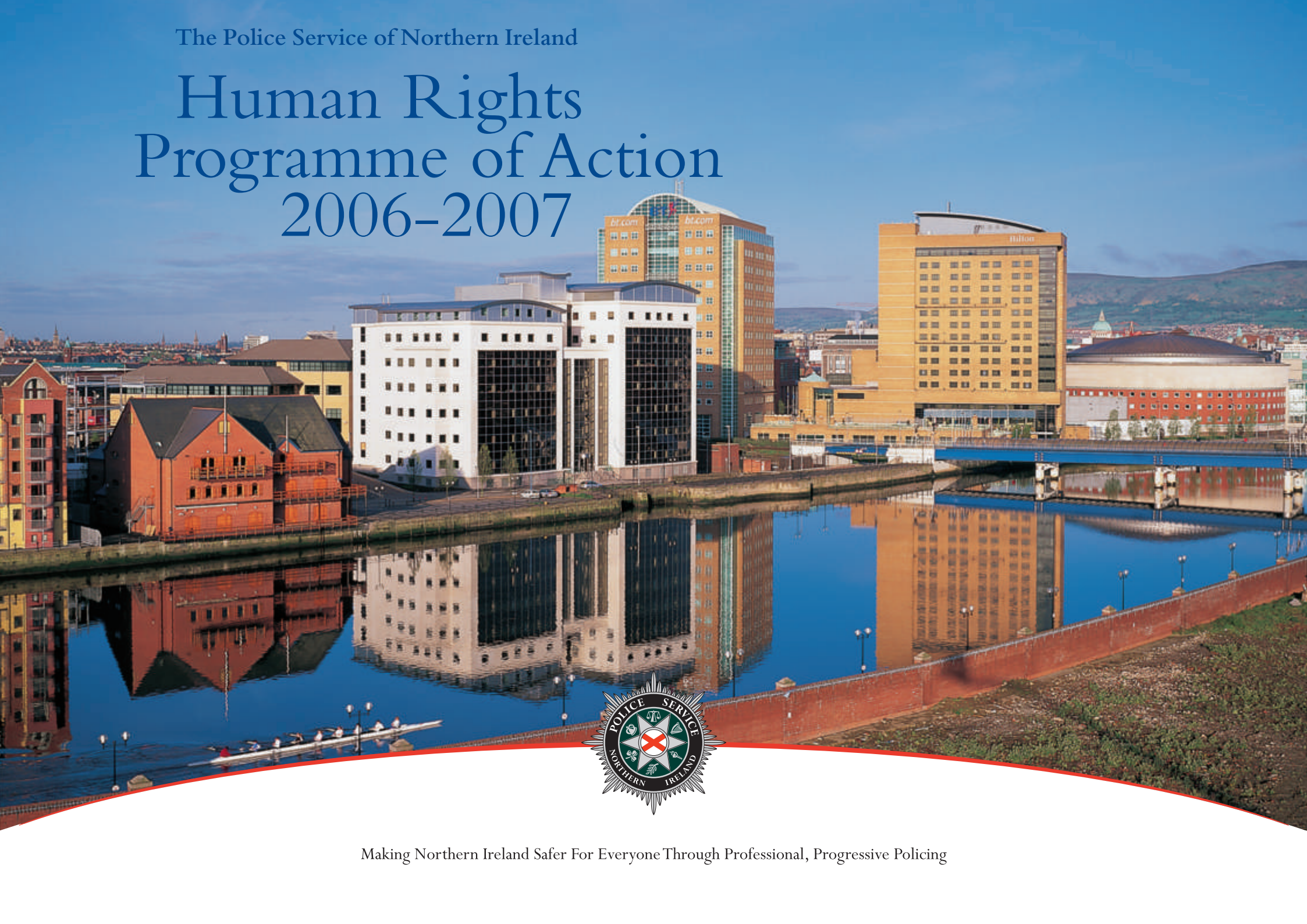


The Police Service of Northern Ireland

Human Rights Programme of Action 2006-2007



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing



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Front cover photograph: River Lagan, Belfast.

Page 7 photograph: European Court of Human Rights building, photographer Katsuhisa Kida, courtesy of Richard Rogers Partnership.

Foreword by the Chief Constable, Sir Hugh Orde



In THIS PROGRAMME OF ACTION we set out our response to the Policing Board's Human Rights Annual Report of 2006; and it is a positive response. It confirms our firm commitment to have respect for human rights as a core theme, interwoven into everything that this Service does.

It is now over three years since Keir Starmer QC and Jane Gordon commenced as Advisers to the Policing Board to monitor performance of the Police Service of Northern Ireland in complying with the Human Rights Act. During this time the Police Service has provided them with access to all aspects of our work. I am not aware of any other police service in the world that is as accountable or which so opens itself to scrutiny.



Our relationship with the Board's Advisers has been transparent and professional. Their report containing 45 recommendations is a challenge for us, but one which we are working hard to meet. I firmly believe that this dialogue will assist my officers to improve the service we provide to the community. As a Service we have repeatedly shown ourselves to be open to change. We welcome constructive criticism.

Throughout the past year, we have continued to promote human rights in policing. During this year we held a major conference on human rights and hate crime. This is a priority area for the Police Service of Northern Ireland, particularly as we see more foreign nationals settle in our community. Dealing with hate crime is a difficult and demanding role but my officers will ensure that all efforts are made to get it right every time. We are reliant on the help of the whole community to counter this blight.

It is appropriate at this point to refer to the very encouraging developments that characterised the marching season this year. Police officers and members of the community put great effort into ensuring that policing arrangements were correct and that the rights of all groups were recognised. The relatively peaceful outcome was no

mean achievement given some of the violent scenes of previous years. I have said in the past that police alone cannot resolve the parades issue, and I am encouraged by the dialogue and commitment shown this year by all parts of the community in working together to find an acceptable solution. Human rights underpin all aspects of good policing. My officers know this and practice it.

The Police Service of Northern Ireland is committed to serving the entire community, and upholding the rights of all members of the community in order to make Northern Ireland safer for all.

