for the newly appointed training advisor when they arrive. When there is clarity concerning the date of their arrival the Human Rights Compliance Officer will initiate the procedure to ensure there is no additional time lost.	Given the absence of the Human Rights Training Advisor, the most likely date to meet this recommendation will be June 2008.



Recommendation	Response	Current Status	Projected Completion Date
<p>3. The PSNI should report in January 2008 on its progress in establishing the Professional development Unit within each of its eight DCU's and the establishment of a central team based within the Police College at Garnerville to assist and support districts trainers in the provision of training at district level.</p>	<p>Accepted by the Police College regarding their role in assisting and supporting district trainers.</p>	<p>The establishment of developing the Professional Development Units is the responsibility of each District Commander. Completed and functioning structures are unlikely to be in place until May 2008. The Police College will work to establish a more effective and better-resourced support relationship with District Training Teams. This will be done on a formalised basis with the current District Training Coordinator, the College's Professional Investigation Programme Trainers and the Human Rights Training Advisor.</p>	<p>Progress report in January 2008.</p>
<p>4. The PSNI internal evaluation team should evaluate the effectiveness of the human rights and use of force element of the firearms refresher training within nine months of this report.</p>	<p>Accepted by Police College</p>	<p>The PSNI Human Rights Legal Advisor leads this evaluation team. It has been agreed that the team will comply with this recommendation within the required timescale.</p>	<p>June 2008</p>
<p>5. The PSNI should appoint human rights champions within each of its specialist training teams, and make a mandatory requirement of the role that all human rights champions complete the human rights short course in the first year of their appointment.</p>	<p>Accepted by Police College</p>	<p>The Police College is currently in the process of identifying appropriate Human Rights Champions. These Champions will become the principal point of contact within their respective areas in respect of Human Rights development and integration. Any nominated Human Rights Champion who has not already done so will complete the course with the Transitional Justice Institute.</p>	<p>June 2008</p>



Recommendation	Response	Current Status	Projected Completion Date
21. In 2008 the PSNI should reinstate public order training on the Public Processions (Northern Ireland) Act 1998, as amended.	Accepted by Police College	The PSNI Legal Advisor will lead on the content of this training. The Police College will supply the venue, administrative support, necessary funding and other resources that are required.	July 2008
23. The PSNI should review its AEP training course to refer expressly to the PSNI AEP policy and to incorporate explicit consideration of the rights of children and young people.	Accepted by Police College	The Head of Combined Operational Training, will action this recommendation.	April 2008
33. The PSNI should ensure that the Traveller community is represented in its cultural awareness training to PSNI student officers.	Accepted by Police College	An invitation will be extended to the traveller community to attend the Community Fair event that is held every five weeks in the College, giving different community groups an opportunity to engage with Student Officers.	April 2008
35. The PSNI internal evaluation team should evaluate the PSNI's student officer training on victims and witnesses.	Accepted by Police College	The PSNI Human Rights Legal Advisor leads this evaluation team. It has been agreed that the team will comply with this recommendation within the required timescale.	June 2008



Operational Support Department

Recommendation	Response	Current Status	Projected Completion Date
<p>6. The PSNI should formally report to the Policing Board within three months on its policy review explaining the situation and detailing the methodology adopted for the review so far with a strict and detailed timescale for completion of the policy review exercise.</p>	<p>Accepted by Operational Support Department</p>	<p>The PSNI met with the NIPB's Human Rights Advisor on 7 November 2007. An agreement was reached on how to progress this recommendation. A presentation will be made to the NIPB in January 2008.</p>	<p>January 2008</p>
<p>7. The PSNI should monitor how police officers access and make reference to PSNI policies and what steps are taken by PSNI Operational Support department to highlight the introduction of new or amended policies to officers.</p>	<p>Not accepted</p>	<p>There is no specific central monitoring of the extent to which e-mails highlighting new / updated policies are read. It is not considered that enforcing this monitoring would be a value adding step as attachments could be opened and the opening of e-mails could be monitored but the extent to which they are read and understood would clearly be variable.</p>	<p>N/A</p>
<p>8. The PSNI should speed up the process of making more of its policies available to the public.</p>	<p>Accepted by Operational Support Department</p>	<p>The PSNI will:</p> <ul style="list-style-type: none"> • Review current processes to include updates. • Establish a metrics for website updates • Review all versions of existing policies that are currently available to the public 	<p>February 2008</p>



