

Police Service of Northern Ireland

Human Rights Programme of Action 2013 / 2014

Prepared by:

Service Improvement Department

S2 Criminal Justice Branch

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Personal, Professional, Protective Policing

Introduction to PSNI Programme of Action 2013 – 2014



Human Rights are central to policing in Northern Ireland. The introduction of the Human Rights Act 1998, in the year 2000, enshrined into our domestic law the rights contained in the European Convention on Human Rights.

Policing in Northern Ireland was at that time undergoing significant change. One of the changes included the requirement, by the Police (Northern Ireland) Act 2000, of the Northern Ireland Policing Board (NIPB) to monitor how the Police Service of Northern Ireland (PSNI) complied with the Human Rights Act 1998. A framework of inspection and report was established which culminates each year in the publication by NIPB of an annual report which contains a number of recommendations for future action by PSNI. This framework has developed and now consists of additional thematic reports that inspect PSNI in depth in particular areas of work. The annual report remains an important milestone in the ongoing journey of promoting the culture of human rights within PSNI.

The framework of inspection and report also places an important obligation on PSNI which is to publish a Programme of Action that addresses the recommendations made in the report. In the programme of action PSNI outlines the steps it intends to take in respect of the recommendations in the

coming months. Our positive response has been recognised by the acknowledgement of the 196 previous recommendations that have been implemented and is testament to PSNI's commitment to ensuring that a positive human rights culture and awareness exists within the organisation.¹

The NIPB Human Rights Annual Report 2013 contained eight recommendations. This Programme of Action outlines our response to each of these recommendations. This of course is the starting point and work will continue in the months to come to address each of the recommendations. The Programme of Action also updates progress on the recommendations outstanding from last year, three of these have now been implemented and eight of the remainder are at an advanced stage of implementation.

In my role as Champion for Human Rights in PSNI I oversee the progress of the work on the recommendations. Our human rights commitment does not just extend to responding to the recommendations in the annual or thematic review reports. Human Rights are now embedded in PSNI across all areas of operation and officers and staff at all levels are able to demonstrate their commitment in their daily work and at significant events. Human Rights considerations feature prominently in planning and in our policies and procedures that guide officers in carrying out their duties. They are also the basis of the PSNI Code of Ethics that demonstrates to officers and the community the standards that officers must attain.

These standards have been developed and promoted by our recently retired Deputy Chief Constable Judith Gillespie and our last Chief Constable, Matt Baggott. I know that the Policing Board and the community will be reassured by the commitment to Human Rights Policing already demonstrated by our new Chief Constable George Hamilton, my immediate predecessor as PSNI Human Rights Champion.

¹ Foreword to NIPB Human Rights Report 2013

It is of course not just senior officers who have demonstrated a commitment to human rights policing during recent times. 2013 saw the largest policing operation in the history of Northern Ireland, as Fermanagh hosted world leaders at the G8 summit. Not only were all ranks and units of PSNI engaged fully in this operation but PSNI also hosted approximately 3500 Mutual Aid officers from Great Britain. The planning, the training of mutual aid officers in how we police in Northern Ireland and the deployment of all officers in the operation had human rights at its core. The need to ensure the safety of the Heads of State and their parties, the community and officers against a background of threats from terrorists, whilst allowing and facilitating lawful protest was successfully planned for and carried out. Such a major commitment, which included the re-deployment of some officers from their normal duties, did of course have an impact on our ability to carry out some of our normal day to day activities. This included work on some of the recommendations that remained outstanding, but our commitment to progress these remains undiluted.

This Programme for Action is published as a requirement of the Human Rights inspection and reporting framework but as importantly it is a public declaration and demonstration of the PSNI's ongoing commitment to Human Rights based policing.

Assistant Chief Constable Mark Hamilton

Current recommendations

No	Recommendation	Owner	Current status
1	PSNI should, during 2014, deliver bespoke youth training to student officers at Police College, develop youth training to be delivered to police officers and civilian staff and re-commence the delivery of its training course to police trainers on children, young people and human rights.	Police College	Accepted The provision of Youth Training within the new programme for student officers and within the Police Trainers Course is currently being examined. Youth training for serving officers and civilian staff, relevant to their role, is being developed.
2	PSNI should report to the Performance Committee within 3 months of the publication of this Human Rights Annual Report on the training delivered to police officers and civilian staff in respect of children and young people. That report should detail the nature of the training delivered and to whom the training was delivered by role, rank and District. That report should also specify the training planned for the upcoming year including the nature of the training and the persons to whom the training is to be delivered by role, rank and District.	Police College	Accepted Due to prioritisation of work on Recommendation 1, the developmental part of this recommendation will have a plan in place by summer 2014. A more relevant and informative report will be available and provided to the Policing Board by October 2014.