A handwritten signature in black ink that reads "Hugh Orde". The signature is written in a cursive, flowing style.

HUGH ORDE
Chief Constable



PART II

Introduction to the Police Service of Northern Ireland's Human Rights Programme of Action 2006 - 2007

THE PRODUCTION OF THIS REPORT is another indication of the Police Service of Northern Ireland's commitment to develop further the ideal of a human rights-based approach to policing. It is a response to the recommendations of the Human Rights Advisers to the Northern Ireland Policing Board as contained in their 2006 report. It is also a demonstration by each Department in the Police Service of its willingness to consider and implement change.

Of the 45 recommendations, the 43 that apply to the Police Service of Northern Ireland (Recommendation numbers 38 and 41 apply to the Northern Ireland Policing Board) all have received initial consideration. Many have been progressed substantially and some are completed. As with recommendations in previous years, some require research and planning as well as adjustments to resources. This necessitates a longer term strategy. Part IV of this report provides targets for completion of recommendations where this is possible.

This Human Rights Programme of Action summarises the Police Service's response to the recommendations contained in the Policing Board's Human Rights Report of 2006 and indicates the substantial body of work being undertaken to meet the recommendations. Its production is intended to demonstrate to the Policing Board,

and to the wider community, the Police Service of Northern Ireland's commitment to engage with others to improve on a continuous basis the service provided to the whole community in Northern Ireland.



PART III

Championing Human Rights

AS THE CHAMPION FOR HUMAN RIGHTS within the Police Service of Northern Ireland I am actively engaged with all our officers in promoting human rights. This is a task which I undertake with enthusiasm.

My job is not only to inform, but also to make human rights real in a practical sense. This is of as much importance to the uniformed officers on the street as it is to our policy makers and trainers. It is my belief that by applying the principles of human rights we are provided with a robust decision making tool, valuable in all our work situations.

This is an ongoing process and I look forward to progress in the coming year.

DREW HARRIS
Assistant Chief Constable



Human Rights
Programme of Action
2006-2007

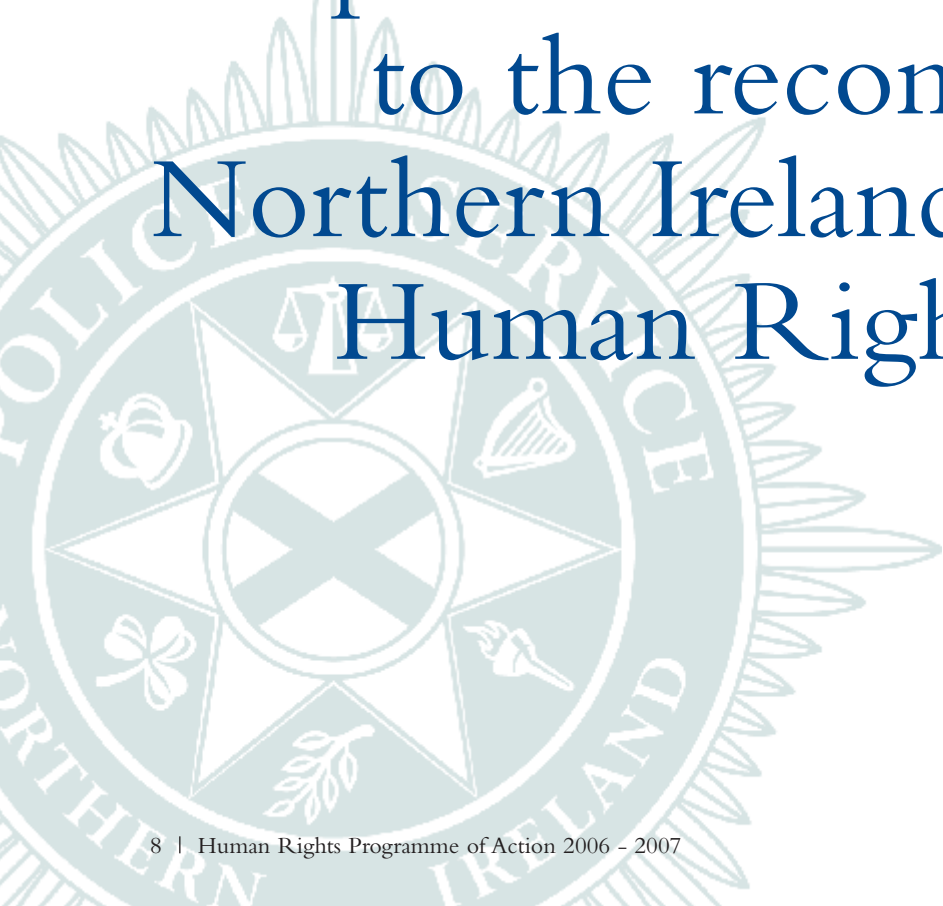


European Court of Human Rights, Strasbourg



PART IV

Departmental responses to the recommendations of the Northern Ireland Policing Board Human Rights Annual Report 2006



Criminal Justice Department

| Recommendation | Response | Current Status | Projected Completion Date |
|---|---|--|---------------------------|
| 1. The PSNI should aim to publish its annual Human Rights Programme of Action within three months of this Human Rights Annual Report. | Accepted | Document published on the PSNI internet site on 5 December 2006. This will be followed by a PDF version and then a printed version of the Programme of Action. | Completed 5 December 2006 |
| 42. PSNI should implement recommendations 55(a) to (d) of the Human Rights Annual Report 2005 as a matter of priority | 55(b) Accepted by Criminal Justice Department | 55(b) Consideration will be given to this as part of the review of the Code of Ethics being led by the NIPB. | June 2007 |