Recommendation	Response	Current Status	Projected Completion Date
10. The PSNI should consider adopting Coleraine’s DCU policy and deployment log as its standard operational planning log.	Accepted by Operational Support Department	This is being progressed by Operational Policy and Support as part of the service procedure on Human Rights and Policing Public events.	June 2008
14. The PSNI should ensure that all new policies, procedures and guidance include relevant reference to the Code of Ethics as a matter of standard practice henceforth.	Accepted by Corporate Development Branch	Policy Directive 1/04 is in the process of being annually reviewed and when circulated the accompanying Audit Tool shall ensure that all policies will have been audited for Compliance with the Code of Ethics through the specific question; “Has the Code of Ethics has been considered in the creation/revision of this instruction?” This should ensure that the author has considered the Code of Ethics and has identified any issues.	January 2008
17. The PSNI should provide evidence of the measures it has taken in response to the Police Ombudsman’s Regulations 20 reports relating to the discharge of AEPs in North Belfast in August 2005 and the death of female A in Newry in November 2002 within three months of the publication of this report.	Accepted by Operational Support Department	Reference 2005 incident – This matter has been researched by PSNI and a report submitted to Professional Standards Department. Reference 2002 incident – The review of the interaction between incoming calls, the Communications Operator and the Command & Control system has been carried out. The findings endorsed the PONI recommendation that Operators’ decisions and the rationale for them should be recorded on the Command and Control computer system, rather than in operators’ journals. A substantive solution for this requires significant investment in	Early 2008 June 2008



Recommendation	Response	Current Status	Projected Completion Date
17. (continued)		technology, processes, staffing structures and resources and PSNI will not be in position to deliver a corporate solution until 2010. In the interim, guidance will be issued and training given to operators as one strand of a transition phase being completed by June 2008.	
<p>22. The PSNI should consider whether it should further amend its AEP policy to include guidelines that reflect the following.</p> <p>“The younger the individual against whom the AEP is used, the stronger the justification for use will have to be. Moreover, below a certain age, it is difficult to envisage any circumstances when the use of AEPs will be justified”.</p>	Accepted by Operational Support Department	The Service will consider the recommendation to further amend its AEP policy as described.	February 2008
24. The PSNI should complete its pilot of the electronic use of Force Monitoring Form expeditiously and following completion of the evaluation of the pilot, move promptly to introduce the electronic form across the PSNI.	Accepted by Operational Support Department	The pilot of the electronic use of force form has been completed. Introduction of the form throughout the Service is planned for 01 January 2008.	January 2008



Recommendation	Response	Current Status	Projected Completion Date
<p>25. The PSNI should assign responsibility internally for reviewing all uses of CS spray annually, and for issuing guidelines on best practice to police officers. Further, the PSNI should provide the Policing Board with a summary of the findings and conclusions of its annual internal review.</p>	<p>Partially accepted by Operational Support Department</p>	<p>The recommendation is accepted in principle. In order to internally review all individual uses of CS Spray the Service will have to establish the scope of the work to be undertaken and identify resources to carry out the task. The use of CS Spray is already the subject of both internal and external review. Internally the introduction of the Electronic Use of Force Form will ensure all uses of CS Spray are reviewed by Area Commanders. Externally, if the use of CS Spray is the subject of a complaint against police this may result in a PONI investigation and a notice issued to the Chief Constable under Regulation 20 of the PSNI (Complaints etc) Regulations 2000.</p>	<p>February 2008</p>
<p>36. The PSNI should reconsider establishing a policy that all District Commanders meet their respective custody visiting teams on an annual basis to discuss concerns regarding treatment of persons in custody.</p>	<p>Not accepted</p>	<p>Superintendent Operational Policy and Support has corresponded with NIPB Custody Visitors Scheme Administrator. It has been agreed that there is no requirement for custody visitors to meet District Commanders on an annual basis. Current practice provides an appropriate and adequate means of discussing and addressing any matters of concern, which may arise in regard to custody visits. District Commanders can meet informally with their custody visitors to discuss and resolve any relevant matters. Recent amendments to the reporting mechanism for custody visitors will soon be in place (i.e. amendments to their reporting form CV2).</p>	<p>N/A</p>