<p>3</p>	<p>Each District Commander should include child protection training as a priority within his or her District training plan for delivery in 2014.</p>	<p>District Policing Command</p>	<p>Accepted in part.</p> <p>District Commanders recognise Child Protection training as an important issue. All Districts have carried out training in this subject within the eighteen months up to, and including, April 2014. The 2014 training cycle has a full programme of prioritised lessons.</p> <p>The situation will be kept under review when deciding future training schedules and child protection lessons will be introduced in a timely manner.</p> <p>In addition to District Training the Police College has developed a new lesson for Foundation Training which will be delivered to all student officers.</p>
<p>4</p>	<p>In the event that PSNI decides to introduce a test purchase of alcohol scheme it should notify the Committee of that decision and provide the Committee with a detailed briefing on the operation of the scheme with a particular emphasis on those measures intended to protect the welfare and safety of children.</p>	<p>Service Improvement Department (S2)</p>	<p>Accepted</p> <p>Test purchasing is to be considered in the context of PSNI and other interested parties to address underage drinking in general. PSNI has arranged a workshop to which these parties and the NIPB Human Rights Advisor have been invited.</p>

5	<p>PSNI should put in place a system which identifies trends and patterns in OPONI policy recommendations. If recurring recommendations are made, the system should highlight these and require PSNI to take further action. That system should be put in place within 6 months of the publication of this Human Rights Annual Report. PSNI should thereafter provide the Performance Committee with an annual report highlighting trends and patterns in OPONI policy recommendations and any recurring recommendations. The report should also outline how lessons learned from the OPONI investigations have been communicated throughout the police service and how they have resulted in organisational change.</p>	<p>Discipline Branch</p>	<p>Accepted.</p> <p>This will be a comprehensive report that includes the detail of, and replaces, the 2 reports already submitted by Discipline Branch to NIPB under the Professional Standards Monitoring Framework - an annual digest of Lessons Learnt, and a summary of all “regulation 20” reports.</p> <p>This report was presented to NIPB along with the Professional Standards Monitoring Framework which the Performance Committee consider annually in June.</p>
6	<p>PSNI should report to the Performance Committee, within 6 months of the publication of this Human Rights Annual Report, on the processes it has in place to monitor trends and patterns in complaints and misconduct matters arising in respect of civilian staff.</p>	<p>Human Resources</p>	<p>Accepted</p> <p>Human Resources Department is developing the capability to electronically record, monitor and report on all aspects of Police Staff Discipline cases. This should be in place by September 2014.</p>

7	<p>PSNI should publish forthwith its Manual of Policy, Procedure and Guidance on Conflict Management. Only those parts of the policy that cannot be published due to the information being of a confidential nature should be redacted.</p>	<p>Operations Policy Branch</p>	<p>Accepted</p> <p>Work is progressing on implementing the request to publish the Conflict Management Manual forthwith. Agreement is being sought on redaction of sensitive information to the minimum extent necessary. A member of staff has been appointed to ensure that the manual is published. It is envisaged that this will be completed by October 2014.</p>
8	<p>In the course of the post-implementation review of UAS to be provided to the Policing Board PSNI should identify and explain the extent to which UAS has been used for surveillance purposes together with a detailed explanation of the framework within which PSNI uses UAS for overt surveillance and for surveillance which does not relate to a specific operation or investigation.</p>	<p>Crime Operations Branch (C4)</p>	<p>Accepted</p> <p>The review of Unmanned Aerial Systems (UAS) will commence one year after implementation. At this point it should be clear how long the review will take and the NIPB will be advised. On completion of the review a report will be sent to the Policing Board.</p>