Police College of Northern Ireland

| Recommendation | Response | Current Status | Projected Completion Date |
|---|----------|--|--|
| 2. The PSNI should conduct a thorough audit of all PSNI training materials 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. | Accepted | The newly appointed Human Rights Training Advisor is leading on the implementation of this recommendation. Two consultants will be employed to form a Human Rights Audit Team. The audit tool and supporting mechanism for conducting the audit are at advanced stages of development. Specialist trainers will also provide input to ensure that the audit is meaningful. | Audit to commence December 2006. Projected completion date is end February 2007. |
| 3. PSNI should recruit a Human Rights Training Advisor to Training, Education and Development without delay. | Accepted | The Human Rights Training Advisor has now been appointed. | Completed 16 October 2006 |
| 4. PSNI should revise its handout on positional asphyxia as a matter of urgency. | Accepted | Completed | Completed October 2006 |

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| 5. PSNI should revise the course material on training in the use of force and the use of firearms, forthwith. | Accepted | Recommendations 5, 6 & 7 have been taken together for implementation purposes. | Aimed to be introduced by April 2007 |
| 6. PSNI should complete the introduction of individual assessments of human rights knowledge of officers participating in training on the use of force and the use of firearms, adapting the amendments suggested by the PSNI's consultants. | Accepted | <p>The current refresher training regarding firearms is being reviewed on foot of these recommendations.</p> <p>An explicit Human Rights presentation will be retained but amended to reinforce essential human rights principles regarding use of force and use of firearms.</p> | |
| 7. PSNI should include reference to the Code of Ethics in the individual assessments of officers participating in training on the use of force and the use of firearms and indicate how these assessments will inform the development of basic and refresher training courses in the use of force and the use of firearms. | Accepted | <p>It is proposed that students will be provided with enhanced experience of judgmental and tactical training, through the use of Fire Arms Training Simulator (FATS).</p> <p>Two additional FATS machines are being purchased by PSNI to ensure they are available for student use.</p> <p>Human rights principles and Code of Ethics standards will be addressed during a plenary debriefing of FATS training. It is also proposed that an annual knowledge check relating to human rights and Code of Ethics knowledge will be conducted as part of the firearms refresher training.</p> <p>The results of the knowledge checks will be used to identify weaknesses and will inform the development of basic and refresher training courses in the use of force and use of firearms.</p> | |
| 8. 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 role of officers. | Not accepted | The PSNI are unable to accept this recommendation at this time due to the extensive resourcing demands it would create. However, of relevance to this recommendation is the decision by ACC Criminal Justice, ACPO Champion for Human Rights to deploy staff to meet with officers from Districts to identify the Human Rights difficulties being encountered. | June 2007 |

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| | | <p>Details of such difficulties may be addressed locally through, for example, briefing or supervision. But where a training need is identified, details will be passed to the Police College of Northern Ireland (PCNI), where a suitable training response will be prepared/co-ordinated. This action will be tied in with Recommendation 9 of the Human Rights Annual Report 2006.</p> | |
| <p>9. Each PSNI District Command Team should devise its own approach to district level human rights refresher training.</p> | <p>Accepted</p> | <p>The PCNI ran a workshop on 24 November 2006 for all District Command Units (DCU) trainers or nominated DCU representatives. Participants discussed the Human Rights Training / Up-dating needs of each of their DCU and shared best practice. A list of optional mechanisms for Human Rights Training / Up-dating will be subsequently sent to District Commanders from which they may choose the most appropriate mechanism/s to suit their needs. The PCNI will co-ordinate this process and assist with the preparation of appropriate training materials.</p> | <p>Mechanism to address this recommendation is to be established by PCNI by April 2007.</p> |
| <p>10. The PSNI should closely monitor and evaluate the quality and effectiveness of its human rights training for trainers.</p> | <p>Accepted</p> | <p>Currently, when an officer is selected for appointment to a training role, they undertake a 5 week training course. This course is under review to ensure human rights principles and knowledge requirements are effectively integrated throughout the course. Consideration is being given to a pre-course Human Rights Workbook to be completed by prospective trainers. There will be a day dedicated to human rights during the course, including an external speaker, probably from the NIHRC. The PCNI Human Rights Training Advisor will also provide input. However, it is important to stress that human rights, as a core theme will be explicitly and implicitly mainstreamed throughout the course.</p> <p>This review is at an advanced stage and NIHRC are assisting the reviewing officer.</p> <p>In addition, a new human rights refresher-training day has been commissioned for PCNI trainers.</p> | <p>To be completed by April 2007</p> |

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| | | The design of this will specifically target the human rights issues relevant to the area in which the trainer is training. The first of a series of trainings will be held on 14 December 2006, specifically targeting the training needs of Firearms Trainers and Public Order Trainers. | |
| 11. PSNI should devise an effective system for the internal evaluation of the delivery of human rights training as soon as possible. | Accepted | The newly appointed Human Rights Training Advisor is leading on this issue. She is engaging with the Human Rights Legal Advisor and a number of training staff in identifying the most appropriate method of implementing this recommendation. | To be completed by April 2007 |
| 12. 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. | Accepted | Superintendent PCNI (Head of Human Rights Compliance for PCNI) has approached the Northern Ireland Human Rights Commission (NIHRC), but unfortunately they are not in a position to act as external evaluators. He is also working with the Human Rights Training Advisor but it is envisaged that this matter will have to go to external tender. Accordingly, procurement specifications have now been submitted and tenders will be invited as soon as possible. | Positive action by end of December 2006 |
| 17. PSNI should redesign the policy writers' human rights training course based on the policy template in the General Order on Policy, Procedure and Guidance, forthwith. | Accepted | The Human Rights Training Advisor will assess the opportunity for developing a new bespoke course, in line with recommendation 8, to give effect to the General Order on Policy, Procedure and Guidance. She will work with Corporate Development in taking this forward. | June 2007 |
| 42. PSNI should implement recommendations 55(a) to (d) of the Human Rights Annual Report 2005 as a matter of priority. | 55(a) Accepted | 55(a) PCNI will ensure that this issue is properly addressed in human rights training for student officers. | April 2007 |
| | 55(b) Accepted | Accepted by Criminal Justice Department. (Page 7 this report). | June 2007 |
| | 55(c) Accepted | 55(c) This is already addressed through recommendations 5, 6 & 7 of the Human Rights Annual Report 2006. | April 2007 |