Recommendation	Response	Current Status	Projected Completion Date
36. [continued]		These will address any concerns raised by Custody Visitors, if possible at the time they report them within the custody suite, or within a certain timeframe for issues that the custody officer cannot address. The NIPB were fully consulted and supportive of the new procedures.	
37. The Policing Board, in liaison with the PSNI and the Northern Ireland Office, should reconsider the question of how these gaps in the protection of terrorist suspects detained by the PSNI can be filled.	NIPB recommendation	This recommendation is a matter for the NIPB. PSNI will assist in its implementation as required. The Custody Visitor Scheme has been extended to include terrorist prisoners. Custody visitors are now able to monitor the treatment of terrorist prisoners and can also view live interviews via monitors with the consent of the detainee.	NIPB recommendation.
38. Consideration should be given by the Policing Board and the PSNI to extending the role of the custody visitors to apply to non-designated detention cells.	Accepted by Operations Branch	This will be included in the Custody Visitors Service procedure.	January 2008
39. The Policing Board's custody visitor scheme administrator should represent the Policing Board on the PSNI's custody working group.	Accepted by Operations Branch	This recommendation is being progressed by Operations Branch. The NIPB Custody Visitors Scheme Administrator has been formally invited to attend the custody-working group.	December 2007



Recommendation	Response	Current Status	Projected Completion Date
<p>41. The PSNI should identify those members of staff most likely to encounter data protection issues and make training compulsory for them.</p>	<p>Accepted by Operations Branch</p>	<p>PSNI had previously identified a number of specialist groups that have required further data protection training. This awareness training contains the core data protection message plus a level of focus on their particular roles and responsibilities.</p>	<p>June 2008</p>
<p>42. The PSNI should implement a timeline for introducing a disclosure log in the public interest section of its publication scheme.</p>	<p>Accepted by Corporate Development Branch</p>	<p>The PSNI will</p> <ul style="list-style-type: none"> • Review disclosure log in line with ACPO guidelines and national best practice. • Modify disclosure log as required. • Publish and maintain disclosure log 	<p>April 2008</p>
<p>43. The PSNI should indicate within three months of this report which of the ACPO recommendations made following ACPO's review of the PSNI Freedom of Information and Data Protection's functions it accepts and how it intends to implement them.</p>	<p>Accepted by Corporate Development Branch</p>	<p>The PSNI will</p> <ul style="list-style-type: none"> • Review ACPO recommendations in conjunction with internal Freedom of Information review • Agree full list of recommendations to be progressed • Agree implementation plan and assign Implementation Officer • Assign Project Manager • Report progress to Information Commissioner <p>These steps will involve a considerable amount of work over a number of months.</p>	<p>March 2008</p>