Outstanding recommendations

Year	Recommendation	Owner	Current status
2012	<p>Rec 1 The PSNI should provide the Human Rights and Professional Standards Committee with a written review of the training plan for police staff, with a particular focus on identifying the human rights training needs of police staff and how PSNI proposes to meet those needs and within what time frame. That review should be provided to the Human Rights and Professional Standards Committee within 6 months of the publication of this Human Rights Annual Report.</p>	<p>Police College</p>	<p>The Implementation Plan for Human Rights training to staff within the PSNI has been completed and was sent to the Policing Board on 4th June 2014. The College will continue to liaise with the Boards Human Rights Advisor on the implementation of the plan.</p>
2012	<p>Rec 2 The PSNI should deliver the child protection training as developed by 'A' District trainers to all front line police officers.</p>	<p>Police College / District Policing Command</p>	<p>All Districts have carried out this training. Each District identified it's most suitable officers to receive the training. Training to Tactical Support Group (TSG) officers will be delivered in July 2014.</p>

<p>2012</p>	<p>Rec 3 The PSNI should forthwith publish, on its publicly accessible website, those policies that have been finalised.</p>	<p>Operational Support Department</p>	<p>PSNI Policy Directives and Service Procedures are now available for the public to view on the PSNI website, and can be found under 'Freedom of Information - Publications by Category - Policies and Service Procedures'. All the Service Policy Directives and Service Procedures that have been finalised and were being held by Force Publications have now been published on to this section of the PSNI External website as of 31 March 2014. As Policies / Service Procedures are reviewed, redacted versions are being uploaded to the website.</p>
<p>2012</p>	<p>Rec 6 The PSNI should consider whether the same, or a similar card, to that developed for young people should be handed out to all persons who are the subject of a stop, search and/or question under PACE, TACT or JSA.</p>	<p>Operational Support Department</p>	<p>Assistant Chief Constable has approved an amended version of the card. It is currently with Force Publications and will be printed within the next 8 weeks.</p> <p>The cards will be distributed to each District and then an instruction and guidance will be issued by Operational Support Department for their use.</p>

<p>2012</p>	<p>Rec 7 The PSNI should consider the findings of the OPONI report on allegations of oppressive behaviour and present to the Human Rights and Professional Standards Committee the PSNI analysis of the findings together with its proposed means of reducing allegations of oppressive behaviour. That presentation should be made to the Human Rights and Professional Standards Committee within 6 months of the publication of this Human Rights Annual Report.</p>	<p>Discipline Branch</p>	<p>A further control strategy for oppressive behaviour has been drafted and is to be circulated to Professional Standards Champions in Districts.</p> <p>A presentation of the strategy was delivered to the Policing Board on 19th June 2014.</p>
<p>2012</p>	<p>Rec 8 On completion of its review of the Memorandum of Understanding, the relevant protocols and service level agreements between the PSNI and the Security Service, the PSNI will subject them to human rights proofing by the Policing Board's Human Rights Advisor and thereafter publish those documents to the greatest extent possible. In the event that PSNI decides not to publish any document or to publish all or any in a redacted form it should provide to the Human Rights and Professional Standards Committee the written reasons for so deciding.</p>	<p>Crime Operations Branch (C3)</p>	<p>Preparation of the MOU is being carried out in liaison with the Human Rights Advisor to the Policing Board. It is in its final stage and will be completed by September 2014.</p>
<p>2012</p>	<p>Rec 9 The PSNI should forthwith put in place a formal training plan to ensure that all officers who are or may be involved in the application of the Regulation of Investigatory Powers Act 2000 receive all necessary training as and when required. The provision of training should be kept under review and provided as and when required.</p>	<p>Crime Operations Branch (C3)</p>	<p>A formal RIPA Training Plan has been developed and approved. It is currently under review for integration into police training.</p>

2012	Rec 10 The PSNI should provide to the Human Rights and Professional Standards Committee, within 6 months of the publication of this Human Rights Annual Report, a report on its review of healthcare provision in police custody suites. That report should include any specific consideration given to ensuring that all healthcare professionals are sufficiently experienced and independent from the police, particularly in respect of terrorism detainees.	Service Improvement Department	A full presentation was given to the performance Committee in April 2014 on Healthcare provision in police custody suites, and this was followed up by a written report.
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HUMAN RIGHTS ANNUAL REPORT - RECOMMENDATIONS 2005 – 2012

Summary Implementation Record

	Implemented in full	Outstanding
2012 recs.	3	8
2011 recs.	16	0
2010 recs.	4	0
2009 recs.	17	0
2008 recs.	20	0
2007 recs.	38	0
2006 recs.	42	0
2005 recs.	56	0
Totals	196	8