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| | 55 (d) Not accepted | 55(d) PCNI has concerns regarding the terms of this recommendation. They will be formally engaging with the Policing Board's Human Rights Advisors to discuss this recommendation. | |
| 43. PSNI should review the training provided to probationers and ensure that the concerns raised by District Command Teams are adequately addressed. | Already addressed | PCNI has recently reviewed the Student Officer training programme, with a new 21-week cycle having commenced in August 2006. PCNI believes that these revisions will address the concerns identified by the District Command Teams. The Human Rights Compliance Officer and the Head of Foundation Programmes will attend the two regional management meetings to communicate the recent changes to District Commanders personally. | Complete |

Professional Standards Department

| Recommendation | Response | Current Status | Projected Completion Date |
|--|----------|---|---------------------------|
| 20. The PSNI should review the types of behaviour causing breaches of the Code of Ethics in all disciplinary cases on a six-monthly basis and consider whether any particular response might be appropriate. | Accepted | Discussion took place with Professional Standards Department and NIPB on how in previous returns there have been spikes in breaches of Articles 1.5, 2.2 and 7.2 of the Codes of Ethics. Professional Standards have undertaken to conduct analysis into these areas and consider whether it identifies any training needs. It was proposed that the Department commence analysis for breaches during the period 1st October 06 to 31st March 07. | April 2007. |

Human Resources

| Recommendation | Response | Current Status | Projected Completion Date |
|--|----------|--|--|
| 21. The PSNI should provide further evidence of the effectiveness of the code of Ethics that can be assessed by the policing Board. | Accepted | <p>Human Resources. The Code of Ethics will be integrated into the performance assessment of the Annual Performance Review in order to underpin individual performance and mainstream the Code of Ethics into Service Delivery.</p> <p>Corporate Development. The Policy, Procedure and Guidance Audit Tool currently require all Policies Procedures and Guidance to be Code of Ethics compliant. All Policies contain at Section 5 an Integrity Statement. This Statement will be introduced for all General Orders from April 2007.</p> <p>Police College of Northern Ireland. The extent to which the Code of Ethics is integrated into training will be assessed during the auditing process (in accordance with Recommendation 2 of the Human Rights Annual Report 2006). This will be achieved by incorporating a question on the Code of Ethics within the audit tool. [Projected audit completion date is end of February 2007].</p> | <p>April 2007</p> <p>April 2007</p> <p>End February 2007</p> |
| 22. The PSNI should provide the Policing Board with evidence of the effectiveness of section 6.3 of its voluntary early retirement and severance scheme. | Accepted | <p>DCC. The Deputy Chief Constable has personally briefed the Policing Board's Human Rights advisers on this issue. All officers applying for severance are subject to discipline vetting by both Professional Standards Department and PONI. Officers identified by these vetting processes cannot leave the service without the approval of the Deputy Chief Constable. Several officers have had their departure dates delayed pending the conclusion of criminal and misconduct investigations and one has been dismissed.</p> | Completed |

Crime Operations

| Recommendation | Response | Current Status | Projected Completion Date |
|---|----------|--|---|
| 31. Following completion of the authorising officer's training programme in September 2006, only those officers who have completed the course should be eligible as authorising officers. | Accepted | This recommendation forms part of the PSNI Regulation of Investigatory Powers Act (RIPA) Policy. Unsatisfactory authorisations will be brought to the notice of the Chief Constable. This will lead to those officers failing to meet the exacting standards required from RIPA legislation to be barred from authorising covert activities under RIPA 2000 and Part III of the Police Act 1997. A register will be maintained of those officers who are eligible to authorise covert activities. | This will be effective from January 2007. |
| 32. The PSNI should consider how best to provide further specialist advice and guidance on human rights issues in the course of its surveillance, intelligence and armed response training. | Accepted | In addition to the current training which is subject to scrutiny by the Police College of Northern Ireland, the Service Human Rights Legal Advisor and the Policing Board's Human Rights Advisor, the following has been implemented to embed further Human Rights into practice: - <ul style="list-style-type: none"> A. Pre-requisite for all Regional Co-ordinating Group (RCG) Sergeants and above is the successful completion of the National Silver Firearms Commanders course. B. Pre-requisite for all Specialist Operation Superintendents is the successful completion of the National Gold Firearms Commanders course. C. PSNI Human Rights Legal Advisor has recently audited a major review of all procedures for Specialist Operations. D. Bespoke training carried out 1st and 28th June by Service Human Rights Legal Advisor to selected staff specifically on issues relevant to Specialist Operations. | Completed |

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| | | <p>E. Personal Safety Programme training ongoing for operational officers.</p> <p>F. Selected trainers have attended and achieved academic qualifications in Human Rights.</p> <p>G. Personnel have attended training/conferences on Covert Policing, Use of Lethal Force and the use of informers in covert operations.</p> <p>H. Specialist Operations has an appointed lead on Human Rights.</p> | |
| 33. The PSNI should further review the effectiveness of its policies on covert policing within twelve months of this Human Rights Annual Report. | Accepted | The reviews are being conducted at present, the CHIS manual review will be completed by December 2006, the Undercover policy review will be completed by April 2007, the Members of the Public policy will be reviewed by April 2007. The RIPA policy manual will be reviewed after it has been in existence for 6 months. All reviews will be made available to the HR Legal Advisers on their next inspection. | April 2007 |
| 34. Before the transfer of responsibility for national security intelligence work in Northern Ireland takes effect, the PSNI and the Policing Board should devise a framework to ensure that the transfer does not affect the compliance of the PSNI with the Human Right Act 1998 or the Policing Board's ability to monitor such compliance. | Accepted | <p>This recommendation has been addressed by a letter from ACC Crime Operations to the Policing Board in which he sets out the 5 principles in relation to transfer of responsibility.</p> <ul style="list-style-type: none"> • All Security Service intelligence relating to terrorism within Northern Ireland will be visible to the PSNI • PSNI will be informed of all Security Service counter terrorist investigations and operations relating to Northern Ireland • Security Service intelligence will be disseminated within PSNI according to the current dissemination policy, and the police procedures • The majority of National Security CHIS in Northern Ireland will continue to be run by PSNI officers under existing police handling protocols | 12 September 2006 |