Professional Standards Department

Recommendation	Response	Current Status	Projected Completion Date
<p>13. The PSNI should carry out further analysis of statistics on breaches of the Code of Ethics to clarify the patterns or types of behaviour in question.</p>	<p>Accepted by Professional Standards Department</p>	<p>Analysis is conducted of statistics on breaches of the Code of Ethics on an ongoing basis with the purpose of clarifying the patterns or types of behaviour in question. This subject is reviewed on a monthly basis at TCG meetings and one development that indicates the ongoing efforts to analyse the statistics is that Code of Ethics 7.2 Integrity has been sub-divided. The reason for this is that should an officer have broken the law and been convicted at Court, Article 7.2 is the particular Article of the Code of Ethics that has been breached. Therefore to differentiate it from other matters, breaches of the law are sub-classified as Code of Ethics 7.2(A) and other breaches of Article 7.2 that do not involve a criminal conviction are now classified as 7.2(B). Should any trends or patterns be identified this can be disseminated to the Service via the Discipline Champions.</p>	<p>Ongoing</p>
<p>15. The PSNI should investigate the behaviour or conduct resulting in the high number of Superintendents' Written Warnings under Article 1.5 and 2.2 of the Code of Ethics.</p>	<p>Accepted by Professional Standards Department</p>	<p>The PSNI supplies the Policing Board on a six-monthly basis with details of all Superintendents' Written Warnings (SWWs) issued to officers. In the period April 2006 to March 2007, 100 SWWs were issued. This is down on the comparable period last year (113 SWWs).</p>	<p>Ongoing</p>



Recommendation	Response	Current Status	Projected Completion Date
<p>16. The PSNI and the Policing Board should investigate the possible causes of the increase in the overall number of complaints made against officers receiving three or more complaints in a 12 month period.</p>	<p>Accepted by Professional Standards Department</p>	<p>Professional Standards Department has completed an analysis of PONI monthly tracking and trending reports. Initial findings show that from April 2005 to October 2006 the number of officers on the monthly tracking report averaged out at 151 with no major variations. This average dropped to 134 officers per month between April and October 2006. Between October 2006 and November 2006 however, there was a dramatic rise from 135 to 241. It is this rise, which would appear to have had a significant effect on the figures. Further research is being conducted into this matter. PONI have been asked to comment on this rise also. More time is necessary to progress this matter.</p>	<p>Ongoing</p>
<p>18. The PSNI should provide details to the Policing Board of all completed misconduct investigations returned to DCUs in 2006/2007 and what action was subsequently taken by DCU's in response.</p>	<p>Rejected</p>	<p>This is a matter that is outside the Departments control. Specifically the Taylor Report which has laid the template for misconduct action espouses the principle that Professional Standards are working to namely, "Conduct issues should be separated into two distinct groups, namely "misconduct" and "gross misconduct" to promote proportionate handling, clarify the available outcomes and provide a better public understanding of the policing environment. Conduct matters should be dealt with at the lowest possible line management level. Misconduct should not rise above the [District] level and gross misconduct should be reserved for the most serious behavioural issues. The latter are likely to be</p>	<p>N/A</p>



Recommendation	Response	Current Status	Projected Completion Date
18. (continued)		<p>handled by Professional Standards Departments". Therefore if it is accepted that Professional Standards deals with gross misconduct and misconduct matters are dealt with at the lowest possible line management level then it is understandable that Professional Standards would not hold the details on the outcomes of these misconduct matters as the detail would lie with the Districts and indeed it is down to each District how it wants to progress a matter. The appointment of Discipline Champions in each District/Department should help to standardise the approach.</p>	
19. The PSNI should provide additional information to the Policing Board on misconduct cases resulting in criminal convictions of officers for perverting the course of justice in 2006/2007.	Not accepted at present.	<p>A meeting has been arranged with the NIPB to discuss this matter. An update can only be provided after this event.</p>	This matter will be decided upon following a meeting with NIPB.
20. The PSNI should review all civil cases that are either lost or settled, with a view to bringing disciplinary proceeding where it is appropriate to do so and should provide the policing Board with details of this review.	Accepted by Professional Standards Department	This review is ongoing.	Ongoing



Regions

Recommendation	Response	Current Status	Projected Completion Date
12. The PSNI should take steps to establish an effective method of monitoring the use of stop and search powers across districts.	Accepted by Regional ACC's	A system for reporting on the use of stop/search powers is currently maintained by Central Statistics Units (CSU). Further work is required, in consultation with CSU and the Analysis Centre to Further develop the analysis of the use of these powers.	March 2008