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| | | There will be no diminution of the PSNI's ability to comply with the Human Rights Act or the Policing Boards ability to monitor said compliance | |
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Community Safety Branch

| Recommendation | Response | Current Status | Projected Completion Date |
|--|----------|---|---------------------------|
| 35. The PSNI should consider adopting the Foyle Protocol as a template of good practice for tackling domestic violence and distribute it to all DCU Command Teams. | Accepted | This has been considered and the relevant aspects of the Foyle Protocol will be incorporated into an updated General Order on Domestic Violence. This is out for consultation and is hoped to be circulated to DCUs by February 07. (This is the normal method for distributing procedures and guidance to DCUs) | February 2007 |
| 36. The PSNI should develop and strengthen its relationships with the minority ethnic, lesbian, gay, bisexual and transgender and Traveler communities and work with the groups representing them. | Accepted | Community Safety Branch are in discussions with the LGBT community with a view to setting up an Independent Advisory Group (IAG) to go alongside the existing multicultural, older persons, disabled and youth IAGs. Regular meetings also take place at local level with a variety of minority groups. | 31 March 2007 |
| 37. 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 particular victim groups, or to adopt particular models of good practice. | Accepted | Corporate policy already exists in the training of officers to give specialist support in a number of areas e.g. Family Liaison Officers in murders or road deaths. This is reviewed when each General Order or Policy Directive is reviewed. Student officers also receive training on dealing with victims and have an input from Victim Support. | November 2006 |

Operational Support Department

| Recommendation | Response | Current Status | Projected Completion Date |
|---|----------|--|---------------------------|
| 13 The PSNI should complete the exercise of verifying all existing policies, forthwith. | Accepted | Ongoing. Accepted in principle although this will require significant commitment of resources from the Departments. | 31 December 2006 |
| 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. | Accepted | Ongoing. | 31 March 2007 |
| 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. | Accepted | Crime Operations have recently distributed the sensitive Instructions. The majority of these General Orders will either be cancelled or reclassified and will no longer be sensitive. It is unlikely there will be any sensitive Policy Directives, as these will reflect publicly our functions and values as a Police Service. | 31 March 2007 |
| 16 The PSNI should speed up the process of making more of its policies available to the public. | Accepted | Ongoing. When the Review of the Publication Scheme – Rec. 45 is completed by the end of this year; it is expected that this will add to the number of publicly available policies | April 2007 |
| 18 The PSNI should make the policy writers' human rights training course compulsory for all PSNI policy writers, forthwith. | Accepted | All policy writers will be required to attend this course. They will continue to be authorised to write policy pending their attendance. | June 2007 |
| 23 The PSNI should review its guidelines to officers relating to the aims and limits of consultation with interested parties in respect of sensitive parades and seek to establish a protocol with the Parades Commission about the purpose and limits of the consultation process. | Accepted | The review regarding Guidelines to Officers is ongoing. The Parades Commission was consulted in October 2006 with a view to establishing a protocol. The Parades Commission declined to become involved in the development of protocols with PSNI citing their independence as a reason. | April 2007 |

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| <p>24 The PSNI should review the list of general orders to be incorporated within the Use of Force Directive to ensure it achieves its purpose of becoming the cohesive overarching standard on PSNI use of force.</p> | <p>Accepted</p> | <p>A consolidated policy entitled Public Order and Police Use of Force has been drafted and is currently undergoing external consultation. The general order on the Use of Attenuating Energy Projectiles (AEP) has not been included in this policy directive as it pertains to the policy on Police Use of Firearms. Upon completion of the Police use of Firearms Policy, procedure and guidance on AEP will be included in this policy directive. Both policies will be cross-referenced.</p> | <p>March 2007. Ongoing. This will be reviewed and revised as part of ongoing work by March 2007.</p> |
| <p>25 The PSNI human rights legal adviser should review the legal basis section of the Use of Force Directive to ensure clear and straightforward guidance is available to officers.</p> | <p>Accepted</p> | <p>The legal basis section of the draft use of Force Policy Directive has been amended following advice of the PSNI Human Rights Legal Advisor.</p> | <p>Completed</p> |
| <p>26 The PSNI should review and revise its Use of Force Directive to set out the requirement for an effective official investigation when it is arguable that there has been a breach of Article 2 or Article 3 of the European Convention on Human Rights (cross-referring to the General Order on Post-Incident Procedures.</p> | <p>Accepted.</p> | <p>Completed</p> | <p>Completed</p> |
| <p>27 The PSNI should consider the suggestion by the Joint Committee on Human Rights that guidance on the use of AEP impact rounds make clear that AEP impact rounds should only be used in circumstances where live fire could otherwise be used.</p> | <p>This recommendation cannot be accepted at this stage. Further research is required.</p> | <p>Further Research required before acceptance. A discussion paper is to be prepared for Chief Superintendent Operations to submit to the legal advisor.</p> | <p>End December 2006</p> |
| <p>28 The PSNI should provide reports to the Policing Board on a six-monthly basis of all incidents where water cannon have been deployed and used, setting out details of the incident, including the location, time and date, a summary of events, the authority for</p> | <p>Accepted with adjustments.</p> | <p>This was discussed with the NIPB Human Rights Advisors and PSNI articulated the view that a requirement to provide quarterly or six monthly reports was unnecessary due to the limited use of the water cannon and suggested that yearly reports would suffice. It should be noted that a review of AEP nationally is carried out on an</p> | <p>The PSNI will provide an annual report on the use of the water cannon. Ongoing annual commitment</p> |

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| deployment and use and details of injuries sustained and/or damage to property. | | annual basis. It is the PSNI view that, due to the limited use of the water cannon, a yearly report should suffice | |
| 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. | Accepted. Being progressed by Supt Ops Policy in writing to NIPB | This recommendation is being progressed in conjunction with the Policing Board. | To be confirmed |
| 30 The PSNI should submit reports on serious public disorder to the Policing Board within seven days of such incidents. | Accepted. Upon completion of the external consultation the draft policy directive along with this recommendation will be forwarded to the PSNI Human Rights legal advisor. | 37(i) The General Order 50/02 entitled 'Requirement for early reporting to the NI Policing Board Police Discharge of Attenuating Energy Projectiles (impact rounds) – Form Policing Board 1 (PB1) Incidents of Public Disorder – Form Policing Board 2 (PB2)' has been reviewed, revised and reissued. This will remind DCU Commanders of the requirement to comply with this recommendation. | Ongoing commitment |
| 39 The PSNI should consider 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. | Accepted | The PSNI has now received correspondence from the Service Monitoring Manager, NIPB. The Policing Board accepts that the current practice, which enables formal contact between both organisations, provides an appropriate and adequate means of addressing concerns regarding the treatment of persons in custody. District Commanders may wish to meet informally with their custody-visiting panel to discuss and resolve any relevant matters. | Completed |
| 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. | Accepted. | This recommendation is contained in the General Order on Custody Visitors which was published 40/06 | Completed |

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| 44 The PSNI should consider whether its on-line data protection training should be made compulsory for some staff. | Accepted. | PSNI are currently in the process of reviewing the E-learning package that is currently available to staff. The package has been reviewed and the product supplier is to be approached in relation to amending/refreshing the package. Until discussion take place with the supplier it is not possible to provide a projected completion date. | To be confirmed |
| 45 The PSNI should review its publication scheme within three months of the publication of this Human Rights Annual Report. | Accepted. | Ongoing. A review of PSNI's Publication Scheme has already commenced and it is expected that the findings of the review will be available within the next three months. | 31 December 2006 |

Regions

| Recommendation | Response | Current Status | Projected Completion Date |
|---|----------|---|---------------------------|
| 19 The PSNI should examine and evaluate its use of stop and search powers to ensure that these powers are not being exercised disproportionately. | Accepted | <p>DCU Commanders already have specific responsibilities to monitor PACE 1/TA forms to ensure use of stop and search powers is compliant with S75 NI Act and Art 14 ECHR.</p> <p>The Analysis Centre provides a template to facilitate local profiling by local DCU analyst.</p> <p>DCU Commanders also have responsibilities to make a quarterly return to Central Statistics Unit with regard to the monitoring of Terrorism Act Powers. (See General Order 49/2004 Terrorism Act 2000 - Monitoring use of Emergency Powers).</p> | Completed |

Northern Ireland Policing Board

| Recommendation | Response | Current Status | Projected Completion Date |
|--|-----------|---|---------------------------|
| 41. The Policing Board should review its targets for visits by custody visiting teams between midnight and 6.00am. | | This is a recommendation for the Policing Board. | |
| 38 The Policing Board, in liaison with the PSNI and the Northern Ireland Office, should address the question of how gaps in the protection of terrorist suspects detained by the PSNI caused by the abolition of the post of Independent Commissioner for Detained Terrorist Suspects can be filled. | Accepted. | Police Service of Northern Ireland will work with the Northern Ireland Policing Board and Northern Ireland Office on this recommendation. | |



Human Rights
Programme of Action
2006-2007



North Antrim Coast



PART V

Departmental responses to the recommendations outstanding or implemented in part from the Northern Ireland Policing Board's Human Rights Annual Report 2005

| Recommendations Partially/Fully Outstanding From The Human Rights Annual Report 2005 | Response | Current Status | Projected Completion Date |
|---|----------|--|---------------------------|
| <p>3 (b) and (c) The PSNI should closely monitor and evaluate how well human rights training has been integrated into every level of its training to ensure consistency in standards and approach. In particular, the PSNI should:</p> <p>(b) Revise the course material on training in the use of force and the use of firearms as a matter of priority, with full reference being made to the requirements of Article 2 of the European Convention on Human Rights, together with an explanation of the relevant legal tests for the use of force.</p> <p>(c) Conclude its training in the use of force and the use of firearms with individual assessments of participating officers' knowledge of the Code of Ethics and relevant human rights provision, in particular, the relevant legal tests for the use of force and the application of Article 2 of the European Convention. The results of these assessments should form the development of basic and refresher training courses in the use of force and the use of firearms.</p> | Accepted | Addressed by recommendations 5, 6 & 7 of the Human Rights Annual Report 2006 | April 2007 |
| <p>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> | Accepted | Addressed by recommendation 2 of the Human Rights Annual Report 2006 | February 2007 |

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| 5 The PSNI should closely monitor and evaluate the quality and effectiveness of the human rights training for trainers. | Accepted | Addressed by recommendation 10 of the Human Rights Annual Report 2006 | April 2007 |
| 6 The PSNI should set timelines for its Human rights Audit and Observation Project Team to conduct a comprehensive evaluation of human rights training delivery. | Accepted | Addressed by recommendation 11 of the Human Rights Annual Report 2006 | February 2007 |
| 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. | Accepted | Addressed by recommendation 12 of the Human Rights Annual Report 2006 | Positive action by end of December 2006 |
| 8. The PSNI should review all the material currently constituting 'policy' in the loose sense of the word and classify it as policy, procedure or guidance to the definition in the General Order on Policy, Procedure and Guidance. (Ch3, p43) | Accepted | Addressed by recommendation 13 of the Human Rights Annual Report 2006. | |
| 9. All PSNI policy should be reviewed using the General Order on Policy, Procedure and Guidance within twelve months of this report. (Ch3, p45) | Accepted | Addressed by recommendation 9 of the Human Rights Annual Report 2006. | |
| 10. The PSNI should: Devise a system for ensuring that all policies are available on the PSNI Intranet are effectively updated when changes are made to them; review how those policies considered too sensitive to be generally available on the PSNI Intranet site are to be indexed, updated and kept. | Accepted | Addressed by recommendation 15 of the Human Rights Annual Report 2006. | 31 March 2007 |