Crime Operations Department

Recommendation	Response	Current Status	Projected Completion Date
26. The PSNI should complete its revision of its Undercover policy and its Member of the Public policy within 12 months of the publication of this report and also should consider how best to ensure that its Member of the Public policy is better understood by all PSNI officers for whom it is relevant.	Accepted by Crime Ops	The Members of the Public policy will be rewritten by March 2008. The Undercover policy is dictated by ACPO and will be rewritten by September 2008. When completed the policies will be disseminated through CAB website.	March 2008 September 2008



Recommendation	Response	Current Status	Projected Completion Date
<p>27. The PSNI should consider the scope for incorporating a number of the Surveillance Commissioner's recommendations into the policy on Covert Surveillance Authorisation and the role of the PSNI Central Authorisation Bureau.</p>	<p>Accepted by Crime Operations Department</p>	<p>All Office of the Surveillance Commissioner (OSC) recommendations are disseminated to the PSNI workforce and where appropriate or applicable are included in procedures. The OSC recommendations have been considered and accepted, they will be incorporated where appropriate i.e. best practice, policies and procedures. The Central Authorisation Bureau (CAB) website will disseminate this information.</p>	<p>This is an ongoing process.</p>
<p>28. In future, as a matter of standard practice, all PSNI material on covert policing of a general nature (e.g. policies, guidance and general forms) should be reviewed and approved by the PSNI human rights legal adviser before it is issued.</p>	<p>Accepted by Crime Operations Department</p>	<p>This will be the adopted standard practice in the future.</p>	<p>December 2007</p>



Part V

Departmental responses to the recommendations outstanding or implemented in part for the Northern Ireland Policing Board's Human Right Annual Report 2005 and 2006





Recommendations outstanding or implemented in part from the Human Rights annual reports 2005 and 2006	Department	Current Status/Response	Projected Completion date
<p>2006 no 3. The PSNI should conduct a thorough audit of all PSNI training material within six months of this Human Rights Annual Report and thereafter on a bi-annual basis to ensure that human rights principles are effectively integrated and developments in human rights law and practice incorporated.</p>	Police College	<p>This recommendation is already implemented in part. The College is pleased with the positive comments from the Human Rights Advisors regarding the work that has taken place in respect of this recommendation. The PSNI is fully committed to adopting and implementing the recommendations and points of good practice put forward by the College's former Human Rights Training Advisor in her report on the audit. Many of the issues put forward by her have been addressed already. The new Human Rights Training Advisor when appointed will fully action any outstanding matters.</p>	June 2008
<p>2006 no 8. The PSNI should introduce within the next 12 months a programme of human rights specific refresher training, which should be offered in a strategic and targeted way and include 'bespoke' scenarios tailored to the operational roles of officers.</p>	Police College	<p>This recommendation is already implemented in part ACC Criminal Justice the Human Rights Champion has initiated a pro-active programme of research which will be relevant to this recommendation. The College will work actively to address any training matters brought to its attention by the researchers. Other strands of work of the Police College have contributed to fulfilling Recommendation 8. For example, the creation of the Human Rights knowledge check as part of firearms refresher training; the provision of training for trainers at the Transitional Justice Institute; the updating of the PSNI intranet by the Human Rights Training Advisor and Human Rights Legal Advisor.</p>	July 2008



Recommendations outstanding or implemented in part from the Human Rights annual reports 2005 and 2006	Department	Current Status/Response	Projected Completion date
<p>2006 no 9. Each PSNI District Command Team should devise its own approach to district level human rights refresher training.</p>	<p>Police College</p>	<p>This recommendation is already implemented in part. The College will continue with the work that it has initiated in support of this recommendation. In addition, to meet the requirements of recommendation 3 from the 2007 report, we will establish a more effective and better resourced support relationship with District Training teams. This will be done on a formalised basis with the current District Training Coordinator, the College's Professional Investigation Programme Trainers and the Human Rights Training Advisor.</p>	<p>May 2008</p>
<p>2006 no 12. The PSNI should put in place a scheme for the expert and comprehensive evaluation of the delivery of PSNI training on Human Rights by December 2006.</p>	<p>Police College</p>	<p>This recommendation is already implemented in part. The external evaluator has sought an extension to their submission date. It is anticipated that the Police College will receive their final report by the end of 2007 or early 2008. The Police College will give full consideration to any recommendations forthcoming.</p>	<p>Date of completion depends on the extent of the recommendations made in the Evaluators report.</p>



Recommendations outstanding or implemented in part from the Human Rights annual reports 2005 and 2006	Department	Current Status/Response	Projected Completion date
<p>2005 no 4. The PSNI should conduct a thorough audit of all PSNI training materials within the next six months and thereafter on a bi-annual basis to ensure that human rights principles are effectively integrated and developments in human rights law and practice incorporated.</p>	Police College	<p>This recommendation is already implemented in part, The College is pleased with the positive comments from the Human Rights Advisors regarding the work that has taken place in respect of this recommendation. The PSNI are fully committed to adopting and implementing the recommendations and points of good practice put forward by the College's former Human Rights Training Advisor, in her report on the audit. Many of the issues put forward by her will have been addressed already when the Stage 2 Human Rights Audit forms were returned to the Programme areas for remedial action during the summer 2007. However, this will be ensured and fully actioned by the new Human Rights Training Advisor, when appointed.</p>	June 2008
<p>2005 no 7. The PSNI should put in place a scheme for the expert and comprehensive external evaluation of the delivery of PSNI training on human rights. In the event that the PSNI does not put in place such a scheme, the Policing board should do so.</p>	Police College	<p>This recommendation is already implemented in part. The external evaluator has sought an extension to their submission date. It is anticipated that the Police College will receive their final report by the end of 2007 or early 2008. The Police College will give full consideration to any recommendations forthcoming.</p>	Date of completion depends on the extent of the recommendations made in the Evaluators report.



Recommendations outstanding or implemented in part from the Human Rights annual reports 2005 and 2006	Department	Current Status/Response	Projected Completion date
<p>2005 no 55 e. The results of questions 11-14 should be analysed by Training Education and Development and factored in to its design and development of training programmes and material in the future.</p>	<p>Police College</p>	<p>In the Human Rights Programme of Action 2006/2007 we indicated that the response to Recommendation 8 of the Boards 2006 Annual Report would satisfy this outstanding Recommendation. The College will work actively to address any training matters brought to its attention by the researchers employed on a project by Criminal Justice Department.</p> <p>The responses to Questions 11 to 14 of the Human Rights Questionnaire have shaped much of NIPC's approach to its Human Rights work in the last year. The influence of Recommendation 55 (e) has gone far beyond Recommendation 8. The creation of the Human Rights knowledge check as part of firearms refresher training; the provision of training for trainers at the Transitional Justice Institute; the work done for districts as a consequence of Recommendation 9 of the 2006 report; the updating of the PSNI intranet by the Human Rights Training Advisor and Human Rights Legal Advisor are all examples of actions taken, which have been influenced by Recommendation 55 (e). The examples provided are not exhaustive. The findings for questions 11-14 will continue to inform Human Rights work within the College.</p>	<p>April 2008</p>



Recommendations outstanding or implemented in part from the Human Rights annual reports 2005 and 2006	Department	Current Status/Response	Projected Completion date
<p>2006 no 13. The PSNI should complete the exercise of verifying all existing policies, forthwith.</p>	Corporate Development Branch	Work ongoing under the remit of the Review of Service Instructions (RoSI)	Ongoing
<p>2006 no 14. The PSNI should complete its substantive review of all existing PSNI policies for compliance with the General Order on Policy, Procedure and Guidance by March 2007</p>	Corporate Development Branch	Work ongoing under the remit of the Review of Service Instructions (RoSI)	Ongoing
<p>2006 no 15. The PSNI should complete its review of how policies considered too sensitive to be generally available on the PSNI intranet site are to be indexed, updated and kept forthwith.</p>	Corporate Development Branch	Review completed	Review completed



Recommendations outstanding or implemented in part from the Human Rights annual reports 2005 and 2006	Department	Current Status/Response	Projected Completion date
<p>2006 no 16. The PSNI should speed up the process of making more of its policies available to the public.</p>	<p>Corporate Development Branch</p>	<p>The PSNI will:</p> <ul style="list-style-type: none"> • Review current processes to include updates. • Establish a metrics for website updates <p>Review all versions of existing policies that are currently available to the public.</p>	<p>February 2008</p>
<p>2006 no 29. The PSNI and the Policing Board should revisit recommendation 41 of the 2005 Annual Report and agree how further information can be supplied to the Policing Board to allow it to monitor more effectively the use of CS spray for compliance with the Human Rights Act 1998.</p>	<p>Operational Support Department</p>	<p>The Pilot of the Electronic Use of Force Form has been completed with full implementation scheduled for 1 January 2008. This should allow additional information to be provided to NIPB (this outstanding recommendations has been brought forward to recommendation 24, 2007).</p>	<p>January 2008</p>
<p>2006 no 40. The PSNI should remind its custody officers, in particular custody sergeants, of the role and responsibilities of the custody visiting teams, and the need to facilitate custody visits as a matter of standard practice.</p>	<p>Regions</p>	<p>Responsibility passed to Regions. ACC Urban responded with 'Reminders have been issued to all staff'. This recommendation has been completed as it is contained in General Order 40/06 on Custody Visitors, which was published January 2007.</p>	<p>January 2007.</p>



Recommendations outstanding or implemented in part from the Human Rights annual reports 2005 and 2006	Department	Current Status/Response	Projected Completion date
<p>2005 no 9. All PSNI policy should be review using the General Order on Policy, Procedure and Guidance within twelve months of this report.</p>	Corporate Development Branch	Work ongoing under the remit of the Review of Service Instructions (RoSI)	Ongoing
<p>2005 no 10. The PSNI should:</p> <ul style="list-style-type: none"> • review how those policies considered too sensitive to be generally available on the PSNI intranet site are to be indexed, updated and kept. 	Corporate Development Branch	There are no remaining PSNI policies that fall within this category.	Completed
<p>2005 no 11. The PSNI should consider whether some or most of its policies can be made available to the public, either on the PSNI website or by some other means.</p>	Corporate Development Branch	The PSNI complies with the Government Protective Marking Scheme (GPMS) in relation to the security markings of all forms of data security in its possession. Those policies, which are appropriately marked, are released to the public. This is guided by Policy Directive 01/04, which is currently under review.	Completed



Recommendations outstanding or implemented in part from the Human Rights annual reports 2005 and 2006	Department	Current Status/Response	Projected Completion date
<p>2005 no 36. The PSNI should provide statistics collated on the use of force to the Policing Board on a quarterly basis.</p>	<p>Central Statistics Unit</p>	<p>The Electronic Use of Force Database has been piloted. It is anticipated that the Use of Force system will be launched service-wide in early 2008 and that Central Statistics Unit will then be in a position to provide quarterly updates to the Northern Ireland Policing Board from then on.</p>	<p>Early 2008</p>
<p>2005 no 37. The PSNI should review and revise its General Orders on public orders as follows: b. Policy on the Use of Firearms: cross-refer to the Code of Ethics, particularly Article 4, and insert a review date into the policy.</p>	<p>Operational Support Department</p>	<p>Service Procedure 61/01 Human Rights and Police Use of Firearms was updated and re-issued on 9 November 2007.</p>	<p>November 2007</p>
<p>2005 no 38. The PSNI should provide reports to the Policing Board on a quarterly basis of all incidents where water cannons have been deployed and used, settling out details of the incident, including the location, time and date, a summary of events, the authority for deployment and use and details of injuries sustained and/or damage to property.</p>	<p>Operational Support Department</p>	<p>It was agreed with the NIPB Human Rights Legal Advisers that reports on the use of Water Cannon would be provided on a six monthly basis, to include nil returns where applicable. The reason for not reporting use of Water cannon quarterly is because of the infrequent use of this tactical option.</p>	<p>26 March 2007</p>



Recommendations outstanding or implemented in part from the Human Rights annual reports 2005 and 2006	Department	Current Status/Response	Projected Completion date
<p>2005 no 41. The PSNI should provide reports to the Policing Board on a quarterly basis of all incidents involving the deployment and discharge of CS spray, setting out details of the incident, including the location, time and date, a summary of events, the authority for deployments and details of injuries sustained and/or damage to property.</p>	Central Statistics Unit	Operational Support are leading on the development of the Electronic Use of Force Database and Central Statistics will provide statistics to the Northern Ireland Policing Board once the system is launched service wide.	Early 2008
<p>2006 no 19. The PSNI should examine and evaluate its use of stop and search powers to ensure that these powers are not being exercised disproportionately.</p>	Regions	This situation is being examined at present. Work is in hand to improve procedures. NIPB Human Rights Advisors have been consulted. This recommendation links with recommendation 12 of the 2007 report.	Ongoing
<p>2006 no 21. The PSNI should provide further evidence of the effectiveness of the Code of Ethics that can be assessed by the Policing Board.</p>	Professional Standards Department	All available information is currently being provided to the NIPB. Further liaison will take place with the Policing Boards Human Rights Advisors to progress this recommendation.	April 2008



Recommendations outstanding or implemented in part from the Human Rights annual reports 2005 and 2006	Department	Current Status/Response	Projected Completion date
<p>2005 no 20. The Policing Board should require the PSNI to provide evidence of the effectiveness of the Code of Ethics, and then assess that evidence. In particular, the Policing Board should require the chief Constable to set out what further steps he intends to take to ensure that all officers have read and understood the Code of Ethics.</p>	<p>Professional Standards Department</p>	<p>The Code of Ethics is integral to the Annual Performance Review of each individual officer and also promotion examinations. Further liaison will take place with the Policing Boards Human Rights Advisors to progress this recommendation.</p>	<p>April 2008</p>
<p>2006 no 33 The PSNI should further review the effectiveness of its policies on covert policing within twelve months of this Human Rights Annual Report.</p>	<p>Crime Operations Department</p>	<p>This recommendation is similar in part to recommendations 26 and 27 of the 2007 report. Crime Operations Department will engage with the NIPB Human Rights Advisors to progress this recommendation.</p>	<p>September 2008</p>
<p>2005 no 46 The PSNI should review the effectiveness of its recent policies on covert policing in 12 months from this report.</p>	<p>Crime Operations Department</p>	<p>This recommendation is similar in part to recommendations 26 and 27 of the 2007 report. Crime Operations Department will engage with the NIPB Human Rights Advisors to progress this recommendation.</p>	<p>September 2008</p>



Recommendations outstanding or implemented in part from the Human Rights annual reports 2005 and 2006	Department	Current Status/Response	Projected Completion date
<p>2006 no 37</p> <p>The PSNI should consider whether it needs to develop a corporate policy on the training of officers on the treatment of victims and the training of specialist officers appointed to support victim groups, or to adopt particular models of good practice.</p>	Community Safety Branch	<p>Policy directive (05/06) 'Dealing with victims and witnesses' was issued to the PSNI in May 2006. This policy is available to all police officers and support staff and is included within Student Officer Training. Specialist officers such as CARE Investigators utilise the services of many outside support agencies such as NEXUS, Victim Support and other help and counselling services.</p> <p>From a strategic level the PSNI are represented on the Vulnerable Victim and Intimidated Witnesses (VVIW) Steering Group, chaired by the NIO, which includes all the Criminal Justice agencies extending to voluntary agencies. This work is ongoing and the VVIW continue to address issues involving victims and witnesses.</p>	May 2006



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