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| <p>11. The PSNI should consider whether some or most of its policies can be made available to the public, either on the PSNI web site or by some other means. (Ch3, p43)</p> | <p>Accepted</p> | <p>Addressed by recommendation 16 of the Human Rights Annual Report 2006.</p> | |
| <p>12 The policy writers' human rights training course should be redesigned based on the policy template in the general order on Policy, Procedure and Guidance. The course should be compulsory for all PSNI policy writers.</p> | <p>Accepted</p> | <p>The first part of this recommendation is addressed by recommendation 17 of the 2006 report and was accepted by PCNI. The second part of this recommendation is addressed by recommendation 18 of the 2006 report but was not accepted by PCNI since the issue of making training compulsory is a policy decision rather than training one. We therefore felt that this could not be properly addressed in our section of the Programme of Action.</p> | |
| <p>22 The results of the part of the human rights questionnaire dealing with discrimination should be carefully studied by the PSNI and consideration given to revision or clarification of this Article of the Code of Ethics</p> | <p>Accepted</p> | <p>Addressed by recommendation 42 of the Human Rights Annual Report 2006.</p> | <p>June 2007</p> |
| <p>35. The PSNI should review and revise its General Orders on public order as follows:</p> <p>a Human Rights Policy in relation to Public Events: include (i) a summary of the relevant provisions of the European Convention on Human Rights, (ii) a short commentary on the application of these provisions in the public order context, and (iii) some guidance on factors likely to be relevant in balancing human rights in the public order context. (Ch7, p94)</p> | <p>Agreed</p> | <p>This is currently being reviewed and will be completed by December 2006</p> | <p>December 2006</p> |

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| <p>36. The PSNI should provide statistics collated on the use of force to the Policing Board on a quarterly basis. (Ch8, p112)</p> | | <p>It is anticipated that the new electronic Use of Force Monitoring form will be available to the service by late 2006/early 2007. Reports will be provided to the board on a quarterly basis.</p> | <p>Ongoing commitment</p> |
| <p>37. The PSNI should review and revise its General Orders on public order as follows:</p> <p>a Policy on the Use of Force: (i) include reference to Article 2 of the European Convention and set out explicitly both tests on the use of force; (ii) set out the requirement for an effective official investigation when an individual is killed as a result of the use of force and/or when it is arguable that there has been a breach of Article 2 or Article 3 of the European Convention on Post-Incident Procedures; (iii) cross-refer to the PSNI Code of Ethics, particularly Article 4; (iv) insert a review date into the policy. (Ch8,p109)</p> <p>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. (Ch8,p110)</p> <p>c PSNI Policy on Firearms Tactical Advisers: set out the relevant human rights obligations in, and cross-refer to, the policy on public order tactical advisers and insert a review date into the policy. (Ch8,p111)</p> <p>h Policy on Discharge of Firearms by Police – Post-Incident Procedures: (i) set out explicitly the requirements of investigations into deaths howsoever caused; (ii) refer to victims and victims’ families and require police officers to notify</p> | | <p>37(a) Completed. This is now contained in the draft Use of Force Policy Directive which is due to be published March 2007.</p> <p>37(b) This has been included in the general order Human Rights and the Police Use of Firearms 61/01.</p> <p>37 (c) Completed. This is contained in General Order 38/06 Firearms Tactical Advisers.</p> <p>37(h) Completed. This recommendation is completed, as it can be found in Policy Directive 03/06 on Post Incident Procedure Deployment of Post Incident Managers – Discharge of Firearms.</p> | <p>Completed</p> <p>Completed</p> <p>Completed</p> <p>Completed</p> |

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| <p>relatives/close friends of an injured or affected person at the earliest opportunity [in compliance with the Code of Ethics Article 4.3(iv)]; (iii) set out the rights of police officers who are the subject of investigation following a death. (Ch8,p121)</p> <p>i The PSNI should submit PB2s to the Policing Board within seven days following every incident of serious public disorder. (Ch8,p114)</p> | | <p>37(i) The General Order 50/02 entitled 'Requirement for early reporting to the NI Policing Board Police Discharge of Attenuating Energy Projectiles (impact rounds)-Form Policing Board 1 (PB1) Incidents of Public Disorder –Form Policing Board 2 (PB2) has been reviewed, revised and reissued. This will remind DCU commanders of the requirement to comply with this recommendation.</p> | <p>Ongoing commitment</p> |
| <p>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, setting 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. (Ch8,p117)</p> | <p>Agreed but on a six monthly basis.</p> | <p>This will be collated using the new Use of Force monitoring form. However, due to the infrequency of the use of the water cannon it is felt that annual reports would be more appropriate.</p> | <p>Ongoing commitment</p> |
| <p>39. The PSNI should assign responsibility internally for reviewing, on a six monthly basis, all instances where water cannons have been deployed and used and for issuing guidelines on best practice to PSNI senior command further to these internal reviews. Further, the PSNI should provide the Policing Board with a summary of the conclusions of this six monthly internal review. (Ch8,p117)</p> | <p>Agreed</p> | <p>Due to the limited use of the water cannon it is thought that an annual review would be more appropriate.</p> | <p>Ongoing commitment</p> |

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| <p>41. The PSNI should provide the reports to the Board on a quarterly basis of all incidents involving the deployment and discharge of CS spray, setting out the details of the incident, including the location, time and date, a summary of events, the authority for deployment and details of injuries sustained an/or property damaged</p> | <p>Agreed</p> | <p>Statistics on the use of CS Spray are already maintained by Central Statistics. This will be enhanced with the introduction of the Use of Force Monitoring Form.</p> <p>The Use of Force Monitoring Form, will contain location, date, time of incidents, injuries sustained, damage to property and additional information which PSNI will meet the requirements of the recommendations.</p> | <p>The quarterly reports on CS Spray incidents have been in operation for some time now.</p> |
| <p>55 (a – d) The results of the Human Rights Questionnaire should be carefully considered by Training, Education and development. In particular:</p> <p>(a) The results of Question 1 should be reviewed by those responsible for the Student Officers Training Programme and amendments made where necessary to remedy the identified gap in knowledge.</p> <p>(b) The results of question 2 should be carefully studied and consideration given to revision or clarification of Article 6 of the Code of Ethic.</p> <p>(c) The failings identified in Question 3 and 8 regarding police officers’ knowledge on the test for the use of lethal force should be remedied by PSNI Training, Education and Development through a comprehensive audit of training (materials and delivery) on the use of force.</p> <p>(d) The results of Question 9 should be carefully considered by those responsible for the Student Officer Training Programme and for training and policy drafting on the use of informants/covert human intelligence sources. Amendments should be made, where necessary, to ensure that all officers</p> | <p>Accepted</p> | <p>Addressed by recommendation 42 of the Human Rights Annual Report 2006</p> | |

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| fully comprehend that informants/covert human rights intelligence sources can be used only if they do not incite criminal offences. | | | |
| 55 (e) The results of Question 11-14 should be analysed by Training, Education and Development and factored in to its design and development of training programmes and materials in the future. | Accepted | Addressed by recommendation 8 of the Human Rights Annual Report 2006” | June 2007 |
| 55 (g) The PSNI should disseminate human rights information to officers using the specified channels identified (whilst being sensitive to the volume of information disseminated to officers). Specifically, officers should be kept up to date on human rights developments and provided with updates on changes in legislation. | Accepted | The Human Rights Training Advisor in co-operation with the Human Rights Legal Advisor will collaborate on developing an appropriate mechanism to satisfy this recommendation. This action will be tied in with Recommendation 9 of the Human Rights Annual Report 2006. | April 2007 |
| 55 (h) Training, Education and Development should review how to encourage officers to look at human rights more positively. | Accepted | The Human Rights Training Advisor is leading on this. She will develop an appropriate action plan. However, it is recognised that successful completion of many of these recommendations will be of great assistance in meeting this recommendation. | February 2007 |
| 56 Training Education and Development should incorporate the suggestions made by officers regarding the delivery of training. In particular: (a) Training should be more interactive and relevant to officers’ duties, ranks and roles. (b) More scenario-based case studies should be included in training materials and programmes. (c) The Code of Ethics should be taught by using practical examples. | Accepted | Addressed in the following ways: (a) Addressed by recommendations 5, 8, 9 & 10 of the Human Rights Annual Report 2006 (b) As at (a). (c) This will be incorporated into the fulfillment of Annual Report 2006. (d) Addressed by recommendation 5, 6 & 7 of the Human Rights Annual Report 2006. (e) As at (c) above. | June 2007 |

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| <p>(d) Officers' confusion regarding the right to life should be clarified.</p> | | | |
| <p>(e) Officers should be taught how human rights legislation protects them.</p> | | | |





Devonish Island, County Fermanagh



PART VI

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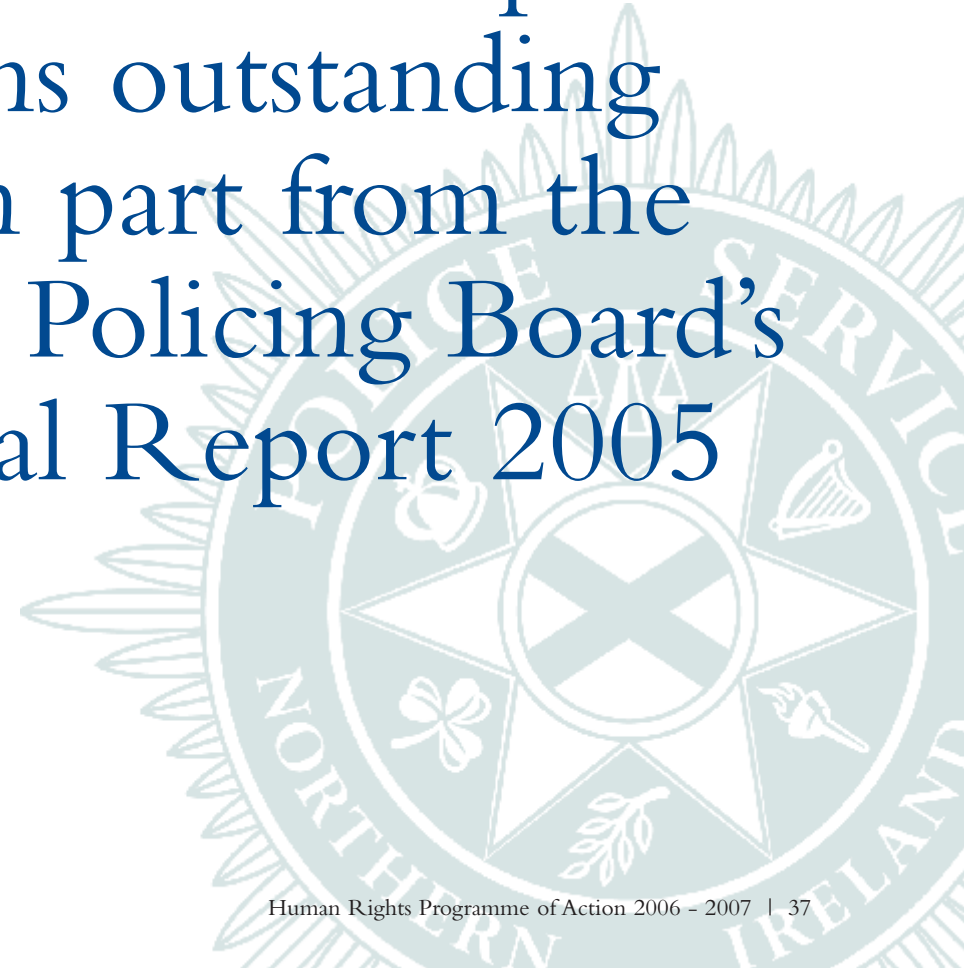
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Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing