



Commentary on District Policing Partnerships

including report on
“Policing with the Community”
Conference

May 2005

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This Commentary on the work of the District Policing Partnerships is the second in a series CAJ is publishing to analyse the work of the new policing institutions established in the wake of the Patten Commission on Policing (1999). The previous Commentary was on the Northern Ireland Policing Board (Nov 2003). Future Commentaries will look at the work of the Police Service of Northern Ireland, and the Police Ombudsman for Northern Ireland.

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District Policing Partnerships***

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Committee on the Administration of Justice (CAJ)

What is the Committee on the Administration of Justice?

The Committee on the Administration of Justice (CAJ) was established in 1981 and is an independent non-governmental organisation affiliated to the International Federation of Human Rights (IFHR). CAJ monitors the human rights situation in Northern Ireland and works to ensure the highest standards in the administration of justice. We take no position on the constitutional status of Northern Ireland, seeking instead to ensure that whoever has responsibility for this jurisdiction respects and protects the rights of all. We are opposed to the use of violence for political ends.

CAJ has since 1991 made regular submissions to the human rights organs of the United Nations and to other international human rights mechanisms. These have included the Commission on Human Rights, the Sub-Commission on the Promotion and Protection of Human Rights, the Human Rights Committee, the Committee Against Torture, the Special Rapporteurs on Torture, Independence of Judges and Lawyers, Extra judicial, Summary and Arbitrary Executions, and Freedom of Opinion and Expression, the European Commission and Court of Human Rights and the European Committee on the Prevention of Torture.

CAJ works closely with international non-governmental organisations, including Amnesty International, the Lawyers Committee for Human Rights, Human Rights Watch and the International Commission of Jurists.

Our activities include: publication of human rights information; conducting research and holding conferences; lobbying; and individual casework and legal advice. Our areas of expertise include policing, emergency laws, criminal justice, equality, and the protection of rights.

Our membership is drawn from all sections of the community in Northern Ireland and is made up of lawyers, academics, community activists, trade unionists, students, and other interested individuals.

In 1998, CAJ was awarded the Council of Europe Human Rights Prize in recognition of our work to promote human rights in Northern Ireland.

CAJ has worked extensively on questions of human rights and policing and a short appendix highlights some of the key issues that have been pursued over the years by the organisation.



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A Commentary on District Policing Partnerships

Introduction

Major policing changes were introduced as a result of the Good Friday/Belfast Agreement of 10 April 1998. The Independent Commission on Policing (Patten Commission) was established to conduct a thorough review of policing in Northern Ireland, and published a report containing 175 recommendations in September 1999¹. In response to the report of the Patten Commission, the government issued two Implementation Plans² and Parliament enacted policing legislation in 2000 and 2003.³ These initiatives were all meant to ensure, in the words of the Agreement that the police service is “*professional, effective and efficient, fair and impartial, free from partisan political control; accountable, both under the law for its actions and to the community it serves; representative of the society it polices, and operates within a coherent and co-operative criminal justice system, which conforms with human rights norms*”.⁴

The Committee on the Administration of Justice (CAJ) has followed the policing debates and developments closely to date, and decided to publish a series of Commentaries on the work undertaken by the different policing institutions to facilitate wider community debate on the progress towards the policing goals established by the Agreement in 1998. The first Commentary focused on the Northern Ireland Policing Board and was published in November 2003. Another Commentary is nearing completion into the work of the Police Ombudsman for Northern Ireland, and this one focuses on the work of the District Policing Partnerships (DPPs).

In preparing this Commentary on the work of DPPs, CAJ has been able to draw on a number of sources. Firstly, we wrote to all DPPs when they were first created, introducing our work and explaining our long-term interest in policing (for synopsis of this work since 1981, see Appendix 8). A number of individual DPP members responded to that early correspondence and have kept in intermittent contact since then regarding their concerns and seeking information on good practice elsewhere. Secondly, when CAJ issued its Commentary on the Policing Board, we sent copies to all DPP members, and again received extensive feed-back on that publication. We were particularly heartened to be confirmed in our view that

¹ “A New Beginning: Policing in Northern Ireland”, the Report of the Independent Commission on Policing for Northern Ireland [hereinafter Patten Commission Report], September 1999. The Patten Commission Report can be located at www.belfast.org.uk

² Independent Commission on Policing for Northern Ireland: Implementation Plan”, Northern Ireland Office, June 2000; “The Community and the Police Service”, The Patten Report: Updated Implementation Plan, Northern Ireland Office, August 2001. Both Implementation Plans can be located on the website of the Northern Ireland Office, www.nio.gov.uk

³ Police (Northern Ireland) Act 2000 [hereinafter Police Act 2000] and Police (Northern Ireland) Act 2003 [hereinafter Police Act 2003].

⁴ The Agreement, 10 April 1998, *Policing and Justice*, para 2. The Agreement can be located on the website of the Northern Ireland Office, www.nio.gov.uk

the issues we had raised in the Policing Board Commentary of relevance to the District Policing Partnerships were widely shared by staff and members of the DPPs themselves. Thirdly, and most importantly, this report draws on a conference organised in June 2004 entitled "Policing with the Community". Convinced of the need to bring DPP members together to share their experiences, CAJ convened a major conference in June 2004 and the conference report is enclosed herewith - offering rich pickings for readers interested in learning about local police/ community structures in London, Dublin, and throughout Northern Ireland.

It is these different sources of information and material that CAJ has drawn upon in developing a series of recommendations that we believe could assist in ensuring improved work at the level of the District Policing Partnerships. Together these have been formulated into a proposed "Programme of Action".

CAJ understands that there is a Policing Board review currently underway into the work of the DPPs. The review has not, to our knowledge, reached out to the public or non-governmental groups like ourselves to seek input, and we are not even sure of the extent of DPP involvement to date. Accordingly, this Commentary may prove particularly timely, and provide useful input to the review.

Chapter One of this Commentary contains a:

1. Structural Overview of District Policing Partnerships
2. Programme of Action regarding:
 - (a) Relationships between DPPs and the Policing Board
 - (b) Internal Structures of DPPs
 - (c) Relationships between DPPs and the PSNI
 - (d) Relationships between DPPs and the public
 - (e) Relationships between DPPs and CSPs
 - (f) DPPs and human rights oversight
3. Summary of recommendations

Chapter Two contains proceedings of the Conference "Policing with the Community" and the appendices include a summary of the human rights monitoring framework prepared for the NI Policing Board and how DPPs can assist in this process.

CAJ hopes that this Commentary and Programme for Action will make a positive contribution to the debate about how DPPs can fulfil their potential.

Structural overview of District Policing Partnerships

Policing has been at the heart of many of the recent changes in Northern Ireland. The peace negotiations, culminating in the Agreement, recognised that changes in policing were central to a transition to a more peaceful society. One of the most important recommendations of the Patten Commission was the creation of local policing structures.

It perhaps bears emphasising at the outset of this report that Patten envisaged a very vibrant role for local policing structures. The Commission saw local policing bodies as playing a vital role in promoting “policing with the community”. This central tenet, alongside the commitment to place human rights centre-stage, was to create a truly “new beginning” for policing in Northern Ireland and was defined as *“the police working in partnership with the community; the community thereby participating in its own policing; and the two working together, mobilising resources to solve problems affecting public safety over the longer term rather than the police, alone, reacting short term to incidents as they occur”*.⁵

It is very clear from the Patten Commission report that policing with the community is a multi-layered and complex concept, and that the changes required must go beyond formal institutional change. The Commission noted that *“an important theme of this report is that policing should be decentralised, and that there should be constant dialogue at local levels between the police and the community”*.⁶ District Policing Partnerships are obvious fora in which major cultural change of the kind envisaged in the Patten report can be stimulated and nurtured.

The Patten Commission recommended that District Policing Partnership Boards (DPPBs), made up of political and independent members, be formed in each District Council area for the purpose of advising the police of local community concerns and priorities.⁷ In the Police Act 2000, the name of these bodies was changed to District Policing Partnerships (DPPs) and the functions of the DPPs were defined as follows:

1. To provide views to the District Commander on any matter concerning the policing of the district;
2. To monitor the performance of the police in carrying out the policing plan and the local policing plan for the district;
3. To make arrangements for obtaining the views of the public concerning the policing of the district and the cooperation of the public in preventing crime; and
4. To act as a general forum for discussion and consultation on the policing of the district.⁸

⁵ Patten Commission Report, para 7.3.

⁶ Patten Commission Report, para 6.25.

⁷ Patten Commission Report, pp. 34-35.

⁸ Police Act 2000, s.14 and s. 16.

The District Councils appoint the political members and the Chair and Deputy Chair of the DPPs⁹ and the Policing Board appoints the independent members from among persons nominated by the District Councils.¹⁰ The Police Act 2000 requires the Board to issue a code of practice guiding the DPPs in the exercise of their functions¹¹ and assess the effectiveness of the DPPs and, in particular, the arrangements DPPs SHOULD make to obtain the views and cooperation of the public.¹²

District Policing Partnerships were subsequently established in 2003.¹³ It is too early in CAJ's view to carry out an in-depth evaluation of the work of DPPs to date. Moreover the DPPs have had to operate within a particularly difficult political context. On the one hand, several of their members have been under personal threat and have faced physical attack; on the other, the wider political uncertainty has meant that the Assembly has been in suspension throughout their existence. These are far from ideal circumstances within which DPP members can seek to break down generations of mistrust and make policing a shared community-wide project.

So, instead of seeking to evaluate the work to date, this Commentary highlights some of the learning that is already possible in the light of very different experiences across the District Council Areas. It provides a 'snapshot' of some of the developments to date and allows us to note where improvements could usefully be made, and which good practice examples should be shared more systematically.

Whilst the agenda for action that follows has been formulated by CAJ, we believe it fairly reflects the concerns brought to our attention by many people, and especially in the course of our June 2004 conference. The full conference report is enclosed herewith and will assist readers to draw their own conclusions about the 'way forward'.

⁹ *Id.* at s. 2(5) and s.9 of Schedule 3; but see on for details of proposals for legislative changes with regard to the Deputy Chair under discussion at the time of going to print.

¹⁰ *Id.* at s.4(1) of Schedule 3.

¹¹ Police Act 2000, s.19(1).

¹² Police Act 2000, s.3(3)(d)(iii).

¹³ Dungannon District Policing Partnership only came into being in late 2004.

Programme of Action for the District Policing Partnerships

CAJ organised a conference in June 2004 to which all DPP members were invited, along with various community and voluntary groups, statutory organisations, and all interested in policing with the community. The main focus of the event was on the Patten vision of “policing with the community” and the extent to which DPPs were working to turn that vision into a reality on the ground. The 140 participants provided a fascinating insight into the strengths and weaknesses of District Policing Partnerships and of the programme of action necessary for them to more effectively perform their intended function.

Many DPP members attending the conference reported that they believed the mere existence of the DPPs should be counted as a success. They saw that the DPP provided an excellent model for local police accountability and the idea of questioning and monitoring the police in public is certainly not anything the public would have dreamed possible in years past in Northern Ireland. Many of those attending believed that the DPPs are not only positive in theory, but that they are delivering practical successes too.

Examples of the successes cited include:

- ✍ Demanding change from the police and engaging in robust monitoring of police activity;
- ✍ Increasing the level of policing information in the public domain and information exchange as well as confidence levels between the police and the public;
- ✍ Forcing the PSNI to change their local behaviour;
- ✍ Ensuring greater emphasis on community policing leading to the creation of visible and successful community-centred police initiatives;
- ✍ Providing a bridge between the police and the public;
- ✍ Securing a reduction in PSNI absenteeism which was believed to be due to DPP monitoring;
- ✍ Increasing dialogue on policing among people from differing political parties and ideologies.

In the course of the event, it was suggested that it was very important to measure the achievements of DPPs and that it was necessary to assess:

- ✍ How open and transparent are the police with the DPPs, and how willing are the police to answer the questions of the DPPs?
- ✍ How seriously do the DPPs take their role, and do they see their role merely as improving community-police relations, or as a watchdog, whose monitoring actions will contribute to improved relations between the community and the police?
- ✍ What, if any, concrete changes on the ground in terms of policing can be attributed to the work of the DPPs?

One of the key recommendations from the conference and noted in the following Programme of Action is that the efforts of DPPs need to be routinely reviewed, assessed, and publicised. Numerous other recommendations were made to ensure that the DPPs will deliver on the high expectations placed on them by the vision of “policing with the community” laid down by the Patten Commission – they are all brought together in summary form on page 24/25 and in Appendix 7.

A. Relationship between the District Policing Partnerships and the Northern Ireland Policing Board

1. Composition of the District Policing Partnerships

The legislation sets down clear parameters for the numbers and nature of appointments to be made to the District Policing Partnerships. The Policing Board, in a very short period after its own establishment, had the major task of advertising, interviewing, and overseeing the appointment of more than 200 independent members of District Policing Partnerships. The Patten Commission had stated that DPPs, taken as a whole, should be broadly representative of the district in terms of religion, gender, age and cultural background.¹⁴

It is unclear to what extent the overall composition can be said to be broadly representative of society as a whole, but certainly the Policing Board made valiant efforts to ensure that this goal was achieved. For example, in contradistinction to the action of the Secretary of State in appointing members to the Board (where only 2 of the 19 members are women), the Board appointed 127 women to the 207 independent positions on District Policing Partnerships.¹⁵ Since there are a majority of District Councillors on each DPP, and the majority of Councillors are male, the overall composition of the DPPs still does not reflect the gender make-up of society, but clearly an active effort was made by the Board to ensure a good gender mix.

The political make-up of the DPPs is clearly not fully representative, if for no other reason than the fact that Sinn Féin is not represented on either the Policing Board or the DPPs. Moreover, several conference participants remarked on the lack of DPP members from a working class background, either republican or loyalist, and yet others raised concerns about the accessibility to DPP membership for those in low pay or no pay situations. The age range in the DPPs is fairly broad, from twenty two to seventy five years old,¹⁶ but there appears to be a formal bar excluding younger members. A number of people at CAJ's DPP conference expressed some concerns about the lack of young people on DPPs, and the difficulties that DPPs face in reaching out to that particular section of the community.

¹⁴ Patten Commission Report, para. 6.26

¹⁵ “New era for local policing – Policing Board announces District Policing Partnership Appointments”, Policing Board press release, 16 June 2003.

¹⁶Id.

A particular issue that arose repeatedly at the conference was the apparent tension between many independent and party political members of DPPs. This is discussed in more detail below, but it is worth noting already the concerns that some independents raised about continuity in a DPP's membership. Local government elections are likely to bring about changes in the party political appointments to the DPP, but the new District Councillors will also then be very influential in determining which independent members are retained and which not.

CAJ recommends that the Policing Board keep under review the composition of District Policing Partnerships and make proposals for legislative and procedural changes as and when necessary to ensure that the bodies are broadly representative of the local community. CAJ welcomes current proposals to amend the policing legislation in line with Patten - to allow independent members to serve as vice-chairs of DPPs.

2. Training Provided by the Northern Ireland Policing Board

The Patten Commission recommended that the Policing Board, *"maintain regular contact with the DPPBs, through periodic meetings of chairpersons, annual conferences, seminars, training courses and by including them in the circulation of information."*¹⁷ This is the type of relationship that CAJ has continued to advocate and that DPP members have advised CAJ that they require in order to fulfil their duties.

In our Commentary on the Northern Ireland Policing Board, CAJ noted that it had heard a number of concerns raised regarding the initial training residential provided to DPP members by the Policing Board and stated that, as a minimum, all DPP members should receive a basic introduction to the following:

- ✍ Patten Commission recommendations;
- ✍ Roles of the different policing institutions, including the Police Service, the Policing Board, the Police Ombudsman, the District Policing Partnerships and the Office of the Oversight Commissioner;
- ✍ Structure of the PSNI;
- ✍ Domestic and international human rights standards relevant to policing;
- ✍ Northern Ireland equality legislation;
- ✍ The Code of Practice on the Functions and Responsibilities of the DPPs;
- ✍ Effective meeting behaviour;
- ✍ Handling the press;
- ✍ Potential for conflicts of interest and how to handle them;
- ✍ Relationships between the DPPs and other bodies at the local level, especially the Community Safety Partnerships.¹⁸

¹⁷ Patten Commission Report, para. 6.35, recommendation 34.

¹⁸ CAJ Commentary on the Northern Ireland Policing Board, Nov 2003, pp. 33-34

CAJ went on in that Commentary to recommend that the Policing Board, *“identify the training needs of DPP members and develop, consult on, and administer a detailed training programme for all DPP members as soon as possible.”*¹⁹

These observations and recommendations were made in November 2003. Unfortunately, the vast majority of DPP members who attended CAJ's conference in June 2004, continued to have very serious complaints about the inadequacy of the training the Policing Board had provided. DPP members stated at the conference that they needed training on the following:

- ✍ Role, responsibilities and powers of the DPPs;
- ✍ Where to turn if they encountered a problem;
- ✍ Meeting behaviour;
- ✍ Patten Commission recommendations;
- ✍ Dealing with the media;
- ✍ Roles of the different policing fora working at the local level, including the Community Safety Partnerships and the Community Police Liaison Committees;
- ✍ Monitoring the human rights and equality performance of the PSNI;
- ✍ Responsibilities of other agencies with regard to policing;
- ✍ The nature of PSNI operational decision-making;
- ✍ Policing generally, including models of policing from outside Northern Ireland;
- ✍ Setting priorities for the PSNI;
- ✍ How to build partnerships;
- ✍ Methods of consultation and for securing public participation;
- ✍ Interpreting the police reports, including the statistics and graphs the PSNI use;
- ✍ Deciphering “police speak”, including the terms and acronyms the PSNI use; and the
- ✍ Broader policy implications related to the local policing problems the DPPs encounter.

The Policing Board member who spoke at CAJ's June 2004 conference stated that the Board was addressing training and recognised that different DPP personnel – managers, political members, and independent members – may have varying training needs. CAJ is not aware of the Board carrying out a training needs assessment and implementing a corresponding training programme for the DPPs since the June 2004 conference. Such an audit may be being carried out in the course of the Policing Board review of DPP work, but since CAJ is not clear about the terms of reference of the review, we merely reiterate our earlier call to provide DPP members with sufficient training to assist them in their important work.

19 CAJ Commentary on the Northern Ireland Policing Board, p.34.

CAJ recommends that the Northern Ireland Policing Board ensure that a training audit to identify the generic and specialised training needs of DPP members and staff be consulted upon and developed, with a view to putting in place a detailed training programme for all DPP members as soon as possible.

3 General Support Provided by the Northern Ireland Policing Board

In addition to training, the Patten Commission also recommended that the Policing Board maintain regular contact with DPPs; hold periodic meetings, annual conferences, and seminars for DPPs; and include DPPs in the circulation of information. The Patten Commission was very successful in identifying the needs the DPPs would have, even as it was recommending their creation. In our November 2003 commentary on the Policing Board, CAJ recommended that the Board, *"immediately assess the way in which the DPPs are functioning to avoid the adoption of bad institutional habits."*²⁰ While we recognised the need for DPPs to *"develop their own practices and reflect local circumstances"*, we argued the DPPs should have a minimum of cohesion to work effectively and that such broad guidelines could only come from the Policing Board. Now that the DPPs have been operational for approximately two years, such broad guidelines can only be developed in consultation with the DPPs, and after an assessment of what procedures are and are not working well. CAJ had based this recommendation on anecdotal reports we had received from DPP members regarding, for example, tensions between political and independent DPP members, a perception that sometimes critical issues were 'off limits' for discussion, and uncertainty as to what questions were 'allowed' to be asked of the police at DPP meetings.

It seems that the Policing Board did not pursue this recommendation of November 2003, or pursued it inadequately, since conference participants confirmed these early anecdotal reports. DPP members stated that, although they did not want the Policing Board to dictate their working procedures, there was a great need for additional guidance, direction and support from the Board. The majority of DPP members attending the conference believed the current level of Policing Board support for the DPPs was inadequate and that the DPPs were left with too little guidance. This at the very least risks an unnecessary duplication of efforts, and a failure to benefit from good practice between the different DPPs. One DPP member gave the example of the DPP website, which the member thought could be very useful in promoting public awareness of the DPPs, and provide a forum for sharing policing information with the DPPs. Although a DPP website did exist at the time of the conference, it contained virtually no information. The website has since been revamped, but is not being used, as DPP members suggested at the conference, as a mode of sharing policing information with DPP members. The Policing Board did, however, apparently determine that there would be a value in studying the functioning of the DPPs, and accordingly established a review body.²¹ The review body was just starting work at the time CAJ was holding its conference, so few DPP members at the conference seemed to know of its existence, but it is well placed to pursue many of the proposals arising at that event.

²⁰ CAJ Commentary on the Northern Ireland Policing Board, p.34.

At the conference, DPP members requested that the Board -

- ✍ **Increase public awareness of the DPPs**, and especially the fact that they are independent of the police and of the Policing Board.
- ✍ **Hold regular meetings with DPP members** in order to discuss issues of concern, discuss best practice, identify training needs and share information (meetings currently occur with DPP managers, but this was not thought adequate)
- ✍ **Provide guidance to the DPPs** on their roles, duties, powers and the relationship between DPPs and other policing institutions, including the Community Safety Partnerships.
- ✍ **Assess how the DPPs are functioning**, analyse the various approaches of the different DPPs to their duties and circulate best practice to all of the DPPs. The Board has the statutory duty to assess the effectiveness of the District Policing Partnerships in performing their functions, particularly the arrangements the DPPs have made to obtain the views of the public concerning policing and the cooperation of the public with the police in preventing crime.²² A DPP member reported that a group had been established consisting of DPP managers, Council Chief Executives and the NIO, to review the work of DPPs. However, the person concerned believed that there were no DPP members involved, and was unaware of the review group's terms of reference.
- ✍ **Give unequivocal guidance when serious problems** which need to be handled consistently across all of the DPPs arise. The conference was given several examples of difficult and contentious issues arising for DPPs, when a consistent response across all DPPs would appear to be warranted, but where the Board appeared unwilling or unable to assist.
- ✍ **Consult and share information with the DPPs** regarding policing in general, policing in Northern Ireland, and the activities and decisions of the Policing Board. DPP members requested distribution of information such as the reports of the Oversight Commissioner²³ and *Dispatches*, the PSNI newsletter. Conference participants also expressed their opinion that, because the public perceive of the DPPs as intimately related to the Policing Board, decisions of the Board automatically reflect upon perceptions of the work and attitudes

21 Policing Board Review of the Working Arrangements for District Policing Partnerships, consisting of Board representatives, the Northern Ireland Office, Council Chief Executives and District Policing Partnership Managers, met for the first time on 24 June 2004.

22 2000 Police Act, §3(3)(d)(iii).

23 The Office of the Oversight Commissioner issues regular reports on the implementation of the Patten recommendations – reports can be found on its website: www.oversightcommissioner.org

of local DPPs. Several DPP members therefore thought that they should be consulted about important Policing Board decisions, or at the very least be kept closely advised of such decisions and their rationale, so as to be able to respond knowledgeably to local interest.²⁴

CAJ recommends that the Board implement the suggestions for increased support of the DPPs that members voiced at CAJ's conference, including:

- ✍ Increasing public awareness of the DPPs, the fact that they are independent of the police and the Policing Board;**
- ✍ Holding regular meetings with DPP members in order to discuss issues of concern, discuss best practice, identify training needs and share information;**
- ✍ Providing guidance to the DPPs on their roles, duties, powers and the relationship between DPPs and other policing institutions, including the Community Safety Partnerships;**
- ✍ Giving unequivocal guidance when serious problems arise which need to be handled consistently across all of the DPPs;**
- ✍ Consulting and sharing information with the DPPs regarding policing in general, policing in Northern Ireland, and the activities and decisions of the Policing Board; and**
- ✍ Facilitate meetings of DPP members and managers in order to discuss issues of concern to the DPPs and how the different DPPs are handling them.**

CAJ proposes that the DPP review group should study this Programme of Action, since it distils the concerns of a range of DPP members, and the review should engage fully with DPP members to determine additional measures to be taken to strengthen the oversight of policing at the local level provided by DPPs.

24 Examples that were given at the conference included: statements made by the Chair and Deputy Chair of the Policing Board, in their private capacity, indicating a preference for a truth commission rather than the inquiries recommended by Judge Cory; one DPP member reported that in response to concerns she had raised regarding police human rights training, the police reported that Des Rea – “the boss of the DPPs” had dealt with that and had voiced support for PSNI human rights training; in another, DPP members queried the Policing Board decision making on CS spray, and wondered what they could do to influence the Policing Board when such decisions appeared to be made in non-public sessions.

B. Internal Structure of the District Policing Partnerships

Several independent DPP members had advised CAJ that they faced a number of obstacles that were keeping them from contributing to the work of the DPP to their full potential. These obstacles were commented upon in our 2003 Commentary on the Policing Board, and conference participants confirmed that such obstacles were still in place, and needed to be addressed.

One key issue identified by a number of independent DPP members was the real or perceived power differential between the political and independent DPP members. This is to some extent based on the legislative structure of the DPPs that gives political members a majority on the DPP, and currently requires that both the chair and vice chair of the DPPs are party political, and not independent, members of the DPP.²⁵ In addition, the fact that often the standing orders of the DPPs and meeting behaviour reflect District Council procedures, that meetings are held in Council venues, and that staff are drawn from District Council staffing, gives Council members of the DPPs a built-in advantage over independent members. Indeed, the fact that Council personnel service the work of DPPs means that independent members often believe that party political members are much better placed to request assistance from Council personnel, and there is a perception that Council staff were more interested in taking care of the needs of the political members – since they of course also sit on the District Council. This perception has been confirmed by some Council staff who indicate that they have, or are often thought to have, divided loyalties as between the demands of the District Council and the DPP, and between District Councillor members and independent members of the DPP.

All of the problems in the relationships between independents and their political colleagues did not however appear to stem from the structure of the DPPs. Some independents report that party political members often see independents as inexperienced, and are not willing to work productively with them. Other independents believe that political members may be active in local politics, but have no particular interest in policing or the work of the DPP, and have no serious commitment to reaching out to the public to obtain their views on policing, which of course is a core duty of the DPPs. At the same time, party political nominees have the advantage of being able to rely on party briefings from research and other staff – independents have no such back-up.

Examples of the problems independents identified include:

- ✍ Political members acting as a single block, leading to some independents doing the same;
- ✍ Creation of an intimidating atmosphere which can undermine confidence and lead to some independents being reluctant to contribute at meetings;

²⁵ At the time of going to print, government is consulting about changing the legislation to allow deputy chairs to be selected from among the independent members of the DPP.

- ✍ Councillors requiring independent members to refer to them by their titles;
- ✍ Members talking on mobile phones during meetings;
- ✍ Poor membership attendance at meetings;
- ✍ Disinterest in attending DPP sub-group meetings; and
- ✍ Political members using the DPP meetings to promote party political messages and unquestioningly following the platforms of their parties over what is best for policing and the DPPs.

Some independent members have also expressed concerns as to the likely reaction of those Councillors they may have upset in the course of their work – might they decide to block the renewal of the appointments of some of the independents to the DPP? It is the District Council that conducts the first round of interviews in the appointment process, so party political members are not on an entirely equal footing with independent members.

It is noteworthy that the level of participation of political members in CAJ's conference was well below that of independent members. This will in part explain why the concerns of independent members are so heavily reflected in many of the comments, but it also may to some extent confirm the comments and concerns expressed about the different needs and expectations of independent DPP members and their party political colleagues.

Some of the problems cited by independents related to their lack of confidence which in turn derives from a lack of experience operating within a formal meeting structure. These problems would of course be compounded by the lack of training and guidance independent members feel they have received. Some independent DPP members hold meetings before the formal DPP meetings to strategise, digest the police reports and prepare questions. They report that this has led to increased participation by independent members. They stress, however, that having separate meetings for independents may not be the best approach for fostering cohesion within the DPP. The independent members propose that a network be established that is open to all DPP members, although it is expected more independents would be interested in getting involved. The network would discuss issues, avoid exclusion and provide a voice for independents in a more informal setting which will hopefully give them the confidence to participate more fully in DPP meetings and make them feel more comfortable to raise the issues they feel are important. Provision of the training independents have requested (which is addressed above) would assist independent DPP members become more active and self-confident members of the DPP.

CAJ recommends that the Policing Board assist the DPPs to create a network which allows interested DPP members to get together to discuss issues and strategies which will assist them in becoming more productive members of the DPP.

CAJ recommends that the Policing Board maintain a ‘watching brief’ on the internal relationships in DPPs so as to assist the effective cooperation of political and independent members as envisaged by Patten.

C. Relationship between the District Policing Partnerships and the Police Service of Northern Ireland

The opinions expressed at CAJ’s conference regarding the relationship between the DPPs and the Police Service of Northern Ireland were mixed.

Some DPP members said their DPPs had very constructive relationships with the local police, that the police were forthright in answering their questions and had invited DPP members to attend operational briefings; yet others said they had met with PSNI recruits and attended the Sergeants’ Forum.

Some DPP members expressed a lack of certainty about what they were “allowed” to ask the police. For example, can they ask the police about a local issue which has been referred to the Police Ombudsman? They stated that there was a need to counter the police hiding behind excuses such as national security, intelligence and the confidentiality necessary to individual cases. While some limitations on the nature of questions that the police are obliged to answer are allowed by the ~~Code of Practice governing the work of DPPs~~,²⁶ much will depend on the definitions being used, and how these limitations are interpreted by the DPP and the police.

Other DPP members suggest that the answers of the police are insufficient to allow the DPP to hold the police to account. They said that police answers are not always substantive, or that the answers are misleading, or that the police use statistics to put forward the best possible case, rather than the reality. One DPP member noted a specific instance where the statistics given to the DPP by the police differed from those given to the local Community Police Liaison Committee (CPLC). The DPP member had seen both. DPP members noted that because the data gathering is very much in the hands of the police, it is difficult for the Partnership to determine whether the information they are receiving is reliable.

It seems, in many instances, that the reports presented by the police at the public meetings of the DPPs are generally read aloud by the District Commander or his/her representative. In addition to being boring for the public, many DPP members believe that this form of reporting does not allow them the opportunity to challenge the report and statistics so as to adequately monitor police performance. Moreover, since the District Commanders have not personally prepared the reports, they are sometimes not familiar enough with the data presented to be able to elaborate on the initial information provided. Some DPP members state that the use of acronyms

26 District Policing Partnerships Code of Practice on Functions and Responsibilities, Northern Ireland Policing Board, September 2002; see website – www.nipolicingboard.org.uk

and institutional language renders the information fairly inaccessible to both DPP members and the public. Some DPP meetings are attended by community police officers, whose work is much closer to the ground, and DPP members suggested that such police officers should attend all DPP meetings. Perhaps the best combination would be to have DPPs hear from and be able to question the community police officers, who can provide the perspective of policing on the ground, but also District Commanders, who have decision-making authority?

DPP members discussed how best to provide accountability and suggested asking detailed questions and analysing the police approach to a particular policing problem, rather than considering general statistics. Clearly DPPs themselves should determine the report format that the police should follow to best suit the DPP's needs. Another suggestion made was that, in DPPs where this does not happen already, police reports should be distributed to DPP members in advance of the meetings. This advance circulation of papers is good meeting practice – allowing for such reports to be studied in advance and for the preparation of useful questions. Information sharing across the DPPs, and training and guidance from the Policing Board, would all help in this regard.

Some DPP members also raised concerns that colleagues sometimes see their role as supporting the police *per se*. Several argued that the role of DPP members should rather be one of supporting good policing and criticising bad policing. They stressed that it is only by being critical, when it is necessary to be critical, and only in securing change where necessary, that the public will realise that the DPPs are providing effective accountability. This in turn will ensure that the wider community may become more willing to engage.

DPP members recognised that in some places contentious issues are beginning to be addressed, but many agreed that the police appear to find it difficult to accept criticism of any kind, however constructively intended. Clearly the problem cannot be addressed unilaterally by the DPP; it is important that the police also are given guidance as to how to report to, and effectively engage, the DPPs in local policing efforts.

CAJ recommends that the training audit to be prepared by the Policing Board of DPP needs should in particular address the needs of DPP members to improve meeting practice, heighten their capacity to pose searching questions, and thereby hold the police effectively to account.

CAJ recommends that the Policing Board and/or the DPP network that it is suggested be created consider how the police can be assisted to work more collaboratively with the DPPs.

D. Relationship between the District Policing Partnerships and the Public

DPP members attending CAJ's conference expressed concern that attendance at most DPP meetings held in public is very sparse and many blamed the prescriptive, formal format of the public meetings for the lack of public interest. The requirement that members of the public must submit questions a certain period in advance of the meeting in order to have a written answer prepared by the police read to them at the public meeting was considered a problem. Another problem area lies in the fact that many DPPs did not allow those who had submitted questions to ask a follow-up question, even if the person indicated that he or she was unhappy or unclear with the police's answer. Some, though not all, DPPs allowed members of the public to ask questions from the floor during their meetings in public. Some members of the public complained they were not even allowed copies of the minutes of the meetings and one person described the public meetings of her DPP as "talking shops stage-managed to avoid controversy".

CAJ learnt that DPP members were shown a video at a very early Policing Board training session that laid down some very prescriptive advice about the holding of meetings in public. In our Commentary on the Policing Board, CAJ was very critical of the Policing Board's own practice in this regard, and we had suggested that the Board's public sessions were overly formal and could appear to members of the public as largely stage-managed.²⁷ CAJ also expressed concern that the Code of Practice established by the Board regarding the holding of DPP meetings in public was overly rigid²⁸. Perhaps it is unsurprising that the Board proposed a narrow interpretation of the public nature of DPP meetings when it itself has adopted such an approach.

Many DPP members have come to the conclusion that this prescriptive and very formalised approach to meetings held in public is not working, and not accountable, but they also identified other possible reasons for a lack of public participation.

Of course one problem for DPPs is that some members of the public will not engage because Sinn Féin has not taken up its seats on the Policing Board or on the DPPs. This in turn highlights continuing political disagreements regarding the reality, nature and pace of policing change. Some DPPs have reported problems organising meetings in nationalist areas. In this context, the makeup of the West Belfast sub-group of the Belfast DPP was cited as a problem. Although the area is predominantly Catholic and nationalist, the sub-group consisted of one SDLP Councillor - with the remaining political members being unionist - and four independent Catholics, none of whom lived in the area. That membership would certainly not be representative of the local community.²⁹ On security grounds, the

²⁷ CAJ Commentary on the Policing Board, pp. 7-10.

²⁸ District Policing Partnerships Code of Practice on Functions and Responsibilities, Northern Ireland Policing Board, September 2002

²⁹ See "Local police body contains just one green politician", *Andersonstown News*

sub-group does not meet in the area, though meetings on the Falls Road or the Shankill Road could obviously facilitate greater public participation.

Another problem is that the general public often have a limited knowledge about the existence and work of the DPPs and the extent to which they are, or are not, independent of the police.

DPP members made the following suggestions at the conference for making meetings in public more appealing:

- ✍ Allow the public to ask questions directly during the meetings;
- ✍ Ask community groups to make presentations at the public meetings, even if only to describe the reservations they have about engaging with the DPP;
- ✍ Hold thematic public meetings on topics of interest to the community;
- ✍ Hold smaller public forums in which one DPP member meets with a small group of people and then relays their issues and concerns to the full DPP;
- ✍ Hold scrutiny hearings such as those Lord Toby Harris described in his address to the conference in which the Metropolitan Police Authority calls witnesses and gathers and analyses evidence related to issues of particular importance to the community (see page 33);
- ✍ Make changes to the format of the PSNI reports to make them more accessible to the public;
- ✍ Address controversial topics and be prepared to be constructively critical of the police;
- ✍ Ensure that the meetings address the issues of concern to the local community - especially working class people who may not be particularly well represented on the DPP itself. Lord Toby Harris, in his address to the conference (see page 34) argued that accountability bodies must be prepared to address the most difficult issues head-on in order to build confidence with communities suspicious of the police;
- ✍ Rotate the venues of public meetings and hold them in venues accessible to all,³⁰ and
- ✍ Specific outreach to hard-to-reach groups, perhaps with the assistance of community groups, non-governmental groups, & umbrella sectoral groups.

DPP members correctly identified the need to engage in effective outreach to determine the interests of all subsets of the community as a necessary precursor to garnering wider public participation. Marie Metcalfe, Coordinator of the Community Policing Forum in Dublin stated in her presentation to the conference (see page 36), that when the Forum was created, she knew that sending a letter or any other publicity mechanism would not work, and indeed nothing short of knocking on the door of every local resident would suffice. She reported that the Gardaí were not trusted by the public, but when the residents started to see results (for example when the Gardaí greatly reduced the problems of anti-social behaviour

30 At the June 2004 conference, some DPP members were able to give innovative examples of their outreach to shopping centres (Newtownabbey) and theatres (Armagh) to facilitate access.

in the area at the request of local Forum participants), the public started to show some genuine interest and became more engaged.

Lord Toby Harris, in his address (see page 32), described the public attitude surveys that the London Metropolitan Police conducted to ascertain public opinion as insufficient. He stated that surveys requiring members of the public to set policing priorities by ranking the kinds of crimes they most wanted the police to address were of limited use. The public finds it difficult, if not impossible – and certainly meaningless – to choose whether the police in London and elsewhere should focus on domestic violence, international terrorism, racial crime or burglary; yet these are the kinds of options they are offered. Unfortunately, the Policing Board conducts the same type of survey on its own behalf and on the behalf of the DPPs in order to determine priorities for the Northern Ireland-wide and local policing plans. More targeted outreach must be conducted.

DPP members suggested that training, guidance and information-sharing among the DPPs would assist them in formulating an effective outreach policy. DPP members voiced the following suggestions related to outreach at the conference:

- ✍ Undertake a publicity campaign to emphasise the fact that the DPPs are independent of the Police Service;
- ✍ Conduct a leaflet drop;
- ✍ Ask the community about their needs;
- ✍ Reach out to loyalists and republicans and engage them in the process;
- ✍ Reach out to working class people;
- ✍ Reach out to young people, who cannot be appointed to the DPP, do not attend meetings, and are not necessarily made to feel welcome. It is not enough to visit schools, but the DPP also needs to get to hard-to-reach young people. Some DPP members expressed concern that the DPPs are quick to blame young people as the origin of many policing problems, without also noting that they are over-represented as victims of crime. Some conference participants suggested that young people should be better represented on the DPPs;
- ✍ Make interaction with the DPPs a part of the school curriculum;
- ✍ Utilise existing local networks, including the Community Police Liaison Committees, and local community organisations; and
- ✍ Ascertain and better communicate what the DPPs are achieving and what more needs to be done.

CAJ recommends that DPPs review their working relations with the public and ensure that their meetings, outreach efforts, communications strategy, and all their activities are aimed at securing a “constant dialogue at local levels between the police and the community”.³¹ Good practice in this regard should be routinely and actively disseminated around DPPs.

³¹ Patten Commission Report, para 6.25

E. Relationship between the District Policing Partnerships and the Community Safety Partnerships

A situation which has created confusion and inefficiency at the local level is the establishment by government of Community Safety Partnerships which unfortunately are not seen as working to complement the DPPs, but in some regards are seen as almost a threat to the very existence of DPPs. The potential problems with having two similar structures working, but not necessarily in tandem, at the local level were obvious from the beginning and were identified by CAJ in its commentary on the Policing Board in November 2003.

In that Commentary, we noted that the Patten Commission believed that the role of the DPPs was to *“represent the consumer, voice the concerns of citizens and monitor the performance of the police in their districts, as well as that of other protective agencies such as the fire service, environmental protection, public health and consumer protection authorities.”*³² The report went on to say that, *“like the Policing Board, the DPPBs should be encouraged to see policing in its widest sense, involving and consulting non-governmental organisations and community groups concerned with safety issues as well as statutory agencies.”*³³ The Patten Commission envisaged a broad community safety and policing mandate for the DPPs which was much wider than solely monitoring the Police Service of Northern Ireland.

The Patten Commission also believed the DPPs should have their own funding. It recommended that, *“District Councils should have the power to contribute an amount initially up to the equivalent of a rate of 3p in the pound towards the improved policing of the district, which could enable the DPPB to purchase additional services from the police or other statutory agencies, or from the private sector. They might choose to use the money for security cameras in commercial centres, or to fund youth club schemes: it would be for them to decide, in consultation with their local police.”*³⁴ Parliament chose, however, not to accord the DPPs the financial resources or powers recommended by the Patten Commission.

Yet, at the same time as the Patten policing changes were being progressed, a quite separate debate was underway. As part of the reform of criminal justice, the Criminal Justice Review which, unlike the Patten Commission, was a largely government-led initiative, recommended that Community Safety and Policing Partnerships be created. These Community Safety Partnerships (CSPs), as they were later to be called, were to replace the DPPs, and fulfil the DPPs’ role of addressing community safety concerns in partnership with statutory agencies, community groups, and the local community.³⁵ District Councils were to be given the power to contribute the equivalent of 3p in the pound to the CSPs, albeit with

³² Patten Commission Report, para. 6.29.

³³ *Id.*

³⁴ *Id.* at para. 6.33, including Recommendation number 32.

³⁵ Criminal Justice Review, para. 11.61, Recommendation number 196

clear guidelines on the raising of such funds and the purposes to which the money could be used.³⁶ The Review also recommended that the CSPs be monitored and regulated by a newly created governmental body within the Northern Ireland Office called the Community Safety Unit.³⁷ The recommendation to give District Councils the power to provide the CSPs financial resources was not implemented,³⁸ but the Criminal Safety Unit was given a budget to fund community safety initiatives.³⁹

The Criminal Justice Review intended to build upon the recommendations that the Patten Commission had made for the DPPs. For example, the Criminal Justice Review welcomed the Patten Commission's *recognition of the need for co-ordination between the policing and other agencies and non-governmental organisations for public safety purposes*,⁴⁰ and stated that CSPs should have the membership *"as recommended by the Policing Commission for District Policing Partnership Boards"*,⁴¹ and the same advisory, explanatory, and consultative functions that the Patten Commission had proposed for the DPPs.⁴² When the Criminal Justice Review argued that District Councils could raise 3p in the pound for the CSPs, just as the Patten Commission had recommended for the DPPs, it noted that, *"From the examples given by the [Patten] Commission of projects which might be funded in this way (security cameras, youth club schemes) it is clear to us that community safety activity was what [the Patten Commission] had in mind."*⁴³

However, instead of the concept of the DPPs and the CSPs being effectively integrated, there now appear to be two quite distinct and separate structures established across all District Council areas - one structure addressing policing and the other community safety. This is worrying. There are probably a number of distinctions between the two structures, but most obviously, the CSPs are led and effectively funded by the Northern Ireland Office, whereas the DPPs are independent of any institutional link to government. After an initial period of 'bidding' for grants, the Northern Ireland Office announced in March 2003 that it would provide £7.5 million to CSPs over the following three years. At the time of writing, all 26 District Council areas have a Community Safety Partnership, and are in the process of developing Community Safety Plans.

It is clear from the amounts of money that the Northern Ireland Office is investing in CSPs that these bodies are considered an important part of government strategy for the future. But it is less clear what financial support is being provided by

³⁶ *Id.* at para. 11.75, Recommendation number 205.

³⁷ *Id.* at para. 11.64 and 11.65, Recommendation numbers 197 and 198.

³⁸ Criminal Justice Review Implementation Plan, Northern Ireland Office, November 2001, p. 104. The Criminal Justice Updated Implementation Plan, which was published by the Northern Ireland Office in June 2003 also denies the CSPs 3p in the pound. Both Implementation Plans can be located on the website of the Northern Ireland Office, www.nio.gov.uk.

³⁹ Criminal Justice Review, para. 11.73, Recommendation number 204.

⁴⁰ *Id.* at para. 11.54.

⁴¹ *Id.* at para. 11.61, Recommendation number 196.

⁴² *Id.* at para. 11.62.

⁴³ *Id.* at para. 11.75.

government for DPPs and what it intends to do about the relationships between CSPs and DPPs. For example, in 2003, the media reported that a group entitled 'Safer Streets For All Campaign', located in West Belfast, was refused funding from the Community Safety Unit for refusing to seek the endorsement of the PSNI for its work.⁴⁴ Would they be able to go to the Belfast DPP for support? If not, is the intention of the Northern Ireland Office to control all local initiatives by granting or refusing monies? If the group can approach the DPP, does this not set up an unhealthy tension at the local level between two bodies that should in fact be working to the same ends?

In our 2003 commentary, CAJ wrote that, *"A close examination of the Community Safety Strategy begs many questions about the role that can effectively be played by local DPPs. If the DPPs are not to be turned into 'talking shops' with little or no power and little or no funding potential for constructive local projects, their work must not be stymied almost before it begins. This is clearly a problem that cannot be addressed by each individual DPP/CSP and it is CAJ's understanding that the Policing Board also has very serious concerns about the CSPs and that these concerns have been conveyed to government in forceful terms"*.⁴⁵

It was clear from the opinions expressed by participants at CAJ's June 2004 DPP conference, that DPPs have still not received information related to the appropriate relationships between DPPs and CSPs, nor even information regarding the role of CSPs. Some DPP members expressed a complete lack of knowledge regarding the role of CSPs. Others expressed concern that, unlike DPPs, CSPs have money, but have no veto power over the Police Service, which in fact sits on the CSP, and whose support is necessary before projects will be agreed and funded. Others were concerned by the fact that CSPs are controlled largely by the NIO, are made up almost entirely of statutory bodies, that they have no community representation and do not consult the community. Participants complained of either poor, or a complete lack of, communication between the two bodies, with one DPP advising CAJ that the CSP refused to allow DPP members to join the CSP. Other DPPs had created formal institutional links to the CSP. There seemed to be consensus among DPP members that there is no point in duplicating work, that the roles of each body need to be defined, that these roles need to be explained to the members of both groups, and that structured dialogue between the two needs to be established.

CAJ recommends that the appropriate authorities revisit the issue of two distinct local structures relating to policing and community safety. If it is determined to retain two entities, there must be clear protocols to ensure cooperation and sufficient communication. CAJ further recommends that such a protocol, once finalised, be communicated to all DPP members and monitored by the Policing Board.

44. "NIO says no to safe streets", *The Andersonstown News*, 7 June 2003.

45 CAJ Commentary on the Northern Ireland Policing Board, p. 36, and footnote 177.

F. District Policing Partnerships and human rights oversight

The Patten Commission report noted that *“it is a central proposition of this report that the fundamental purpose of policing should be, in the words of the Agreement, the protection and vindication of the human rights of all. Our consultations showed clear agreement across the communities in Northern Ireland that people want the police to protect their human rights from infringement by others, and to respect their human rights in the exercise of that duty. ... There should be no conflict between human rights and policing. Policing means protecting human rights”*.⁴⁷

Given the centrality of human rights to good policing, DPPs cannot ignore the human rights oversight role that they should be playing in this regard at the local level. CAJ had hoped to facilitate an exploration of this responsibility at the June 2004 conference but, unfortunately, the Human Rights Advisors of the Policing Board, who were to speak to the issue, were unable to attend. Keir Starmer QC and Jane Gordon have subsequently supplied a short note outlining the function they perform for the Policing Board (this has been attached in Appendix 6).

Also attached in that same appendix is an extract from the Policing Board's Monitoring Framework.³¹ The Human Rights Index that is set out there establishes a whole series of measures against which the Policing Board must assess the work of the PSNI. The Index also provides a useful checklist for DPP members to explore at regular intervals with local commanders. What is being done locally for example, to ensure that -

- ✍ Police restrictions imposed on qualified rights such as the right to liberty, privacy and association, are legitimate, strictly necessary and proportionate (Human Rights Index, para 1.4).
- ✍ Police officers respect their over-arching obligation in relation to non-discrimination on any grounds including race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status (Human Rights Index, para 2.1).
- ✍ Police and local people know that the arbitrary or abusive use of force and firearms by police officers is never acceptable (Human Rights Index, para 4.6)

46 Patten Commission Report, para. 4.1.

47 “Monitoring PSNI Compliance with the Human Rights Act 1998”, issued by the Northern Ireland Policing Board, December 2003. The first appendix to that Framework (the PSNI: Human Rights Index) is attached herewith for convenience in Appendix 6.

Where allegations of human rights problems are brought to the attention of a DPP, members will want to know how to address this effectively with the local commander, and/or how to forward on specific complainants to the Police Ombudsman's Office.

CAJ recommends that DPPs study closely the Policing Board's Monitoring Framework and determine how their work at local level can assist the PSNI to comply with these human rights standards.

CAJ recommends that the Policing Board provide specific guidance as to how DPPs can feed in local information, insights and experience to assist the Board in monitoring overall PSNI compliance with the Human Rights Act.

Programme of Action - summary of recommendations

CAJ recommends that the Policing Board keep under review the composition of District Policing Partnerships and make proposals for legislative and procedural changes as and when necessary to ensure that the bodies are broadly representative of the local community. CAJ welcomes current proposals to amend the policing legislation in line with Patten - to allow independent members to serve as vice-chairs of DPPs.

CAJ recommends that the Northern Ireland Policing Board ensure that a training audit to identify the generic and specialised training needs of DPP members and staff be consulted upon and developed, with a view to putting in place a detailed training programme for all DPP members as soon as possible.

CAJ recommends that the Board implement the suggestions for increased support of the DPPs that members voiced at CAJ's conference, including:

- ✍ Increasing public awareness of the DPPs, the fact that they are independent of the police and the Policing Board;**
- ✍ Holding regular meetings with DPP members in order to discuss issues of concern, discuss best practice, identify training needs and share information;**
- ✍ Providing guidance to the DPPs on their roles, duties, powers and the relationship between DPPs and other policing institutions, including the Community Safety Partnerships;**
- ✍ Giving unequivocal guidance when serious problems arise which need to be handled consistently across all of the DPPs;**
- ✍ Consulting and sharing information with the DPPs regarding policing in general, policing in Northern Ireland, and the activities and decisions of the Policing Board; and**
- ✍ Facilitate meetings of DPP members and managers in order to discuss issues of concern to the DPPs and how the different DPPs are handling them.**

CAJ proposes that the DPP review group should study this Programme of Action, since it distils the concerns of a number of DPP members, and the review should engage fully with DPP members to determine additional measures to be taken to strengthen the oversight of policing at the local level provided by DPPs.

CAJ recommends that the Policing Board assist the DPPs to create a network which allows interested DPP members to get together to discuss issues and strategies which will assist them in becoming more productive members of the DPP.

CAJ recommends that the Policing Board maintain a ‘watching brief’ on the internal relationships in DPPs so as to assist the effective cooperation of political and independent members as envisaged by Patten.

CAJ recommends that the training audit to be prepared by the Policing Board of DPP needs should in particular address the needs of DPP members to improve meeting practice, heighten their capacity to pose searching questions, and thereby hold the police effectively to account.

CAJ recommends that the Policing Board and/or the DPP network that it is suggested be created consider how the police can be assisted to work more collaboratively with the DPPs.

CAJ recommends that DPPs review their working relations with the public and ensure that their meetings, outreach efforts, communications strategy, and all their activities are aimed at securing a “constant dialogue at local levels between the police and the community”.³¹ Good practice in this regard should be routinely and actively disseminated around DPPs.






CAJ recommends that the appropriate authorities revisit the issue of two distinct local structures relating to policing and community safety. If it is determined to retain two entities, there must be clear protocols to ensure cooperation and sufficient communication. CAJ further recommends that such a protocol, once finalised, be communicated to all DPP members and monitored by the Policing Board.

CAJ recommends that DPPs study closely the Policing Board’s Monitoring Framework and determine how their work at local level can assist the PSNI to comply with these human rights standards.

CAJ recommends that the Policing Board provide specific guidance as to how DPPs can feed in local information, insights and experience to assist the Board in monitoring overall PSNI compliance with the Human Rights Act.

Conference Proceedings

The following paper transcribes the detailed presentations and workshop discussions arising at a conference organised by CAJ on the topic of “Policing with the Community”, Belfast, June 2004.

-  Presentation by Lord Toby Harris
-  Presentation by Marie Metcalfe
-  Panel Discussion with Independent DPP Members
-  Closing Panel Discussion
-  Workshop Reports

Policing with the Community

Malone Lodge Hotel, Belfast

Monday 28th June 2004

ANGELA HEGARTY

Lecturer in Law, Magee campus, University of
Ulster: Chair of the plenary sessions.

Welcome to all of you to what I hope
will be an interesting and stimulating -
even challenging - day.

Angela Hegarty

The Committee on the Administration of Justice (CAJ) decided to hold this conference because the DPPs have been set up now for just over a year, and they thought it was an appropriate time to try and take stock. Are the DPPs working, are they not working, what is good and what is bad about their practice and experiences to date? It is also an occasion to reflect on what Patten said the District Policing Partnerships should do, and what people hoped they would do, and to see whether or not the DPPs are meeting those expectations. I know that there are a lot of you here from the DPPs and we hope there will be an opportunity for all of you to contribute throughout the day - in the two plenary sessions, in the workshops, and in the final report back this afternoon.

LORD TOBY HARRIS

Metropolitan Police Authority

Well, thank you very much. The first thing to do is to set the scene - the Metropolitan Police in London is the largest police force in the UK with 30,000 police officers and 11,000 other staff. And when the Police Authority was created in 2000 after 170 years of direct Home Office control and direct control by the Home Secretary, we took

Lord Toby Harris

over responsibility for a force which was at an extremely low ebb with a very low morale and very poor relations with the community. Worse, they were lacking in many of the basic systems.

I say this because one of the first things that happened to us as a Police Authority was that we received a report from the audit service telling us that the Metropolitan Police - with a budget of over two billion pounds – did not have a system for avoiding paying bills more than once. Which you might feel is a very basic requirement in a large public organisation. So, one of the first things we did was to recruit some accountants. Which perhaps wasn't the first thing the public at large were expecting, but we did think it was a necessary requirement.

The Police Authority itself was set up as a by-product of the legislation that created a Mayor for London and a London Assembly and I was simultaneously an elected member of that London Assembly the first four years. The Authority itself consists of twenty-three members: twelve of whom are elected members of the London Assembly, appointed on the basis of proportionality. Then there are four magistrates, selected by a recruitment process by the Magistrate's Court Authority. Six independents are appointed following public advertisement and an extremely convoluted process of selection, and there is one direct appointee by the Home Secretary - making a total of twenty-three.

In the last Authority, ten of the twenty-three members were women, thirteen were men. In the Authority at the moment there are eight who come from the black and minority ethnic communities; three of whom are incidentally Muslims which is particularly important component at the present time.

The Authority itself meets monthly in public. All of the papers of the Authority and all the minutes of the Authority are published on our web-site. We have a series of committees which also meet in public. And, the only occasions when either the Authority or its committees go into confidential session is when we are considering matters which relate to individual or contractual matters. That has been quite a difficult discipline for the police service in London to get used to. But we believe that, apart from the fact that that is what the legislation says, it is actually quite an important part of creating a transparent police service in London.

Our statutory role is to maintain an efficient and effective police service for the people of London: it is a quite simple statutory requirement, and in practice that means we set the budgets. It is in reality a little bit more complicated than us deciding upon how much we are going to spend, because the Mayor of London has to agree a figure which he puts in his precept on local authorities, and that can sometimes can be a slightly dynamic and exciting process. But it is essentially a process of dialogue between ourselves and the Mayor, and the Mayor and the London Assembly, in terms of determining the final figure. We then allocate the budget and hold the police accountable for the way in which it is spent. We appoint all senior officers over the rank of Chief Superintendent and indeed in the first four years, roughly two-thirds and possibly even now three-quarters, of the senior officers in the Met have either been appointed or promoted by the Police Authority, by a panel set up with us. The only two exceptions to that appointments process are the positions of the Commissioner and the Deputy Commissioner, where because of the national and international role of the Metropolitan Police the Home Secretary retains an involvement in making those appointments.

Our other task is to set the policing priorities and to agree the policing plan for each year. So each year we go through a process of consultation and consideration of what should be the priorities and targets set for the police service, and then we monitor performance. We also monitor complaints of the police service — we don't actually handle individual complaints since these are dealt with by what is now the Independent Police Complaints Commission, and was until April 2004 the Police Complaints Authority.

We also (and this will be of particular relevance to our discussions today) have a statutory responsibility for ensuring that there is effective consultation with the public of London about the way in which the police service operates. When we took over there was a pre-existing system of community police consultative groups, and I believe that's not dissimilar to the situation here. They are, and I can speak frankly now as the former Chair, of very variable effectiveness. Some of them, frankly, do not represent the community and their meetings are almost a waste of the local Commander's time. Others, however, are much more lively, engage with the public, and have large public meetings with a lot of people there. The format is more or less the same everywhere but in each of those meetings the Borough Commander (and there are 32 boroughs in London) comes, gives a report on the policing in the last month, and takes questions from the group, which includes the members of the public. There are also usually invited speakers and other matters which are looked at in some detail as part of that process.

As I said those consultative groups are of varying effectiveness, and as a Police Authority we have tried to set parameters in which those groups operate. We now are responsible for their funding which used to be something of a mess given the different sources of funding they had before.

We are trying to ensure that these groups have constitutions which encourage the involvement of the local community and reflect the diversity of that community. In two or three instances we have decided that we should withdraw recognition and funding from those groups because we did not feel that they were operating for the interest of the local community or properly reflecting it.

What we are in the process of doing - and I think the next four years will see this develop further - is to ensure that in every area of London, in all 32 of the London boroughs, there is a process which ensures that the entire community has an opportunity to feed into the policing priorities for the area. We also want to ensure that there is particular effort made to reach out to the hard-to-hear groups, the groups that perhaps are not used to coming to public meetings, and are not normally engaged with either the police service or the community.

This has not always been entirely easy because the police service in London - and I suspect this is not unique to London - are of the view that they know how to "do" consultation. They have done it for years, and they are very good at it, or so they believe. Certainly, as a householder, I can personally testify to having been the recipient of police consultation. Once a year a piece of paper used to arrive through my door and I would be asked to help them set their priorities by deciding which was the most important, in terms of crimes they should deal with. I was

asked whether street robbery, rape, burglary, or terrorism were the most important and I would be expected to put these issues in order of importance. Then they would go away and set their priorities accordingly.

I have to say that that consultation was a myth as far as proper consultation is concerned. I'm not sure how I or anyone else could answer that question meaningfully. But as far as many people in the police service were concerned, and the police are not the only public agency who are guilty of that, they had to tick the box of public consultation and this was a way of doing it: "right, we've done that; we've consulted the public, now we'll go away and do what we think is right".

We saw our task as a Police Authority – and indeed it is our statutory role - to make sure that consultation becomes much more meaningful. That is not to say that Police Authority members or the local groups have a monopoly on wisdom as to what the public think. Our task is rather to make sure that the mechanisms are in place for the police to be listening to the views of all sorts of Londoners in all sorts of contexts.

In the current phase of our efforts in this regard, we are rolling out what has been called neighbourhood policing. This will be operating not just at a borough level of 2 or 3 hundred thousand people, but at much smaller community levels of 8 to 10 thousand people, where there will be an expectation that the policing priorities of those neighbourhood teams of officers will be determined in conjunction with the communities that are directly served. That has involved local public meetings, and we call a public meeting which is about policing in your immediate area, not some nebulous big area that you have no sense of identification with. We find there is a much bigger turnout, and I've certainly been at meetings with 70 or 80 people from a local community coming along wanting to hear what the priorities are and how they should be tackled.

But reaching out to the hard-to-hear groups is something we see as a particular priority. The best example of that effort was the consultation that the Police Authority carried out on whether or not recommendation 61 of the Stephen Lawrence Inquiry report should be implemented. Those of you who are not familiar with the intricate details of the Stephen Lawrence Inquiry, should be informed that recommendation 61 has been the last recommendation to be considered for implementation. This recommendation says that all 'stops' by police, not just 'stop and searches', but all 'stops' by police, should be properly recorded; that people who are stopped by the police should be given a reason; and that people who are stopped should be given some sort of receipt so that they can pursue a complaint if they so choose. Basically, those 'stops' should be monitored, and the monitoring should include information on the ethnicity of those stopped.

The experience in London is that if you are a young black male you are four times more likely to be stopped than your equivalent white counterpart. You are six times more likely at the moment to be stopped if you're an Asian, and that is particularly because of the implications of the Terrorism Act. Obviously, that is producing real community tension.

As a Police Authority we said we wanted to hear the public's views and we convened a series of meetings. We reached out particularly to young people with special workshops, forums and so on, bringing them together. Some fairly lively and dramatic meetings took place and I remember the Police Federation representatives storming out of a meeting where some young black kids were saying, very clearly, that they felt they were being picked on and that this was very discriminatory. But it was an essential part of the process both to give the young people concerned the opportunity to have their say, especially since they never previously had been asked for their views, and to give us an opportunity to detect what the community was feeling.

Our conclusion - and this has subsequently been reinforced by a scrutiny exercise that we carried where we called for witnesses and held a sort of Select Committee type hearing into it - was that while stop and search remains an essential tool for the police service in London, monitoring and, in particular, proper recording of all stops should be an essential part of this process. As a result, two pilots were undertaken last year in Hackney and Tower Hamlets - two particularly mixed racial areas of London - with a view to getting some of the systems in place, and the intention is that that will now be rolled out across the capital. This was not something that was hugely popular with the Metropolitan Police or the Police Federation - indeed there was some entrenched opposition. But because of that consultation, because of the work we did, it was very difficult for the police not to listen to the advice they were getting.

I'll just mention a few other points very quickly. Firstly, I talked about the scrutiny process we conducted into stop and search operations. We have also conducted scrutinies into a number of fairly heavy operational issues, as far as policing is concerned. We have conducted scrutinies into the way in which rape victims and rape cases were dealt with, and that has led to a partnership with the health service in London to create new rape havens, which are health service-led and provide a safe environment in which people can report sexual violence against them. That approach has created a completely different tone to the way in which rape cases are investigated. Interestingly, it was health service employees who made the connection between a series of sexual assaults in different London Boroughs, although the police themselves had not spotted the connections. It was the health service workers who said "there is somebody out there who is following the exactly same *modus operandi*" and this in time led directly to an arrest.

We have also done scrutinies on gun crime and on deaths in custody. The reason for picking out some of these issues - for example deaths in custody, or stop and search - is that if one is to build confidence between the police and the communities served, one must address the difficult issues. You cannot try to and sort everything else out and hope the difficult issues will go away. Things like stop and search or deaths in custody may relate to incidents going back 5, 10, 12 years, but they remain as a major barrier for current good police community relations. So these issues have to be confronted. I don't claim it is easy. I certainly don't claim that there are any easy answers, but unless you are prepared to address difficult issues,

you will not secure the sort of mutual respect between the police and the community that is so essential.

If policing by consent is to mean anything, that you have to build up mutual respect. You cannot police effectively without the support, consent and cooperation of the communities served and, for that reason, addressing those difficult issues and making sure that you have proper dialogue at local level, is an essential part of effective policing.

Thank you very much.

MARIE METCALFE

Coordinator of the Dublin Community Police Forum

My name is Marie Metcalf and I live and have worked in the north inner city of Dublin all my life. I left school when I was fourteen years of age so I have no educational background whatsoever. From a very young age I was always involved in summer activities and summer projects and I was always out there in the middle of everything - trying to organise the kids, playing rounders, and the like.

Marie Metcalfe

I worked in the sewing factory all my teenage years. At twenty-one I married, I had one daughter who is now twenty-four. Even when I was married I was still involved in the committees in the flat complex where I lived. I was always in the middle of everything, and always on a voluntary basis. No matter what I did it was always voluntary because I feel I have a passion for where I live. If I see an injustice done, I try to undo it and to say "can we do this some other way?".

I got involved in ICON (Inner City Organisation Network) which was set up about ten years ago, and I was asked to go onto the ICON steering committee, which I did. I then became secretary of ICON for three years. They pushed me into it - "of course you can do it", "yes you can do it". So I said, right, I'll have a go at it, which I did for three years: I really enjoyed it and am still very much involved with them.

My first paid job in the community was on a FAS project, but it was a paid job. After a year, ICON head-hunted me and wanted me to work in a residential unit that is based where we live. The residential unit is a unit that facilitates the youth in the area, so we would know, if not the children, at least their mums and dads.

At ICON, we are involved in a lot of issues - education, child-care, multi-cultural activities, violence against women etc. In 1996, drugs became a really big problem for us in our area, and ICON decided that we would campaign and that the best

way to do that was to organise public meetings. People decided that they would come to meetings every week - these meetings had to happen at least once a week because of the extent of the crisis we faced.

Children were on drugs and then they started to die. And that's when we realised we had a real crisis. People realised that these drugs were going to kill their kids. We were burying our children, and in Sean McDermott Street, within two months, we had eight deaths. What was happening, was just absolutely devastating and we realised we had to try and do something about it.

So we decided that we would call meetings and eventually, over time, hundreds of people started to turn up, as the word spread. But I have to say that at this stage the Gardaí were not allowed inside the door, literally. The community felt that the area was really dilapidated - it was like the Bronx - and was absolutely filthy with graffiti everywhere. It was shameful to walk through the area. Living in the area, people did not see it themselves, or overlooked it, but we knew that outsiders would think to themselves that they would not like to live there, and they would somehow be looking down at us. Things were really bad. So we decided that it had to be our own community that took charge and started to turn things around. We felt the only way to address this problem was to get out on the streets and march - so we decided to do that. Initially there were hundreds, and then there were thousands of people on the street marching under the ICON banner. People from Blanchardstown and Tallaght began to hear about our meetings and started to join in.

We were also campaigning in other ways - trying to lobby the government to convince them that the best way to address this problem was to set up a local Drugs Task Force. The marches did shift the problem very quickly; it started to be possible to walk down the street and not be offered drugs, I am not saying the drugs went away - but it just was not in your face. You could walk down the street with your baby, or your grandmother, and no longer would you be offered drugs. But of course, the drugs were still there and we knew that. So, for a more permanent solution, we wanted to get a local Drugs Task Force established.

ICON organized a conference towards the end of 1997 to address lots of issues, but the main problem tackled was drugs. We had every agency you could name attending the event, and government knew that they had to listen to us because we had thousands ready to go out onto the street. We were a group that they had to listen to.

Eventually, a local Drugs Task Force was set up. We have our national Drugs Task Force team; we now had a local Drugs Task Force team; and the local Drugs Task Force had lots of sub-groups. One of those sub groups is called the Supply Control group and they were given the job of looking at policing issues.

The people that were on the Supply Control group are now my management group. On the group, there are the gardai, the Dublin City Council, and the main mover (as I would see it) – is our local TD, Tony Gregory. I was asked to be the Coordinator and we now have a full-time administrator. Hopefully at the end of

July we're going to employ another person, because this project's starting to expand. More people want to get involved and we need more staff to make that happen.

When I first started, my role was to go and knock on every single door of the area that I was to cover. I could have just sat down and got someone to type up a letter or made a few phone calls, and asked people to come to meetings. I knew that this would not be successful and little would happen if I went about it that way. I knew I had to get out there and had to knock all the doors and explain what we were hoping to achieve. I would be known personally to about 90% of the people in the area because I have always lived and worked there. If I wouldn't be known by some by name, they would certainly know me to see. My job was to try and enthuse the community; to encourage them to come and meet with the gardaí; and I have to say that it was very, very tough. At some meetings, only one person would turn up – it was really a tough, tough job.

I deal with three stations. Store Street Garda station is in the very centre of the inner city and that is the main station. I also deal with Fitzgibbon Street station, the Bridewell Station, and sometimes also with Mountjoy. There is also a superintendent in each station responsible for that station, and a Sergeant was assigned to me from each station, and at every meeting I attended, the Sergeant would attend also. There was also someone present at the meeting from Dublin City Council.

My job involved a lot of footwork. I went around every household, explained what I was trying to do, and asked people to give it a 'go'.

As I said, fairly quickly, as a result of our efforts, the drugs went off the streets. We really did a good job, and were impressed at the impact of people power. Dealers began to be afraid to come into the area to deal. But then a kind of vigilantism set in and things went very, very wrong. Many of us could not condone what was happening; we just could not stand by and have our name associated with it, so we had to stop the public protests. We never stepped back from the drugs issue, but we did decide that we should stand back from the practice of public protests, because it was not going the way we wanted it to go. In the first six months, all went well, and we need to give credit to those involved, but the vigilantism meant that we had to rethink our actions.

As the focus turned to local meetings, we faced many difficulties. At some meetings, one person only might turn up; but elsewhere you might get ten. Gradually over time interest has grown, and I am dealing with around thirty-five residents' groups in the area that I work in. I meet them on a regular basis during the month. It is probably important to explain that when these meetings first started, we were often talking about issues of maintenance – broken showers, bathrooms not working etc. This was what was on people's minds. But when the Dublin City Council followed up on the discussions, and did something about the showers and so on, the community decided to come back for more, believing that maybe things will start to change here. They began to see these meetings as places where things might get done.

I tried at every opportunity in the early days to bring up the drugs issue, but it was very, very difficult to do that. You had to get to know who was who, who would talk freely, and who needed help. Perhaps some people would not feel comfortable speaking up at the meeting, and they would be encouraged to ring me and I would go and visit them in their home.

Now it is quite different – they have sufficient confidence to by pass me - they have got to know the Gardai personally and so they can talk directly to them about problems.

The Forum itself now meets every three months, in the Store Street gardai station. When we were setting up the Policing Forum we had to decide where to hold the meetings as we needed a room to hold a fairly large group of people. As it happened, Store Street gardai station had just been renovated. People in Dublin are very nosey, and since they really wanted to see how the station looked, it made sense to hold the meetings in the station. We certainly got a large turn-out on that first night!

At the meetings themselves (which would happen every three months) the Gardai, Dublin City Council, and every superintendent from every station that I work with would attend. The issue is not solely one of drugs - the first problem we dealt with was joy-riding. The community decided that joy riding was absolutely out of hand, and wanted the Gardai to take action. The Gardai knew the direction that the cars were going to come, and they knew where the cars were being bought by the kiddies. So for a full week, the Gardai blocked off each entrance into the inner city in that week, they were able to take eighty-six cars off the road. So, we could see that there was a change, and that joy-riding was being addressed. We do not have much joy-riding at all in the area now, which is great.

The other thing is the change in the Gardai - the Gardai have had to stand up and become accountable to us, telling us what they had done on the issues that we asked them to address. I can tell you the Chief does not like to stand up and be embarrassed by having to admit that he had not done the job expected of him. So, the Chief knows that when issues are brought up at the meetings, he has to get something done, so that he does not have to listen to sixty or seventy people at the next meeting complaining about his failings.

The practice now is that if the Gardai have not done what was expected of them, they explain why not. This in turn means that the community is starting to learn how the Gardai actually work. For example, when they see a drug dealer being arrested, but subsequently released, they begin to understand what the Gardai can do, and what is the responsibility of the courts and others. The community begins to understand that the police are doing their jobs as best they can, and it is then up to the wider criminal justice system to decide whether suspects go to prison or not. The police were no longer blamed for issues over which they had no control.

One last thing is to explain that this was a pilot project, set up for twelve months. So I had to make this work. And it has worked and we are soon to employ another

worker. It has been internally and externally evaluated, and the evaluation showed the project was starting to work. Relations were starting to happen, trust was starting to build with the gardaí, and so I think it is a good project. I hope that you find that this explanation of our work in Dublin is useful to possible future developments here. Thank you very much.

Plenary Discussion

The two presentations were followed by a series of questions:

Q: There is a culture of people moving on in the police - for promotion, to gain experience etc, which would seem to work against developing good community relations for the police. What can be done to try and bring stability to those relationships so that you're not constantly having to re-familiarise yourself with another person, another agency?

Q: How many of the police in London and the Gardai in Dublin would actually be living within the communities they police?

Q: In London, Lord Harris, you talked of monitoring police performance. Could you say a little bit more about how you actually did that?

LORD HARRIS

In terms of maintaining relationships, it's clear that building good relationships of any kind must be largely based on personalities – it is not just a question of structures. People have got to get used to each other, they've got to trust each other, and that takes time.

When I was leader of my local authority, I took the rather unusual step, when the inspectorate was inspecting the local police service, of asking to meet with them. This was something you just did not do at that time. I wanted to meet them because we regularly faced one of two different problems. Either the risk was that there would be a number of high flyers who were simply on their way through the ranks, and who would last for a very short time, and then be moved on. The other problem was that the officers who tended to stay still were often those who were less good. Neither scenario led to the development of the good police/community relationships that were needed.

There is of course no easy answer to this problem. In the Met, and as a Police Authority, we are moving towards a situation of saying that there is a minimum period that people ought to hold certain positions - the role of Borough Commander in particular. The Borough Commander role is a critical one in terms of developing positive relationships, and it is unhelpful if the holders of those posts move on too frequently. The ideal period would be two and a half to three years - a reasonable period for people to build up relationships – though, ideally, it should be longer.

We are also saying - and this is more difficult to insist upon - that people wanting to be promoted to higher ranks must have spent some time performing a Borough Command-type role. The problem here is that such a demand is almost incompatible with the concept of high flyers. For those seeking speedy promotion through the ranks, spending three years as a Borough Commander does not fit easily into one's career plans. Yet, we are trying to restructure the normal career path, so that demonstrating one's ability to work well with communities in a Borough Command role becomes essential.

Another question addressed the number of police living in the communities they serve. In London, this is true for very few police officers. This is partly because housing costs in London are so high that even higher police salaries find it unattractive. We of course would like to recruit a higher proportion of Londoners as new recruits, not least because this would help us address the issue of ethnic balance. At the moment, a lot of recruits to the Met come from all over the UK - because they think it is a good training ground or will give them broad experience. Then, once they get to a certain seniority, they tend to move out to the fringes of London where it is sometimes slightly nicer to live, and where accommodation is slightly cheaper.

In part to address this issue, we have introduced Police Community Support Officers in London. We were very keen on this initiative. Community Support Officers are not full police officers; they have shorter training periods and have very limited powers. But they can spend all their time on uniform patrol. These jobs are particularly targeted at drawing in recruits from people in local communities. We now have 1400 of such officers in London. Their introduction is very popular with the public, and most of those recruited live in or near the areas in which they patrol. Obviously, this gives them a much better understanding and knowledge of the local area. The ethnic mix is also good with about a third of them coming from a black or visible ethnic minority background, when compared with only about 6% of such recruits in the mainstream police force. This figure is of course much closer to the ethnic mix of London as a whole and that is the direction we want to go in for the force as a whole, but we have still got a long way to go.

Another thing that we started to introduce in the Police Authority in London was effectively a sounding board on new appointments of Borough Commanders, because it's such a critical role. In the Met, and I don't suppose any police service is different, there used to be some magic process by which people were allocated from one job to another. The system was very opaque. We insisted that things should change once the Police Authority was created. Obviously, staff deployment is an operational decision of the Commissioner to take, but we said we would like to be informed and consulted. We also agreed that the Met should seek the views of the local authority leader, local authority Chief Executive and other key stakeholders. When a vacancy was coming up, such stakeholders could advise us as to what they were looking for in a new Borough Commander.

The Met were very snippy about this initially, but then they actually started to get very thoughtful responses. When they started to ask people about local needs,

they found that sometimes people would argue for continuity, or they might appreciate a high-flyer for a shorter period of time. The police were getting feedback, which they actually found helpful, and they began to use it.

At our level, where we acted as something of a sounding board – I used to say “well it’s all very well giving me names of appointees but I don’t know your Superintendents and Chief Superintendents well enough, “if you give me a name and tell me you’re thinking of putting them there I don’t know who you are referring to”. The answer always seemed to be – “well you’ve met him or her at such and such event”, but I was none the wiser. So I asked for a brief note – perhaps three lines – about what they had done beforehand, and I also asked for a photograph (since there is always one on file). The Assistant Commissioner agreed that it was a good idea and that it might even be of value to senior police officers, since they were not always sure who was being proposed for different positions!

Finally, on monitoring, we get huge volumes of statistics from the Met and we put all of that into the public domain. We monitor internal human resources – issues such as staffing turnover; ethnicity; gender in terms of recruitment, promotions, grievances and disciplinaries, sickness rates etc. We follow all these internal measures very closely. We also monitor crime statistics and the clear up rates - by crime, by Borough, and by area. We look at the trends and we check what is being done in response to those trends. We receive statistics on a monthly basis, and in addition also ask for specific reports on specific issues, and sometimes on specific incidents of specific operations. Requests for such reports are informed by the network of contacts that our Police Authority members have in the community. Each Police Authority member has a link to one or more Boroughs in their area and would have close relationships with the communities in that area, or indeed with other London-wide communities eg the lesbian-gay community, people with disabilities, or whatever. The intelligence they pick up from these various networks helps inform what reports we ask for, what we seek to monitor, and where we try and get more information.

MARIE METCALFE

On the question about the Gardai leaving - that is a very difficult problem. You get to know the Gardaí, and you get to know what buttons you can push, and they get to know you and your buttons. You get to know all the personalities and when they leave it’s very hard because you have to start all over again.

We had one guy who left the Bridewell last week, and the residents sent in a letter to his Superintendent, saying how disappointed they were that he was going. The Gardai himself had asked for a transfer, but

usually a transfer takes two years; in this case, the transfer was almost immediate. So we were very disappointed that he was leaving because the man had passion for what he did, even though he wasn't from the area.

I told them that we had written to the Chief, saying I had really appreciated working with him. I felt he had done what I asked him to do, to the best of his ability. He told me - and I don't know whether this is good or bad - that he had talked to the new guy and said that there were only two things that he had to watch out for - that he needed to work well with myself and another member of the group! He said that he told the new guy "when Marie asks us to jump, you say how high?"

As to having Gardai come from the area - I know we have two. One of the lads is actually from Sheriff Street and has just gone into the training unit. His father would have been very involved with the law - but in a very bad way.....

Q: I sit in Omagh DPP and was interested in references to reaching out to younger people. We have only been in existence for about eighteen months and so our outreach so far has been mainly in terms of visiting local schools. Have you any ideas about follow up or other approaches?

Q: I am from Down DPP and I was interested to hear the police figures for London: 30,000 officers for thirty-two Boroughs, with the population of a Borough being I suppose about 300,000? One of the issues that continually seems to arise here is the number of officers in Northern Ireland. There is always an outcry for more officers, but compared to the London figures, it would seem that we have many more officers per head of population

Q: I am from Armagh DPP and had a question for Marie: when you went out knocking at doors literally, what sort of reception did you get from the people that you visited?

Q: I am from Include Youth and I'd be very keen to hear about experiences in both London and Dublin, and indeed locally, about work done to reach out to young people. Lord Harris talked about a one off event, but I think if we are going to be really serious about policing in our communities we need to be regularly talking with and ensuring the full participation of all groups within our community. Obviously, because I'm from Include Youth, I'm naturally interested particularly in young people - but young people are overly-represented in the statistics about victims of crime, as well as perpetrators, so they have particularly multi-faceted needs.

LORD HARRIS

Regarding outreach to youth - I certainly agree that you cannot do outreach on a one-off basis. The example I was giving was just one particular exercise. I don't think there is any easy answer. The first thing to say is that if you're over thirty, certainly if you're over fifty, and you try to call a meeting of young people, you

cannot expect many people to come. So that's not the way to do things. What one must do is find the existing structures that exist to involve young people, or get people whom they are likely to relate to, or go to places where they congregate. Certainly, for example, use schools; use schools councils; and use youth clubs where they exist.

A number of local authorities in London have set up youth parliaments. I'm not suggesting they're perfect but they are mechanisms that bring young people together. Go and talk to them. When schools or other groups visited City Hall, I would try and pop down and talk to them. I would try and use the opportunity to ask them their views on policing and, after a pause, I started to hear all sorts of interesting things. Often the message was the same – yes, for example, the fact that they were victims of crime and not perpetrators only. Their concerns in many ways were the same as older people. They wanted crime tackled – but also they wanted to be listened to.

So, it is very much a matter of using the existing structures and institutions. Also, where there are organisations working with young people, use them as part of the process of plugging in to the concerns of young people and listening. But you must listen consistently; and you must also be able to feed back, and say what you have done as a consequence of having listened. Otherwise, you just breed more cynicism.

On the police numbers question, police numbers in London have been an enormous issue. They figured largely in the first mayoral election campaign in 2000, and they figured largely in the second mayoral election campaign in 2004. Four years ago, there were just over 25,000 police officers in London. There would have been a decline in police numbers year on year – indeed, every year for the previous decade. Partly this was a question of morale, where there were more police officers leaving each month than could conceivably be recruited. Partly it was pay, but there were probably a whole number of factors.

We reversed that decline. Firstly, by paying police officers more, giving them a higher London weighting allowance, and trying to improve morale and putting more money into the service. As a result, there has been the most rapid growth in police numbers ever in London – with now around 30,000 plus the introduction of the Police Community Support Officers, giving us another 1400 on top of that figure.

That has begun to make a difference to the crime figures. So the crime figures in London were now turning downwards as opposed to being on a rising trend. Street crime is down twenty percent in two years; burglary is at its lowest level for twenty-nine years; and the totals for all crime are down by about 0.5%. All of this has been happening in the last year or two, as the police numbers started to feed in.

The re-elected Mayor set a target of 35,000 police officers by the end of his second term in office. It is slightly less clear how he intends to fund this target, but that is his objective. The aim is that if 35,000 officers are recruited, it should be possible to have a neighbourhood team in every ward, every local authority ward, in London.

It should also be possible to enhance services generally. This ought to make an enormous difference, not only in terms of tackling crime generally, but also in terms of tackling anti-social behaviour, which has become a very big issue.

There's also a big debate, which I won't burden you with, about the allocation of resources between different parts of London, and how we can try to allocate resources across the city in a more transparent and open way.

MARIE METCALFE

The reception I got on people's doorsteps varied. It all depends on who I was talking to. I would say, "look, I'm going to have a go at this. I'm willing to sit down with the Gardai - I mean, we're all the same, we're all from the same community and we're all fighting the same issue". My message was very plain and simple – "for us to move on, and get something done about drugs in the area, we need to sit down at the table ". So I would just encourage others to 'have a go'. There was no big words being used, you know – it was just a matter of trying something different. We didn't promise anything. We said, let's sit down and see how it goes, and does it help us move on? There wasn't a very negative reception; mainly, people agreed that they would give it a go. If I was willing to give it a chance, others were willing to sit down with me and give it a go too.

On the youth question – my job is often one of targeting youth as part of the problem with young ones acting as runners for the drug pushers. Another project in my area that I would be involved with is the children-at-risk group. We are trying to address the gaps in support that exist, and see how we can address the problem of young children (between eight years of age up to twelve) acting as runners for drug pushers. We are trying to address that issue, and address the most vulnerable in the community, but that is not directly part of my project. I would definitely like to see someone in our project working on this issue, and I would like to have a worker targeting young people and getting them involved.

Q: I am from Belfast DPP and I would like to know what Lord Harris means by a "scrutiny process".

Q: I am from Banbridge DPP. Most people have a perception of police sitting behind desks, overburdened with paper, and gazing at computer screens. How important is it to get them out into the community and how effective are they on the beat?

Q: I am a community worker in North Belfast. I just want to say that a lot of people working within North Belfast, and within nationalist areas generally, do not believe that the time is right for people to be sitting on DPPs. They believe that there are a lot of changes that need to take place before people can actually feel confident and look up to people that are sitting on the DPP. In essence, if you look at the RUC - or the PSNI, but with the name change it's still the same organization - it's still the same people that have been involved in collusion and the murder of people within our communities. There is so much distrust and a long way to go yet. Perhaps whenever we have the full implementation of Patten, then we could start to look at how to go forward. But, I think people really need to be realistic. Looking at the recent election results, they would appear to confirm that people within the nationalist community certainly do not feel the time is right for DPPs.

Q: I am a Councillor from the Newtownabbey DPP, and I would ask when is the time going to be right? Nationalists, and all of us must get together, develop partnerships and bring peace in the country. It's long overdue. Until you get people together and trusting in each other, there is little hope.

MARIE METCALFE

I just want to address the question about getting police out from behind their desks. On the beat, we do not have enough officers, and everybody will tell you that we haven't got enough out on the streets.

When they are out meeting people, they sometimes need encouragement. I remember going into a meeting one day and it was set out very formally, with a range of tables set out almost like school desks, and the gardaí sitting on the platform. This was just a small local meeting, so we had to just re-arrange the room immediately. We put the seats out in a circle, and it immediately changed things – now the message was that we were doing things together. It was not a matter of the Gardai “up there” and the local community “down there” talking “at” each other – instead, we are sitting together and working together to solve local problems. .

LORD HARRIS

What I mean by ‘scrutiny’ is not just a one off discussion about something. It's usually a series of hearings. It would be a bit like the Select Committee model used in the Westminster Parliament. In this model, you call witnesses; you seek evidence, and you come to conclusions. For example, I chaired a scrutiny process into deaths in custody, and we sought evidence from the families of the people who died in custody, from different groups of police officers, from the coroners service, from the prison service, and so on. We sought input from a whole range of different people about the issues involved, and this allowed us to form conclusions and to make recommendations.

'Scrutiny' is a buzz word in local government at the moment in Britain because of the reorganization. Scrutiny is something that local authorities engage in, regarding say, what is happening in the local health service, or regarding the work of their local council executives. The London Assembly spends a lot of time 'scrutinizing' issues that effect Londoners. So 'scrutiny' was part of our work as a Police Authority.

Let me take an example - there is a huge problem of bureaucracy and form filling in the Met. I think the Met has created a new form for every piece of legislation that has been passed in the last 170 years. Most of the form filling seems to involve the manual recording of names, addresses, details – time, after time, after time. If they arrest somebody - even for a really minor offence - it can take up to seven hours to process the paperwork afterwards. This is quite useful if the officer is coming to the end of his or her shift and wants to clock up overtime, but it is not terribly useful in terms of getting police officers out into public view.

A number of things can be done to address this issue. One measure is the reduction of form filling; computerization can streamline the whole process. That however is something which is going on steadily already, but which will take a long time to complete. Another measure – which seems very simple, but one which took some while to get moving across the Met – is to change the system. In future, if you arrest somebody, you take them back to the police station, and you then hand them over to a specialist team. You relay the information, but the specialist team then processes the information and the suspects, and you can then go back out on the beat. That initiative has been introduced successfully across London, and increases the amount of time that officers are out there on the streets, where people want to see them.

Another important measure has been the introduction of Police Community Support Officers, who spend all their time on visible patrol, calling back-up when needed. This initiative has had a huge effect on visibility and in reassuring people.

Another simple but important change is to watch how most police officers and Community Support Officers behave when out on the beat. They often go around in pairs and chat to each other. That is very human and understandable - they feel more secure, they are safer and so on. But there is no reason why they should not patrol together but on opposite sides of the road. That would mean that they do not spend all their time talking to each other, but they start to look around more, and perhaps start talking to the community. That's quite a big cultural change, but one that became part of the mayoral debate during the recent elections.

It is not for me to respond to the question about whether or not members of the nationalist community should join DPPs, but what I would say is that any changes in culture or changes in relationship do not happen overnight. Change is very difficult.

I can look to the London experience of Operation Trident which was an attempt to begin to address the question of black-on-black killings. The Black community historically has very little respect for the police and has very little in terms of a 'relationship' and has no trust. It has taken quite a number of years for the

community to begin to develop confidence that the police were genuinely prepared to take black-on-black killings seriously. There was an assumption within the community, that the police thought that a black lad being shot was probably good news – “he was probably up to no good in the first place”.

It has taken a very long time to build up trust within communities - trust that their confidences would be respected and trust that information they provided would be acted upon properly. It has taken around six or seven years to produce some level of trust. Now Operation Trident murders now solved 80% of the time; it used to be less than a third of the time. That is major progress.

The change has taken place though a painstaking building of relationships. It will not and cannot happen overnight. The best way it can happen is for both sides to try and talk to each other. That is never easy and replacing a relationship of mistrust is going to take a long time; but that is where you have to go if you are to develop effective policing.

DPP PANEL DISCUSSION

Delia Close, Fiona McCausland, Angela Hegarty and Deirdre MacBride

Three independent members of different District Policing Partnerships were asked to share their experiences with the conference.

DELIA CLOSE

Independent member of the Ballymena District Policing Partnership

Good morning ladies and gentlemen. The past year has been a learning experience: interesting, challenging, and frustrating. Now in ten minutes I can only give you a snapshot of what life has been like as an Independent member of Ballymena DPP, but I'll try to give you a wee flavour.

We have had six public and six private meetings in the last year. In the next few minutes I intend to highlight what I see to have been both the positive and the negative aspects of our experience in that time.

I will start with the negative. Firstly, our biggest headline grabbing problem over the first six months centered around a local PUP member who felt so strongly that the Union flag should be present during DPP meetings that he brought one along and displayed it in a prominent position in the room. This seemed to be in contravention of regulations regarding the neutrality of DPP venues. Members displayed a subdued reaction but this was potentially a dangerous situation. Our greatest fear was that Sinn Fein would turn up with the Tricolour; fortunately, this did not happen. For whatever reason, the situation has, at least temporarily, resolved itself in that the Union flag is no longer produced at the meetings. I shall return to this later, in another context. The dispute did, however, distract us for some time from what we were supposed to be doing.

Secondly, the meetings themselves are, unfortunately, sparsely attended by members of the general public. Adverse publicity over the flags issue may be one factor. On occasions we have had a presentation from a group, for example from Women's Aid or from an ethnic minority community, but many of those who do attend are people with either a vested interest, a political axe to grind or a grudge of some sort. Among the latter I would suggest are some Councillors who did not succeed in being appointed to the DPP. I see (from the nodding in the audience) that other DPPs have possibly had the same experience.

Thirdly, questions to the Police Commander tend to come from the Councillors and the politically motivated mentioned above. These are sometimes ruled out of order because of their irrelevance to policing in Ballymena and I have only time to give you a few examples.

The first example elicited a 'no comment' from our Superintendent. "Bertie Ahern (hardly a Ballymena person) the Irish Premier, has complained that Irish nationalists are "insulted" when described as accepting or tolerating republican paramilitary activity. What credibility can we afford a Premier who ministers over a country deemed "among the most corrupt in Europe", according to a 2000 Rowntree report?" Let me give you two more examples very quickly – the following two examples were deemed "not relevant". One was: "How soon can we expect the Chief Constable to resign and return to England?"

The second – and in my view this one deserves a prize – one asked "What course of action will the Commander take if any of the new recruits allocated to his station persist in only conversing in Irish, and refuse to communicate with members who served in the RUC?" Believe me that there were many more such questions; but thankfully, there were also many good pertinent questions about local policing issues.

Delia Close, Ballymena DPP

One last negative comment – I believe that there is a need for much greater central direction regarding many aspects of the operation and working procedures of the DPP. For example, it would be very helpful to have stricter guidelines to assist the chairperson conduct public meetings. In Ballymena, we tried an informal procedure in relation to questions from the public; then we tried a more formal arrangement, whereby a person is allowed one question, and one supplementary; and we have recently reverted, under a new chair, to the looser approach. We are not yet happy with either approach.

Now, let me turn to positive feedback on the working of our DPP. Firstly, it is the case that most of our problems have related to political and procedural matters, but most of the positive experiences for the local DPP relate directly to our core business. An obvious example of this relates to liaison between the public and the police, and the actual improvement of policing in the Ballymena area. Through our focus groups, we have targeted young people to try to establish what their views are about policing locally. Together with another Independent DPP member and the DPP manager, I myself was involved in a session in a local integrated secondary school. We spent an enlightening afternoon talking to sixteen to eighteen year olds about their experiences and feelings about policing in the area. Another group visited a local state secondary school. And yet a further group visited young people in an estate which has had a lot of sectarian trouble. As a result of this last group discussion, a meeting has now been arranged between these young people and Superintendent Terry Shevlin; it is scheduled to take place tomorrow evening.

By the way, I feel that there should be some process for involving young people directly in the work of the DPPs - I think that is a serious lack currently.

A second positive development is the fact that our Superintendent Shevlin is keen to involve and educate DPP members in policing matters as much as possible. For example, I along with our DPP manager was able to be present in the police station at a meeting to prepare for an upcoming band parade. It was very interesting to observe how the police planned their tactics for that event, to be invited to comment, and to ask questions if we wished. All DPP members are free to attend such briefings at any time.

A third positive factor to report upon is the fact that Superintendent Shevlin has invited DPP members, if they are interested, to join the police on a Saturday evening in the town. We can be there to observe (a) the problems and (b) how the police deal with the problems that arise. Such 'glasnost' is very welcome.

A fourth gain has been the fact that, as a direct result of being an Independent member of the DPP, I have been able to make contact with a local loyalist group which is attempting to improve community relations in Ballymena. I can assure you that such an effort is much needed in the town, and these are people who previously I would not have envisaged having any friendly contact with. Such contacts are common place, I know, for those of you who have been involved in cross-community ventures for some time; but I can assure you that, in Ballymena, such work is groundbreaking.

Ballymena DPP consists of ten Councillors and nine independents, eight of whom are women. It has been interesting to observe the behaviour of members over the past year. At first the independents, for the most part, allowed the Councillors to dominate the meetings but, as we have grown in confidence, some of the independent members have become quite at ease when speaking at public and private meetings. In fairness, Councillors do not make the independents feel anything other than equal. I feel if there is a problem it possibly comes from the independents themselves. We just need that wee bit more experience and confidence.

However, I do note a distinct difference in how each group seems to interpret their role within the DPP. Councillors appear to see their job to be one of monitoring the police, full stop. Independents whilst also accepting this role are more likely to be involved in the outreach projects, for example, focus groups involving young people.

All of this brings me to my conclusion - with a comment on training needs and the need for direction from the top. At first, there were good training opportunities offered but then once the DPP started having regular meetings and finding their own way, these opportunities trailed off. There is undoubtedly still a need for independent members, in particular, to have training in the skills required for going out to community groups, courses on public presentations and perhaps media skills. The fact that so many independents have turned up here today and several, I gather, had to be refused due to over-subscription, is, I would suggest, evidence

that we appreciate the opportunity to meet, to compare notes and to learn from each other. I certainly am grateful to CAJ for organising today's meeting.

Policing Board please note! I also feel that a lack of direction from the top is all too evident at times. Two examples from our own DPP may illustrate this point. When we were having the flag problems that I referred to at the beginning, we felt we were being fobbed off consistently with references to the Equality Commission, the Fair Employment Act, etcetera. We were being directed to anyone other than the Policing Board itself; we felt that no-one on the Policing Board was prepared to grasp the nettle and give us unambiguous advice as to how we might tackle the problem. The message was basically "sort it out yourselves".

The second example relates to the conduct of public meetings. I'm sure that DPPs across the province will have tried various means of producing good procedural methods for conducting these meetings. Some are probably doing better than others. But, is anyone in the Police Board collating that information from all the District Partnerships and if so, would it not make sense that if a good model does exist somewhere that it be shared with the rest of us - instead of all twenty-six Partnerships individually trying to reinvent the wheel?

However, to finish on a positive note, we in Ballymena manage to discuss all the contentious issues including, parades, flags, sectarianism and policing generally in an uncontentious way. Ask yourself this question. Do you think that would have happened anywhere in Northern Ireland even ten years ago? I think we all know the answer and that has to be a sign of hope for the future. Thank you.

DEIRDRE MacBRIDE

Independent member of Belfast District Policing Partnership

Thank you for the invitation from CAJ to come to this conference today. I think it is really important that it is happening. What I want to say is that, DPPs are fairly new - we are only eighteen months or so down the line - and to be up and running and have the level of commitment from independent members and from Councillors that we have is very important at this point in time. So what I want to say today in some ways is positive criticism.

One of the advantages in Belfast, with one DPP and four sub groups, is that there have been so many meetings, we have got to know one another. We have had something like fifty meetings, twenty public meetings, and we are averaging eleven people per public meeting. Some of those public meetings we have been able to have out in the community, and they have been going well, but some - as in west Belfast - have remained very problematic and we have not been able to move the meetings out of the city centre.

I think one of the things that is shared by some at least the independents is the sense that we need to see Sinn Fein engaged, and we need to see Sinn Fein engaged fully in the process, so that the debate within the DPP includes Sinn Fein and its criticisms. But obviously that is a matter for Sinn Fein.

The other thing I would like to say from the outset is that public meetings, while they are difficult and – in my view – overly formal are very important. Some of you will remember in our early training a video about how to run the meetings in a really proscriptive and formal way; I certainly think that that is not the way to go. But the fact of the matter is that these meetings – whatever their limitations – are bringing policing into the public arena and encouraging a very public model of accountability. I think that is critically important.

Deirdre MacBride, Belfast DPP

On the positive side, we have a mailing list of about 1,000 groups. There is some evidence that leaflets are being distributed, displayed, placed on tables in committee rooms, and distributed at community meetings etc, so people know about the meetings. So it is clear that there's something unattractive about the way we run our meetings that is the cause of us not succeeding in bringing people through the door.

We have managed to develop some quite good relationships among the partnership members, and we have been able to move forward, in terms of having a strategic plan. But, we have not yet been able to prepare an action plan to follow up on the strategic plan.

Let me highlight some of the reservations and some of the frustrations. I think one of the frustrations is that, eighteen months on, I would have expected us to be talking more about the 'meat' of policing than we are. I think one of the huge reservations I have, or one of the huge difficulties that exist around the DPPs, is that while they are partnerships, they are not real partnerships, they are certainly not equal partnerships. There are ten Councillors and there are nine independents; Councillors only can take the position of chair and deputy chair, though in Belfast at least we have moved to allow independent members to become vice-chairs of sub groups.

We also have a bringing of political baggage into the room and an adoption of fixed positions without discussion. I would say that one of my major reservations about the DPPs is that we have spent a lot of time talking about the need for a strategic plan (and I was a part of this discussion); and we have spent a lot of time talking about how we should organise our public meetings. But we have not spent a lot of time talking about the meaning of policing in Northern Ireland today.

I believe that we need to have dialogue, debate, and ensure knowledgeable input into policing issues. We need to begin to be less scared to talk within a DPP about "what does human rights and the citizen" mean. For example, ten years ago everybody was giving out and complaining about lone parents; well, now, everyone is giving out and complaining about young people. We need to think about the rights of young people in this situation, and explore their legal position.

Within the DPP, we should not have to feel that we are constantly having to hold back a debate of the “beat them and hang them” variety.

We also need to reach out much more, and we need in Belfast the resources and a diverse set of skills to allow us to reach out effectively to different communities. We need, I think, to follow some of the good practice that Marie Metcalfe was outlining – the outreach and effort needs to go that deep.

Another issue that needs to be addressed is the ideal nature of a structured relationship between the DPPs and Community Safety Partnerships. It is insufficient for the two bodies just to have one or two members in common. We need to decide clearly what are their respective roles and how they can be made to complement each other.

As I have said, I think we focus too much on the ‘form’ and not the ‘function’ of policing. This is not helped by the fact that the setting of local policing priorities takes place after the regional policing priorities are established. While we might not want to move to a totally bottom up approach, we certainly need to move away from such a top down approach.

Another problem is one about where independent members are expected to get their information. Personally, I seek information from things like the Oversight Commissioner reports, but these are not distributed routinely to District Policing Partnership members, despite the fact that many of the items in the report are relevant to local policing. As DPP members, we need to know about the issues discussed in those reports - things like how do we change the look of police stations; plans for human rights training; compositional changes with new officers coming on board etc. We need to study this kind of information, not hear about it by way of incidental conversations at the periphery of DPP meetings. So, instead of receiving and discussing the material that is in the Oversight Commissioner’s report (in which he reports on the move by reserve officers into less front line duties, to reduce the impact of their operational loss), we end up having a debate about the numbers of reserve officers, and whether reserve officers should be kept at all!

I would share very much the opinions that Delia offered about the things that we need to change if we are to move forward. I would furthermore add to her listing of issues, that of power relationships. I think that there are some huge issues around the equality of the partnerships. DPP independent members do not have anywhere in Belfast to meet for example; we can meet, but we need to go through the officers to arrange for any such meeting. We have no space where we can begin to share ideas and discuss issues in common.

Party political members do have places to meet and to exchange ideas: they have party political offices, and they are also represented on the Northern Ireland Policing Board. So they can access or should easily be able to access the bigger debates around policing. Independent members are however reliant on picking up that kind of information from the media, groups like CAJ, or from the Oversight Commissioner reports. We are certainly not getting crucial information from the

Northern Ireland Policing Board, and that is a major weakness. There is a real sense that we have been abandoned, or perhaps that the big picture is not one that should be of concern to DPPs. This issue needs to be addressed urgently.

In particular, I think it is important that we talk about policing in a situation where we are coming out of conflict; yet, after eighteen months, I don't see any such discussion of this taking place in the DPP. It seems to me that that debate is not happening: the DPPs are discussing how to organise public meetings, how to do outreach - but we are not about talking about lifting our game in terms of designing and delivering a vision of what policing could mean in this community.

Certainly, the voice of District Policing Partnership independent members needs to be heard more fully. I think we need to establish a network which should be open to both political members and independents – even if I suspect that independent members would use it more fully. What we need is to share good practice, and we need to develop a strong sense of what we are about. For example, I believe that a review group has been established to look at the work of DPPs. I am not sure of its exact terms of reference, and of its exact nature, but it contains District Partnership Managers, Chief Executives from District Councils, a member from the Northern Ireland Office and no DPP members, of any description. This highlights that there are huge issues that need to be addressed in terms of the balance of relationships within DPPs.

On that note I think I will finish. I would not however want to leave a negative impression since I want to be critically positive. I think that DPPs are fundamentally important: they are a forum by which we bring policing into the public arena. In Northern Ireland we do not have any tradition of public meetings, of having really good public debates, or of having scrutiny hearings. It was very interesting to hear of this model elsewhere, but we must realize that it will take us some time to move in that direction. I think however we are moving in the right direction, and we must not give up on public meetings. Thank you.

FIONA McCAUSLAND

Independent member of Lisburn District Policing Partnership

I had to think very long and hard about applying to the Partnership because the areas that I work (loyalist working class areas) with have had a lot of difficulties with the police and with policing methods, and there was a great deal of distrust. So before I even applied to join the District Policing Partnership, I wanted to consult with a number of groups in the area. Since joining, I've got some form of acceptance from the communities I work with. Having joined the Lisburn DPP I felt I could help and contribute to the thinking of officers responsible for developing strategies for working in disadvantaged areas. I thought that there

Fiona McCausland

might be opportunities to question certain actions of the PSNI officers, and increase the force's accountability.

I also thought that the DPP as a whole would share my views on that. But my experience has not been entirely positive. I think others think that support for good policing means that you have to support the police, right or wrong. That is a very strong impression that is given within the DPPs and from the Policing Board, and that has been very much my experience, though I fundamentally disagree with this approach.

On the issue of the problems being faced by DPPs, there are a number I would like to highlight. The main problem for me and the communities I work with is the fact that the transition of the police from the RUC to the PSNI is a long way from being complete. The RUC was once described by the Northern Ireland judiciary as having "institutionalised corruption". Now, certainly to me, that does not mean simply that there are one or two 'bad apples', but rather that there is a problem going from the top to the bottom of the force. People were being set up; people making complaints were being victimized, in very serious ways; and the courts themselves found that false charges were being laid against people. The term "institutionalised corruption" came from the Northern Ireland judiciary, not local communities. That issue is a very serious one and I don't think it has been addressed at all. Instead, we participate in meetings where the working assumption is that we are working with a totally new police force - one that has totally changed from the one previously described by the judiciary to be institutionally corrupt. The discussion is about how do we get people to come on board and trust us, rather than on whether any change has really taken place.

These important issues of change are not being addressed. There has been no retraining for a lot of the officers that were in the RUC before. Many are carrying baggage from the past, and that is obvious in the banter that takes place between community policemen and members of the local community. The police continue to carry baggage, they have not been retrained, and there is no willingness to say that issues of human rights and equality need to be addressed in the training of new recruits. So, that is a very big problem for me. Simply changing the names and the initials of the police is illusory; there has to be fundamental change within the PSNI if people are to have confidence that those officers who were in the old-style RUC have really changed.

My direct experience of working with PSNI in the context of the DPP is that there is very, very little tolerance of any form of criticism. For example, there was an article in the newspaper last week, after a DPP meeting, about the police report that was discussed at the meeting. The police were furious about the coverage – they were furious that the newspaper coverage was critical of the police. They felt that newspaper coverage which reported on DPP debates and criticism of the police would decrease public confidence – they seemed to think that public confidence and trust would only be created if the image of policing was an entirely positive one. I certainly do not believe that that is true. The public will have confidence if we hold the police properly to account. But a real problem lies in the

fact that the police are not used to being monitored in this way – the RUC was not monitored to any great degree and the police are therefore not used to being held to account, especially in a public arena. I find that it is very, very difficult to raise even the slightest level of criticism.

The third problem that I face is that the DPPs are established by the Policing Board and yet there is little or no consultation on major issues surrounding policing between the DPPs and the Policing Board. One of the problems I experienced related to the public statement, on the eve of the publication of the Cory Report, by Des Rea and Denis Bradley, calling for a truth commission of some type rather than costly public inquiries. As chair and deputy chair of the Board, many in my community wanted to know if I agreed with this – “I thought you wanted public inquiries?” When I said that DPP members were not asked for their views on the matter, even though Des Rea and Denis Bradley are seen as representing us because they are on the Policing Board, my credibility is undermined. Indeed, even my personal security is placed at some risk, since local people believe that I must have been consulted about this kind of statement – and if that is the case, why am I appearing to say something different locally from what I was apparently saying on the DPP?

Still on the Policing Board, there was an issue about human rights that I brought up in the DPP meeting. My question related to a report carried out into the human rights training of the police, where it was stated that a recruit had asked the trainer if you could kick a suspect when on the ground, and the trainer said that it would be OK if not caught on video! This remark was said in the presence of an observer. I raised this report at a DPP meeting and asked what was happening in response to this report; I was told that Des Rea (“my boss” apparently) had been reported in the press as supporting the police and noting the huge improvements in human rights and training. I am not even saying that there has not been improvement; but I certainly was not consulted by Des Rea or the Policing Board about their reaction to the report, yet their response is used to undermine my justifiable questions. I think that if we are asking the police to be accountable, the Policing Board should also be more accountable to the District Partnerships, and have more concern for our opinions and those of our communities.

The fourth problem is the question of how to tackle the conflict between accountability and propaganda? How, when I ask a question, can I be sure that I’m getting the right answer? That is very difficult, and sometimes I feel that all that we are doing is empowering the police with a propaganda machine, rather than making them accountable. We have no way of verifying the answers that they give us.

My last area of comments relates to the needs of the District Partnerships, and comments relating specifically to the needs of communities and people who do

not have a good relationship with the police. There is a perception that DPPs are middle-class bodies, concerned only about good policing in middle-class areas, and they look at middle-class problems rather than tackling the difficult issues of disadvantaged areas. There seems to be a practice of blaming working-class areas for all the problems of crime, and that somehow 'allows' the police, which is a middle-class force, to act the way that they do in policing these areas.

Another need would be that DPPs must work to ensure that real reform on policing is achieved so that all communities can come on board. In my view Sinn Féin coming on board isn't going to be the "be-all and end-all"; it certainly will not be the solution to all our problems. I've had problems because I came on, maybe too early, because expectations had been raised. But people in my community are now really turning off, and I believe I will really have a problem in the future staying with the District Policing Partnership. The answer is reform and then true engagement by all communities.

Yet another need is for DPPs to work as real partnerships: ensuring that there's no structure in which PSNI officers are sitting there with their guns, holding the power, and shouting at anybody that is at all critical, or glaring at people who are making uncomfortable statements – none of that should be tolerated. After all, we are all meant to be there for the same reason.

As far as needs go, we must also get away from the thinking that resources will cure everything. You have to make sure that good police methods are based on respect and support for human rights and equality as delivered to everyone.

Let me conclude by saying that we need training for all DPP members; a monitoring process to ensure that reform is being carried out; real and meaningful consultation between the DPPs and the Policing Board - and I think that's a key one for this conference. There is also a need to address poverty issues, and engage with young people, if any major prevention work is to be undertaken.

The real danger, from my perspective, is that DPPs are becoming middle-class bodies, making a middle-class police force accountable only to middle-class areas. There must be a major shift of thinking within the DPPs themselves, and at the level of the Policing Board. Thank you.

Plenary Discussion

Q: *I'm from Larne DPP, and I would like to address something that Fiona said. Larne has had in the past problems with sectarianism, and I do not feel, as an independent member of the DPP, that we in Larne are just dealing with middle-class issues. I cannot comment obviously on other DPPs. The second point I would like to make is that, as someone who has quite often asked questions at the meetings, I have not found that I have always got a very definitive answer. But, I think that is a case of persevering, of indicating that you are not happy with the answer, and either tackling it after the meeting or making an issue in the meeting itself, insisting that you really don't feel that you have had an adequate answer to your question.*

Q: *I represent Castlereagh Community Police Liaison Committee. First of all, I want to say that I was actually offered a position on the DPPs but decided, when I read through the paperwork that I had to turn it down. It stood for everything that I had worked against as a community activist: it was dis-empowering people. I just thought it was awful that a member of the public has to submit a question in writing and wait for fourteen days before receiving an answer. I think the work of CPLCs has been totally undermined. Deirdre McBride asked about places to meet and gathering information: well I think many DPP people could glean lots of knowledge, look for accountability, and look for the hard work that people on the streets have done.*

Q: *I am an independent member of Ards DPP, and also chairperson of the Community Safety Forum - which is similar to the CPLCs. I thought the three speakers were all excellent and raised issues that other independent members experience generally – I think I can say that most of the independents in the Ards DPP would recognise the same issues. It has been a mixed year, and frustrating at times as well, so I agreed with most was of what they said. I think Fiona found that what she had to say was uncomfortable and I think the audience here were uncomfortable listening to it. But that is something that we have to expect. Certainly in Ards DPP it is uncomfortable at times to speak about things that people do not want to see discussed, and such honesty is not encouraged. I commend her for speaking out like that today. Thank you Fiona and the other speakers.*

Q: *I am from Newry and Mourne DPP. Two questions, very briefly. Firstly, and correct me if I'm wrong, I think that Delia Close mentioned flags - not the flag that somebody brought to your meeting - but flags in general, and parades in general. I got the impression that the DPP was involved in decision-making as regards parades and flags, would that be right? In my own view, that is not the purpose of a DPP and DPPs should not get involved in that kind of issue. The second thing I would like to ask relates to the choice of the three independent members of DPPs here today sitting at the top table – were your names drawn out of a hat or how was it decided to have you speak?*

DELIA CLOSE

On the flags issue: it was really only the problem of someone bringing a flag to our public meetings. Our DPP had to become involved because it was an issue that we knew was going to come up at each of our public meetings - we were faced with this issue, meeting after meeting, for three or four meetings. So we had to make decisions about that. But also, at the same time, we hoped to involve others "up there", thinking that they would be able to advise us, and we could then get on with the rest of our work.

On the parades question, it may be helpful if I explain very briefly that this issue arose from us trying to learn more about policing, and how things are organised by the police in Ballymena. In the course of these exchanges, Superintendent Shevlin thought it might be useful if DPP members could come along and attend their police briefing meetings; observe the issues that were raised and how the police discussed handling them; observe decisions being made about how many police they would have at this area or that area and so on. I found it particularly interesting. All DPP members are free to go along to those but of course we have no role in the decision making process, we are just there to observe.

As to cooperation with CPLC – the Ballymena DPP does have an ongoing and I think improving relationship with CPLCs in the area - there are three or four of them. Some CPLCs are more active than others.

At our public meetings we have questions and certainly at our meetings questions come from the audience on the evening itself; often interminably! The other night when England were playing, we missed the whole match, and only got home for the penalties, because there were so many questions coming from the audience!

As to the middle-class issue – I think I would have to disagree totally with regards to Ballymena. I think that any of the problems that we have addressed are problems shared among all the communities of Ballymena, and not any one section. Thank you.

DEIRDRE MacBRIDE

I wanted first of all to respond to the comment about CPLCs. In Belfast one of the things that we have decided to do on the DPP is to talk fully to the CPLCs about a relationship that would link and structure the CPLC discussions into the DPP discussions. I will say, however, that Community Police Liaison Committees do not exist in all parts of the city and filling those gaps in coverage needs to be addressed. But certainly the Belfast DPP has been uncomfortable with the responsibility it has for funding CPLC meetings with inadequate resources: we

would like to see a situation where the relationships between CPLCs and DPPs grow and create a mutually fruitful relationship.

Regarding flags and parades – that is not something that the Belfast DPP has been involved in, though the issue has come up in questions at the public meetings. It seems to me that this is an area where the DPP needs to develop a scrutiny role. It will be interesting to see whether there will be local policing priorities addressing flags and parades and whether that will evolve over time. I think as DPPs, we do need to begin to take up the difficult issues because it is our role in such contentious policing matters that will determine our credibility and our accountability with the public and with the community.

FIONA McCAUSLAND

Obviously, I was speaking from a personal viewpoint and based on my own experience. But I do very definitely think that DPP members - independents and Councillors - need training.

As to the issues to be addressed - one is relations with working class areas. For example, we are always asked how to get people from working-class areas, who often do not have a good relationship with the police - involved? But I believe that the onus is always then put back on the working-class areas to engage. Instead, there needs to be education and training so that bodies (like the police force, the Council or whatever which are largely middle-class bodies), can understand the genuine reasons that stand in the way of cooperation between many working class communities and the police. The obstacles to working together, in my experience, lie in the need for very fundamental policing change.

Q: I am a solicitor and my comment ties into a comment from the last session and this one about parades and whether or not there's any input from the DPPs. The reason that nationalist people cannot get involved with DPPs is to be found not in history books, but was seen here in Belfast last Saturday. On Saturday, the PSNI got into their full riot gear, had three water cannons, had lots and lots of Jeeps, and faced down the nationalist people who were peacefully in their own area. I was also over on the other side of the barrier, and there the police wore their baseball caps, were walking along with the marchers – joking and behaving in a totally different way. I was on both sides and there was such a different attitude. The DPPs need to recognise that the RUC/PSNI have a totally different attitude to the two communities – until this reality is recognized, and dealt with, people will not be able to cooperate.

Q: We were becoming a bit despondent about the small attendance of the public at our DPP meetings, until a number of us went to the local Council meeting. We all vote for local Councillors, but it seems no-one goes to observe how they perform. I sense impatience from all the speakers. I think that is great to see, and great to hear, because from that impatience

will come reform. That impatience is also reflected right through the community, when you view the rising crime rates and how it is or is not being tackled. So I am delighted to be here to see that impatience expressed, and to encourage people to be persistent. But it is important not to be despondent. That impatience also is spreading into the political party which does not yet take part in policing. When you have somebody like Robert McBride, whose grandfather was shot in the GPO, telling people that the right thing to do to solve problems is to join the police, we can have plenty of hope.

Q: I am from the Community Relations Programme of the National Union of Students/Union of Students in Ireland. I think I am right in saying that there are no members of the DPP under the age of twenty-two? I wondered firstly, is this formal policy and, secondly, if so, were young people consulted about the setting of this minimum age-limit?

ANGELA HEGARTY

I also had one question and that relates to what has been said about the lack of involvement by the Policing Board in your work. Certainly my experience in public meetings of the Foyle DPP, is that you do not often see members of the Northern Ireland Policing Board attend, even though some of them live in the area. Has it been your experience that members of the Policing Board attend meetings or are in anyway involved in seeing how the DPPs are doing?

DELIA CLOSE

No members of the Policing Board have come to our meetings; they communicate with us through snail mail mostly.

I did have one other comment about contentious parades. Obviously, all areas are different. In Ballymena, there is a big Protestant unionist population and quite a small nationalist community. Traditionally, there has only been one or two streets where there is any problem, and that is easily policed. It is the pubs in the area that pose the bigger problem and the publicans are working with the police to have what we call a closed-door policy during the parades. This means that once their drinkers are in the pubs, they stay there until the parade has passed by and that helps to keep things calm.

Policing of the parades seems to be a lot easier than it must be in Belfast: the police are there in their normal uniforms, and riot police are kept available but off on side streets, out of sight and available only if they are needed.

As to young people, I already made the point that I think some provision should be made to get young people involved in DPPs. It is absolutely essential to involve them and crazy not to have them there.

DEIRDRE MacBRIDE

I want to say that some nationalists are involved in the DPPs. I am one of them. There is obviously an argument within nationalism about timing, and what is or is not appropriate, and about how far policing reforms have gone and how far they still have to go. That is fine, but some nationalists are getting involved, and I think there is a sense that we need to move forward, and we will get there even though it will be a painful process.

I agree, however, that it is crucial to talk about the difficult issues. I think we really need to be having more conferences like this which provide opportunities to talk about policing. It is important to hear different voices and to hear information coming from different places. For me, it has been useful in the DPP hearing from the police, and hearing about for example, initiatives that have been quite successful in taking runabout cars off the road or getting young people home safe. But it is also very important to recognize that police information should not be the major source or the only source of information, for the very reasons that were highlighted.

FIONA McCAUSLAND

I would like to follow up on the same issue, by reiterating what I said earlier about the police force often having baggage being carried from the past. This problem has to be looked at, and current officers need training and retraining; such efforts cannot be concentrated only on new recruits.

I am convinced that it is only in discussing the need for real change that we will progress. Unfortunately, in my experience, those fundamental issues that need to be addressed – things such as the factors that are keeping nationalists and working-class Protestant communities away from the DPP – are not being addressed. So there can be no change if the issues are not even on the table for discussion. Instead, we are smoothing it all over, and we are promoting a positive image of a police force, which is fundamentally unreformed.

DELIA CLOSE

May I just add on the issue of working-class communities that we do have in Ballymena a loyalist working-class community which also feels very strongly that they are not represented on the DPPs. The problem for some of them lies in their past prison records. Possibly we have to look to a time when we consider that maybe prisoners have done their time? Perhaps we should be looking at how they see the future, rather than what they have done in the past? This perspective might give those loyalist, and elsewhere republican communities who are likewise effected, a greater opportunity to become involved in DPPs.

MAGGIE BEIRNE

In answer to the question about choice of speakers - CAJ had written individually to all DPP members and sent everyone a package of materials when they were first appointed. A number of DPP members came back and we have been in fairly routine contact with different people since then, just getting a sense of what was going on. So it was some of those people that we went to first of all when discussing the value of organizing a conference. We also had a number of DPP members and staff who contacted us in response to the first commentary we undertook into the work of the Policing Board, indicating an interest when we mentioned organizing an event around the work of DPPs.

In making decisions on the panel of speakers, it was obviously key to try and draw on a number of different DPP experiences. We felt that Ballymena, Belfast and Lisburn would give some flavour of the differences across the 26 District Council areas. We had also wanted to provide a gender balance, but did not quite manage that as you can see. But it was obviously key for us to get different community perspectives – someone speaking from a nationalist perspective and Fiona McCausland who talked very strongly from a loyalist working-class perspective, and then the experience of Ballymena again was quite different.

The panel has no west of the Bann coverage - apart from Angela of course who is doing a sterling job there in the middle talking about Foyle DPP - but we will have Paul O'Connor from the Pat Finucane Centre giving some input this afternoon.

Report back from Workshops

WORKSHOP ONE:

We had a very lively exchange, with lots and lots of ideas, but, there were two major issues that we wanted to report back.

The first was how important communication is both within the DPPs and between DPPs and the Policing Board: there were a number of very practical ideas about good practice, both in structural terms and procedural issues

The second came up right up at the end of our discussions, but I think it resonated with people in the group. There was a concern to monitor if the DPPs were securing any change and it was thought useful, almost on a six monthly basis, for DPPs to review formally what they had achieved. It was thought that might be a very useful idea for DPPs to take away with them.

WORKSHOP TWO:

The first point we wanted to make was that we need to recognise tht there was some inconsistency across the DPPs in terms of how they operate; how effective they are; the relationships developed between the Councillors and the independent members; the training they were receiving, and so on and so forth. So, whilst it is very important to stress that there are some DPPs that believe they are working very well and effectively, there are also others that are still scrambling around, trying to find out their role.

The second point was that there is a veritable dearth of training for DPP members - particularly for the independents who are new to these sorts of processes. Training around roles, responsibilities and guidelines as to the procedures to follow was thought particularly important. There seems to have been some training at the beginning, but it is only as you begin to settle in that the training needs become more obvious.

But both these points really lead to the one over-riding concern which is the relationship between DPPs and the Policing Board. What role does the Policing Board have to provide all the things that have just been mentioned and to support DPPs to do their job properly? Or, is this just a tick box in the Patten list of things that have to be done?

WORKSHOP THREE

This group was a little bit negative overall, and there were a lot of points to raise, but I will highlight a few.

One problem was the reluctance in the part of some of the CSPs to allow DPP members to attend their meetings, which of course is a problem for coordination of local policing. One suggestion that was made was that Community Police Officers rather than the District Commanders should attend the DPP meetings. It was felt that the CPOs might have a better understanding of what is happening on the ground and they are not as far removed as the District Commanders are.

Another suggestion was that there should be regular meetings with the Policing Board and that these meetings shouldn't involve solely the managers or the chairs of the DPPs (I see lots of heads nodding in agreement!). These meetings should also include independent members so that there can be regular exchange and feedback and discussion about what needs the DPP members have.

One success that was reported was when one DPP brought a number of different agencies together to work on a certain problem. That is of course what was recommended by the Patten Commission – that DPPs should be working on policing, not just the police, and bring all the agencies involved together to tackle a certain problem.

WORKSHOP FOUR

We had quite a good discussion, and there were a few points of agreement and a few points of disagreement.

There was a lot of confusion at the start as we tried to discuss the role of CSPs and how these correlate to DPPs. DPP members felt that Community Safety Partnerships are actually working on community safety issues that are relevant to the DPP, in terms of policing, but that the left hand doesn't know what the right hand is doing!

There was a lot of discussion about the perceived division between independent members and political members of the DPPs. Some thought that this was a natural division; others thought it was more a matter of perception than a reality, because everyone is equal and is being paid the same. But there is, I think, agreement that the DPP needs to be united rather than be seen as two camps.

The biggest problem was the lack of central guidance from the Policing Board. There was a sense that the DPPs have been left to sort of paddle their own canoe, and that they would all benefit from some kind of central training and information from the Policing Board.

But in general, there was a sense that we just needed to be patient with the DPPs. We should remember that they have only been in existence for eighteen months, and a lot of the members are trying very valiantly to make them work. They are really only getting started effectively now, and we need to look at the next eighteen months to see how things progress.

WORKSHOP FIVE

We had a very fruitful workshop, and everyone had a lot to say. I think that most people in the group actually welcomed the fact that the DPPs were up and running. They were also pleased that they are succeeding in getting some community involvement and some engagement with the PSNI. However, some indicated that the priorities they were setting for their local commander were not being taken on board.

But, in terms of the problems that were raised, some have already been mentioned. For example, there are tensions between the Councillors and the independent sometimes, and there needs to be a greater emphasis on partnership. There are also questions hanging over the reliability of information that is being presented to the DPPs; and there were also concerns expressed about the overall lack of management and support for DPPs. There was also no strong identity or branding within the community of what the DPPs actually were

Several people welcomed the fact that CAJ had actually organised this event, and noted that it was the first time they had come together, which they welcomed.

In terms of training, it was felt people needed more training on community structures; on the nature of policing and policing models to be able to make informed decisions and set priorities; and training on actual consultation methods and qualitative methods for working effectively with the community.

In terms of the Northern Ireland Policing Board, the group felt that the Board's role really needs to be clarified, and DPPs need to be given some direction and support. It seemed that there were very mixed relationships between the Board and the DPPs, and it was felt that there needed to be more consistency with the way the Board actually interacts with the DPPs.

In terms of the Community Safety Partnership, people overwhelmingly felt there should be a clearly strategic relationship developed between DPPs and the Community Safety Partnerships, and that this would need to be centrally managed initially at least.

In terms of involving the public, there was one suggestion that republicans need to engage with the process because members of their community were not currently being represented on the DPPs. More generally, there needed to be more outreach, and a broad communication strategy for getting out the good news about the DPPs and the successes they have been able to generate as a result of their engagement with the PSNI.

WORKSHOP SIX

Our group discussed a lot of similar issues. We had a discussion about whether independent members of DPPs should see themselves as a separate entity. It was felt that there was a delicate balance to be struck - because there was a value in creating networking opportunities for those members, giving them support, and sharing good practice with each other, but there was also a danger in seeing themselves as a separate team compared to the political representatives on the DPPs.

We also had a discussion about what information was available to the DPPs. It seemed that in different areas the information available is of very different quality. While some issues are rightly devolved down to local levels, other issues are usefully determined at a central level. Where information has to be reported to all the DPPs, there would appear to be a good argument for centralisation. The Police Ombudsman was highlighted as a good practice example of providing information.

In terms of training, there was a general criticism of the early training that was available to people – it was not felt to be particularly effective and the training had tailed off once meetings had started to get up and running.

We also talked about the issue of continuity. Obviously there was training for the first-timers, but what happens next year? And what happens when there are likely to be changes in composition (and there certainly is not any formal relationship allowing for continuity of membership of the Partnerships)? What happens with the expertise and experience that the members are now gathering and developing?

We also talked about the issue of having mechanisms for sharing good practice, for example, how to best share ideas, not simply among independent members, but amongst all DPP members. A concern was raised about the minimal training budget available to DPPs, and that a certain amount of even that budget is determined from above, even if it is not necessarily providing what people want. A skills audit would be necessary to see what the members of DPPs can actually contribute.

Our group also expressed concern about the lack of a relationship between DPPs and CSPs. There certainly seems to be overlap in their roles, and yet there seems to be more funding available for CSPs when compared to DPPs. The lack of funding clearly restricts what DPPs are able to do in terms of being pro-active.

We had a discussion about how to get people to attend public meetings. We talked about the possibility of having meetings that were much more pro-active, much more participative, and ones where the people had the opportunity not only to listen but also to ask questions and engage. This would be much more two way and would be a way of encouraging more participation.

WORKSHOP SEVEN

Our group had a variety of different issues to share. There was, for example, a lack of information and resources in some areas, although that seemed to vary - some people felt they had very good access to information, others felt they did not. Accountability was another issue; some people felt they were very much just talking shops and they didn't see any real action.

It was also felt that contentious issues often tended to be avoided, even when they were specifically brought up. Some felt the Codes of Practice were very limiting and that they made the public meetings too formal. Safety of some venues was also an issue, where people did not feel comfortable going to certain venues.

We also talked about the problem that there is a culture in policing which has no natural history of talking to the community, This is going to take a long time to change, but public meetings were not necessarily ideal in that, in general, they were felt to be quite inaccessible to many members of the community.

It was also stressed that there had to be some acknowledgement of the real lack of trust, especially within the nationalist community but also broader than that. There was also a lack of trust in the PSNI and that presented problems for some people in engaging with the DPPs. Some people thought there should be more involvement of community activists in the DPP.

We also discussed positive developments – for example, it is still early days but there has been change. You probably would not have had bodies like this ten years ago. There has been some engagement and this is important when society is going through a difficult transition.

In terms of training: suggestions included legal training and training in terms of working with the community. It was also suggested that there should be more events like this which are very useful for discussing some of the issues and getting a sense of what is happening in other areas.

In terms of relations with other bodies: it was felt there needed to be better communication and information with the Policing Board regarding policies in particular. As regards Community Safety Partnerships, it was suggested there were too many Councillors and MLAs and too many statutory bodies involved. It was also suggested that the CSPs have the resources that were meant for the DPPs. There clearly seemed to be some kind of overlap between the role of CSPs and the role of DPPs, but there was confusion about what exactly they do.

In terms of the wider public - it was suggested that it might be useful to have some kind of community forum. Some people suggested creating specific new community bodies which would organize such meetings and then feed in relevant issues into the DPP meetings. Other people had suggested that you should use the existing community groups and community provision since there is plenty of that already there.

WORKSHOP EIGHT

Again, we had many similar discussions to those of other groups. I could however probably sum it up in three points.

First of all, there was a profound and almost overwhelming sense of frustration that the goodwill and promising initiative of the DPP really has not yet been realised. One solution would be to clarify a range of policies – for example, what roles the DPP should play, how to maximize their efficiency, how to relate best to other institutional bodies, and how best share information etc. Many DPP members feel that they are in that kind of “information vacuum” and they do not quite know how to resolve the problems that face them on a routine basis.

At the same time, there have been many successes. There was a recognition that the constitution of DPPs themselves, and the consultation they have engaged in, has to be considered a massive initiative. DPP members also suggested that their activities have resulted in a greater commitment on the part of the PSNI to community policing generally. There were also some specific crime prevention initiatives mentioned where DPP activities had led to some very visible outcomes.

The majority of the discussion focused on the practical problems being faced, and the lack of training was the first one that people mentioned. Others mentioned problematic relationships with the Policing Board, and there was a very strong sense that there was a politicization of issues in DPP meetings along party political lines that frequently operated to the detriment of the voice of independent members. Other issues have been mentioned by many previous groups – the possible conflict between the roles of Councillors, Councillor members of DPPs, and independent members of DPPs, and there was also concern about low levels of public participation.

Training needs were multiple - communication skills, protocols for holding meetings, effective asking of questions, how to get the information you want from the organization, learning how to understand statistical charts, PR training, public presentations, media work and even training perhaps to the PSNI in terms of how they should make presentations to DPP meetings.

The next general topic was that of the relationships between different bodies. In terms of the Policing Board, there should be a clarification of the respective roles of the Board and the DPPs. There should be greater liaison and perhaps this could be done through the simple matter of a policy statement articulating the various roles and responsibilities.

In terms of Community Safety Partnerships, again there needs to be a clarification of roles – people were not quite sure where the overlap was or should be, and were not quite sure where there would be a commonality of issues.

In terms of the PSNI, it was felt that there needs to be regular liaison on an informal basis to complement the monthly meetings. In terms of improving relations with the public, probably the most persistent theme mentioned was the need to be

more effective at getting the message out, announcing the existence of DPPs to the public but also in terms of securing their participation. We discussed various means for that. But certainly there was a very high level of frustration about the relative sense of isolation felt by DPP members and the need for information sharing as a means to overcome that.

WORKSHOP NINE

Some people felt that the relationship between the DPPs and Police Commanders was slightly variable - some districts had better relationships than others, although most people were generally supportive and positive. It was felt as well that there was some confusion amongst the public about what an open meeting actually meant and that led on to a discussion about better publicity for the meetings themselves, less reliance on formal advertisements in newspapers etc.

On the whole everyone felt that this conference provided an excellent opportunity for the various groups and members to network together and perhaps more of such initiatives are needed in the future.

As to the problems that were raised - some people pointed to a lack of communication between the Policing Board and their respective DPP, particularly in relation to things that affected their own area. It was also felt that the training for DPP members was insufficient, a bit *ad hoc* and needs to be reviewed.

Some people felt that there was a tendency for local Councillors to advance a party political agenda, but this varied between the DPPs. It was also thought problematic that the Chair and the Vice-Chair had to go to certain meetings, creating the impression that the Board weighted their consultations in favour of the Councillors. Someone also raised the problem that the level of reimbursement would put some people over the benefit threshold, and may thereby exclude some people who might want to contribute.

A big issue for people was the Community Safety Partnerships. It was felt that the relationship between the DPPs and the Community Safety Partnerships needed to be clarified because basically it was ambiguous and somewhat erratic at the moment. The role and function of each is not clear enough.

As to successes – the very fact the DPPs are actually in existence is a good portent for the future as is the fact that people are discussing policing outside of a broad party political agenda. As to relationships with the PSNI – here, people were broadly positive, and it was felt that the PSNI do view the DPPs as providing an oversight function and they are taking them seriously.

Final Plenary Panel

SUNEIL SHARMA

Member of the Northern
Ireland Policing Board

Good afternoon and thank you for having me this afternoon. I want to address some of the issues that came out in the course of your discussions as they relate to the DPPs and how they are working with the Board, but I will initially just stick to what I was asked to address, which is the whole issue of human rights.

A human rights agenda is very much part of the practical policing agenda and it is not nearly the theoretical thing that many people think it is. The Board, under the Policing Act 2000, has a statutory duty to ensure that the PSNI, in terms of its policies and practices, complies with the 1998 Human Rights Act - which was basically the incorporation of the European Convention Human Rights into UK law.

I could talk for many hours on the issue of human rights but I'm just going to give you a very rapid summary. In 2003 the Board issued a monitoring framework for the PSNI, which is available to the public. This was done after the recruitment to the Board of a Human Rights Advisor called Keir Starmer. Keir is an eminent QC in the area of human rights and subsequently he and Jane Gordon, who is working with him, produced the human rights framework, in partnership with ourselves as the Board, particularly the Human Rights and Professional Standards Committee and the PSNI. That report was issued in December 2003, and we hope to have

Suneil Sharma

our first report on compliance from Keir Starmer in Autumn this year.⁴⁸

The scope of the Monitoring Framework is substantial and human rights monitoring is not simply about victims. It covers many, many areas. Let me just give you a number of examples of what it does cover: for example, it covers issues of training and monitors the extent to which PSNI officers understand and how they incorporate human rights training into actual practical policing. It covers the whole issue of policy and should ensure that policy making is compliant with the Human Rights Act. It covers operational matters for example, the PSNI now have a human rights lawyer, and when an operation is being planned, she will advise the Operational Commander in terms of the human rights aspects of the operation.

We also have the Code of Ethics, which was drawn up and launched last year. The Code of Ethics is a unique document - unique to PSNI, and probably unique to any police service

⁴⁸ This report was not in fact issued in 2004, but in March 2005.

throughout Europe. It sets out the expected standards of behaviour of police officers and the service the police delivers to the community. The Code of Ethics covers issues around the use of force and various other issues. It is - to coin a phrase - the Bible by which all police officers will be judged, providing the standards for how they must act in terms of delivering human rights as part of their practical policing program.

Another area, is the issue of public order. This includes how public order situations are managed; how force is used; the operation of covert policing; respect for victims' rights; the treatment of suspects; and general human rights awareness. All of this is obviously fundamentally important, and needs to be addressed very, very carefully and very deliberately by everybody who has an interest in this area.

To take some examples within the categories I mentioned - for example, in looking at the use of force - we will be looking in detail at the response to the Ombudsman's reports on the use of force; the liaison between PSNI and Military and Joint Operations' the review of PSNI guidelines on the use of baton rounds and other public order equipment; and the scrutiny of operational planning and training.

It is worth highlighting that victim's rights are absolutely fundamental, but we cannot override the rights of the suspect. The areas in this topic that may be covered here will be the review of PSNI mechanisms for the treatment of victims (including training, directions and guidelines), and this will also include practical things like looking at the work of the Family Liaison Officers which work within each DCU. The framework will also look at communication between police, victims and victims families; the

assessment of adequate numbers of suitably trained officers; and a review of how specially trained officers are deployed throughout Northern Ireland.

So all of this is very, very important. But in terms of judging the success of policing throughout Northern Ireland, I think the underlying principle must be the extent of policing with the community. Human rights will play an absolutely fundamental role in ensuring that we deliver the kind of policing service that we all in the community deserve. The Policing Board is absolutely committed to ensuring that the PSNI comply with all the standards within the Human Rights Act and the mechanisms that we put in place will hopefully deliver that.

Keir Starmer will only be here for three or four days a month. But he is already closely working to monitor operational issues. So this is not purely a theoretical approach to human rights - it will be a very practical approach. Keir will report back to the Human Rights & Professional Standards Committee. .

Before concluding, let me address some of the issues that were brought up earlier in the discussions. DPPs are a stand-alone statutory body, and the DPPs are not some kind of "sub-set" of the Policing Board. One thing I should make clear from the perspective of the Board is that we are of course happy to learn of any criticisms about the relationship with the Board and DPPs, but you are not a "sub-set" of the Board. We provide a supportive role to ensure that DPPs can deliver what they need to in terms of providing community policing and as a conduit for the community to communicate their wishes and aspirations about the policing service. That is very, very important.

Certainly some of the issues that you have already mentioned are currently being addressed. The issue of training seems to have come up in all the various working groups and I can reassure you that even very recently on a Community Involvement Committee, which I sit on with a number of other members, we discussed the issue of training. This is something that I see as being very close to our hearts as well as everybody else's.

Somebody mentioned carrying out a training audit: we would not disagree with that, and it may be useful to develop a training needs assessment. The relationship between the Board, the DPPs, PSNI, and the community is a complex one, and it is an evolving one. I think we can get a wee bit too uptight about some of the failures to date and overlook that this is a brand new process. But, we are willing to learn and I think that if we keep that commitment at the centre of what we are trying to do, any of these problems around training will be addressed.

Another issue was mentioned about protocols. I have to agree that what we need are very clear, formal protocols about the various relationships, and use them as a foundation on which to build other aspects of the relationship over a number of years. As a Board we will be addressing those issues very, very vigorously.

It is important to recognise that the training needs for DPP Managers, DPP Members and DPP Chairs, political and independent, will vary. We have to recognise that it is impossible to have a generic training program to meet the needs of all the different people who require training. I think there is an absolutely valid point made about

training on human rights, since it is an issue that baffles a lot of people and I think the Board could take something from this conference today. We should maybe look at giving some practical reality to human rights training. I will certainly take some of these points on board, and I will relay them back to the Policing Board.

Thank you.

PAUL O'CONNOR

Pat Finucane Centre

I intended to come today and try to give our own view on the role of District Policing Partnerships, but I was very reticent about this for the last week or so. There are a couple of reasons for this reticence. One reason was that the Pat Finucane Centre, as an organisation, has not carried out any kind of analysis of the role of DPPs throughout the north. We have not attended meetings beyond Derry. We don't know what's been happening in Ballymena or in Moy or in Newtownabbey or whatever.

Paul O'Connor

So I think we are distinctly under-qualified to comment on DPPs in that way, and I am not going to do that. The second reason for my concern is that I

had a feeling for the last week that there was another issue that really needed to be addressed and which I hope to touch on today.

Clearly, nothing that we do in this society operates in a vacuum, and the role of District Policing Partnerships is certainly not operating in a vacuum. The relationship between DPPs and the Policing Board is very important. The relationship between DPPs and the PSNI, between the District Policing Partnerships and the political parties - those that are involved and those that are not involved - and between DPPs and the various initiatives that are on the ground (for instance, the Community Restorative Justice initiatives that we find in Derry, Belfast and elsewhere) – all of these relationships clearly feed into this debate too.

Furthermore, the entire debate is overshadowed by two much larger issues.

One is the ongoing physical threat to members of the District Policing Partnerships - largely from dissident republicans at the moment, though of late, also from some loyalist groups. On the way driving down here today from Derry I was listening to Mark Durkan and Pat Ramsey talking about the hoax bomb attack on Pat Ramsey's house ~~last night~~.⁴⁹ The issue of violent threats to or attacks on DPP members is clearly a major ongoing issue, especially in Derry and Strabane, and one that overshadows the entire debate.

The second issue which overshadows the DPP debate is whether or not Sinn Fein should engage with the entire issue

of policing, with the Policing Board, and with the District Policing Partnerships. The NIO, obviously both governments, the Catholic Church and the SDLP would all urge Sinn Fein to sign up and to engage at the various levels as envisaged within Patten. The dilemma, however, which is not very often verbalised is that if Sinn Fein were to do so at this point in time it is also quite likely that some unionists might actually then disengage. I think we could all have an interesting time trying to imagine what the first meeting of the Policing Board that Sinn Fein actually attended would be like. Who would walk in and who would walk out? We all remember what happened at the District Council meetings many, many years ago.

I want to return to that issue later because I think it absolutely vital, but I also want to touch on some issues regarding the District Policing Partnerships and the limited experience (and I qualify everything I say with the fact that it is limited experience) that we have had in Derry. I think there are two levels at which you could judge the effectiveness of the Partnerships. One is the degree of openness and transparency shown towards the DPPs by the PSNI. When the District Commander comes into meetings, how open is he or she, how transparent are they, how willing are they to share information and to provide answers to questions that are being raised?

The other question is how seriously do members of the DPP take their own role? Why do they see themselves as sitting on that body? Do they see themselves as bridging a gap that exists

⁴⁸ Pat Ramsey, leader of the SDLP party on Derry City Council, and member of the Foyle DPP.

between policing and the community and trying to improve relations? Or, do they see themselves as watchdogs? And, is there an interrelationship between that because you might actually do a better job of bridging the gap if you act as a watchdog?

There have been, I think, mixed results in Derry from our perspective and I will return to that briefly.

The relationship between the Policing Board and the District Policing Partnerships is crucial and I don't think that should be under-estimated. I know the previous speaker mentioned that the DPPs should not be regarded as a "subset" of the Policing Board; but, in the public mind, out there among the great unwashed of which I am a part, DPPs are seen basically as the "little brother" of the Policing Board.

So the actions of the Board can have both a negative and positive impact on DPPs. To take some examples: one could look at the introduction of CS spray. Before CS spray was voted upon at the Policing Board, we had raised serious concerns, as had CAJ, as had a number of academics. We pointed out that, for instance, the Lancet medical journal in Britain had called for the weapon to be banned. We pointed out that there was grave concerns in England and Wales and elsewhere about the use of CS spray and about the guidelines. But this was not discussed and decided upon at an open public meeting which would provide some kind of accountability. This is after all a very, very, emotional issue, particularly if you come from Derry. The issue of CS spray, while it is different from CS gas, is a highly emotional one for people in Derry who remember the Battle of Bogside. Yet, the decision to purchase this contentious new weapon

was taken at a private, secret meeting of the Board. For a long time they even refused to provide the minutes to us of that meeting. The decision was taken without any reference to those who were critical of CS spray. I think that the decision that was reached was a disastrous one; and I am especially talking about the decision-making process.

Another example concerns plastic bullets. People probably regard the plastic bullets issue as 'done and dusted'. None have been used, thankfully, for quite some time and therefore it is probably no longer really an issue. Yet at a recent meeting with the Steering Group at the NIO, we were informed that plastic bullets have not been phased out. We urged the importance of government, saying that it would send a powerful signal in terms of policing if an actual ban was announced – a permanent ban. But they said it could not be done.

What would concern us particularly within that debate is the fact that even though plastic bullets are not being used at the moment, they are being purchased. Officers are still training with plastic bullets on a weekly basis. We would ask, why members of the Policing Board, and in particular those who are opposed to the use of plastic bullets, have not raised this issue? Why have they not gone on record in the minutes of their own meetings and said, why are you still purchasing hundreds of thousands of plastic bullets? The issue has not been raised, and we feel that the Board is abdicating its own responsibilities. The fact that the purchase of plastic bullets no longer needs to be formally authorised by the Policing Board is no excuse for not raising the issue.

DPPs can without doubt be effective in terms of normal policing at a localised level. There are issues that concern people wherever they live, from whatever community, and of whatever political background. People out there are clearly concerned about issues of social crime, about under-age drinking, the use of drugs, car theft and so on. I think DPPs can play an important role on those issues if – and it is a big ‘if’ – their members see their role as that of a watchdog. If DPPs see their role as being critical, of going in there and demanding answers, of refusing to be put off by discussions of pie-charts and power-point presentations, or baffled with statistics (which we found was the experience in Derry) – then it could work.

But the DPPs cannot resolve the bigger problem of policing and I think I am not surprising anyone here - I think you all know it. Yet it is these problems which overshadow this entire debate and effect the entire argument of whether or not Sinn Fein will sign up to it, and whether or not nationalist communities, working-class communities, and some working-class loyalist communities will actually sign up to the policing process. I do not think that we can have this discussion in a vacuum. To me, it is like trying to have a discussion of race relations without discussing racism, or discussing gender relations without discussing sexism.

We cannot discuss policing without discussing the legacy of the last thirty years. Everyone has committed human rights abuses. There is a lot of hurt. I think it is not verbalised enough, but there is a lot of hurt - particularly in the nationalist community - regarding the policing of the last thirty years. I do not think that this issue is being addressed. It is not addressed in the Good Friday Agreement.

Des Rea’s recent attempt to address this issue had the opposite effect – creating even more mistrust when he, for instance, suggested that there should be some type of Truth Commission, but that it should have precedence over the inquiries which were being recommend by Judge Cory. The head of the Policing Board was telling us that we should not enquire into allegations that the state or agencies of the state ran death squads – that is untenable. We cannot move on unless we face up to the past. It is going to take a lot of courage. The issue is not one of finger pointing; it is not about prosecutions; but it is about acknowledgement. We have to have acknowledgement from everyone concerned. Thank you.

Q: I am from the Meath Peace Group. In relation to Sinn Fein coming on board, do you not think that there is a need now for leadership from them and that they should have more faith in their own abilities to change the system from within, and that by doing that they might actually lead to a greater improvement in policing in all areas? As to facing up to the past, I think there needs to be a much, much bigger debate than what’s being envisaged at the moment in terms of a Truth Commission.

Q: I am a member of Castlereagh’s CPLC and DPP. I would like to ask what rights have victims? The speaker talked about suspects having rights, but what about the victims?

Q: I would like to congratulate CAJ. I found today absolutely invaluable and really informative. I don’t know

if Paul can speak about this or not, but I'm particularly interested in the work of the Pat Finucane Centre in relation to the Brown case. Does that point us in any useful direction for human rights organisations working in partnership with DPPs, the Policing Board, or the PSNI themselves?

Q: I am from the Newry/Mourne DPP, and I have a comment rather than a question. At our last DPP meeting we were given half an hour of instruction on how CS gas sprays would be used, and quite frankly, that was the first time we had heard that they were to be introduced. Then we went on to waste another hour discussing them when, quite frankly, there was absolutely nothing we could do about it. They were a fait accompli. That is a problem and it goes to the fault-line of the problem with the DPPs in general. The same applies, I presume, to plastic bullets. I am wondering if it was decided at a closed meeting of the Board to introduce something even more drastic than this, what are the DPPs going to do about it? Or, what, indeed is the Policing Board going to do about it?

SUNEIL SHARMA

Regarding the issue of the use of non-lethal force in terms of the CS gas debate – I am not on that particular committee, but what I am led to believe is that the best scientific advice was taken prior to the introduction of these things. Operational issues are taken into consideration and it is only as a result of that process of debate that decisions get taken. To call it a “closed meeting” sounds like it is some four or

five guys sitting in a room deciding on its usage. It is not that simple - this debate was had for many, many months within the Policing Board, and the decision to use it was a complex one. It involves a lots of different issues and consultation with the Northern Ireland Office, PSNI and various other interested parties. I think we did get feedback, as far as I can recall, about people's concerns about it. But maybe the process does need to be looked at.

On the other hand, the Board's role is to oversee the PSNI, not to run the PSNI. We do not get involved in day-to-day operational decisions, but if there are strategic things that need to be looked at, then the Board will certainly look at them. I cannot really comment in detail about the process, but if the process needs to be looked at again, I am sure that the Board would consider it.

We certainly do not make these decisions on a wing and a prayer. I would be fully certain that a decision to bring CS spray in was a decision that was made with all the members' support, both independent members and the political members. So there was a broad debate about it these things are not done easily or they're not done without long thought and consideration. But again, we are always open to looking at the process again. Whilst, I will not damn the process, we may need to look at it.

PAUL O'CONNOR

I'll just address the questions specifically put to me. As regards the involvement of Sinn Féin, I have no doubt that Sinn Féin will be involved and will engage in policing. The point at which they do so is a decision they are going to make and

I think everybody in this room is fairly clear that they will take their own counsel and no one else's.

What I would like to see happen when they do is that they bring the maximum amount of people with them. I don't want to see them doing it in a way that might satisfy the NIO or the Irish Government but does not take their own community with them. I want them to take their community with them because I want this to be the last phase of conflict. I want the conflict over. I don't want a large enough rump left over to cause disruption. There are already people out there who are trying to cause disruption. I have no problem with someone opposed to the Good Friday Agreement, non-violently, but there are obviously people who are violently opposed to it, and I want that group of people to be as small as possible. So I want Sinn Fein to sign up when they can bring as many people as possible with them and I certainly believe that that will happen.

As regards the rights of victims of paramilitary beatings. They are allowed no rights; they have been totally stripped of their rights; and they are subject to the most inhumane, brutal beatings, which have no justification whatsoever. It is totally and absolutely wrong.

As regards the issue of Sean Brown's murder, clearly there are issues that I cannot discuss simply because they are confidential they involve the murder investigation. However, it is a strange position for us as a Centre to find ourselves in. There are posters going up at the moment, throughout South Derry (in shops, in pubs and community centres) to be part of the PSNI's appeal on the new murder investigation. The poster says that if you have information, you can contact Crime Stoppers or

Kevin Winter and Company Solicitors or the Pat Finucane Centre in Derry.

I think that tells us a number of things. One is that, we regard the rights of that family as being foremost in what we trying to do, and if we can do anything to help the family, we will. It is also a recognition that in the South Derry area there clearly is a problem in dealing with the police. There are a lot of people who have information who may think twice before they will contact the police, and that is the issue of trust that I referred to at the beginning. But for us, the issue is that there is a police poster in shops, in pubs and elsewhere with our name on it. We don't have a problem with that because if it helps the family we'll do it. We're not particularly ideologically committed one way or another.

But all of this comes back to the fact that people are at different levels in the process and it is not possible to judge those that are at a different level. In our weekly and daily work in the Centre these days we find ourselves in contact with Assistant Chief Constables, with the Chief Constable recently, with various District Commanders, with the Serious Crime Review Team and so on, and we certainly do not have a problem with that. We go in, and if we're on first name terms – we're on first name terms, if we shake hands – we shake hands. We don't have any major problems about that, but we certainly cannot underestimate the different feelings that this creates for a number of the families that we work with, and we must respect that.

I'll just give one more example. We thought we had organised a meeting recently between a family and the PSNI; the family had lost a loved one. The

family have now pulled out of the meeting because when they discussed it, they realised that there were family members who could not even sit in the same room as somebody in a police uniform. That attitude was not driven by hatred; it was driven by fear and hurt, because they had lost a family member. So we have to understand that people are coming from very, very different positions on this. Just as we have to understand that for many people in the unionist community, their view of policing is totally different.

SUNEIL SHARMA

Just to clarify, I am not here to defend Des Rea and the comments he made. But they were made in the context of the almost 3,000 murders that remain unsolved in Northern Ireland. Each of those victims and their families would like to have answers. I think that the point he was trying to make was that there must be protocols if those cases are to be re-opened. There are well-documented protocols for handling new evidence and so forth, and setting out when a conviction can be pursued. I think that is what he was trying to address. As a society we have to address how we manage the past and I do not think that Des Rea was being prescriptive about how the past should be managed. He was saying - how should we do it, how do we as a society find the resources necessary, and how do we manage so many murder investigations from a policing perspective? I think he was just putting up an issue for discussion and was not trying to be prescriptive.

As to the idea of a Truth Commission - the jury is still out on that issue. These are not issues that Boards or even

governments can determine – they are issues for societies to decide upon. Are we ready to take on board the idea of a truth commission, and will it deliver what we all want it to deliver? Maybe it will not secure a closure to the past, but will it secure an understanding of the past that will allow us to move on? I am not seeking to defend Des Rea, but the comments were made in a very particular context, and I do not think he was trying to undermine the pain and suffering of the 3,000 victims and their families.

Finally, on the issue about baton rounds or plastic bullets, there has of course been very few baton rounds fired in the last couple of years. Having said that, there is a very strong mechanism of oversight. Every time a baton round is fired it goes to the Police Ombudsman to examine the whole incident. I hope I am not wrong in saying this, but I do not think there has been an incident where she has found PSNI officers failing to meet the standards necessary. We also scrutinise the training mechanisms. Many of the Board members have been up at the training at Lisburn to see the baton rounds being used. The problem for the Board is to get a balance in working with the police on operational matters. I understand that this is a contentious issue still amongst many parts of the community, and hopefully it is an issue that, in the future, we can address and bring to a close.

Closing Remarks

ANGELA HEGARTY

Can I draw this to a close by, on your behalf, thanking all of those who have taken part. The two panellists this afternoon, the three DPP members this morning, and our earlier contributors from London and Dublin.

Can I, on your behalf also, thank CAJ. I know Suneil said that he wanted the Policing Board to support the work of the DPPs and I would suggest to him that this event, organised by a voluntary group with limited resources, may have been one of the most supportive initiatives to date. You may want to take this idea back to the Board and think how best to support similar work?

On your behalf, can I also thank Maggie, Aideen, Paula and Liz for undertaking all of the work involved in this event. It has been a hard job. They did not charge you a penny for it, and it was something that was extremely worthwhile. I think everybody here has agreed on that.

Last but not least, can I thank all of you for coming, particularly those who serve on DPPs. There may be disagreements about the existence of DPPs, and what we should do about policing, but I think we can all agree that those of you who are involved in DPPs, particularly the independent members, have taken great risks, You have taken private, personal, professional and political risks because of your involvement and that is appreciated.

So let me remind you as you go back to your DPPs what Patten said about the function of the DPPs –

“(they) should represent the consumer, voice the concerns of the citizen, and monitor the performance of the police in their districts”.

So I urge you to go back and do that. Thank you very much indeed.

Appendices

1. Agenda
2. Small Group Discussion topics
3. List of conference participants
4. Evaluations
5. Biographical notes on speakers
6. Summary of the human rights framework and how DPPs can assist in that process (prepared by Keir Starmer QC)
7. Summary of recommendations
8. Brief Synopsis of CAJ's Policing Work
9. CAJ's publications list

Appendix 1

“Policing with the Community”

Monday, 28th June 2004, Malone Lodge Hotel, Belfast

AGENDA

- 10.00 a.m. Registration, coffee, tea and scones
- 10.30 a.m. Opening remarks and setting the context by conference chair
– Angela Hegarty, University of Ulster & CAJ. Followed by
keynote addresses:
- ✍ **Lord Toby Harris**, Chair of the Metropolitan Police Authority, London
- ✍ **Maria Metcalfe**, Coordinator of the Community Policing Forum, Dublin
- Plenary discussion and questions to invited guests
- 11.30 Panel discussion on the work of the District Policing
Partnerships to date: insights from independent members on
the successes, problems, challenges, and needs.
- ✍ **Delia Close**, Ballymena DPP
- ✍ **Deirdre MacBride**, Belfast DPP
- ✍ **Fiona McCausland**, Lisburn DPP
- Plenary discussion to follow
- 12.30 p.m. Lunch
- 1.30 Small group discussions on the work of the
District Policing Partnerships.
- 2.30 Report back on specific recommendations from small groups
- 3pm Panel discussion on human rights and local accountability
- ✍ **Paul O’Connor**, Pat Finucane Centre, Derry
- ✍ Presentation on NI Policing Board’s Human Rights Framework by
Suneil Sharma
- Plenary discussion to follow
- 3.30 Close of conference

Appendix 2

SMALL GROUP DISCUSSIONS

The participants' list inside your conference pack indicates which small group you are assigned to and an additional sheet indicates the name and location of the room in which your group is meeting. If you have any questions, please consult one of the conference organisers.

Conference delegates have been pre-assigned to small groups to try and ensure a spread of DPP members and non-DPP participants. All of the groups will be discussing the same topics. Facilitators have been appointed to informally run each group and report back on behalf of the group during the plenary session.

QUESTIONS FOR SMALL GROUP DISCUSSIONS:

1. What successes and problems have the DPPs as a whole, or specific DPPs, experienced to date?
2. What, if any, training and information needs do DPP members have?
3. What, if anything, can be done to create even more effective relationships between the DPPs and the:
 - a. Northern Ireland Policing Board
 - b. Community Safety Partnerships
 - c. PSNI
 - d. Public, including the most hard-to-reach members of the community?

Appendix 3

Conference Participants

Adair, Margaret	Ards DPP
Adams, Ann	North Down DPP
Allen, Valerie	Belfast DPP
Andrews, Harold	Fermanagh DPP
Ardis, Gillian	Northern Ireland Office
Arnold, Carolyn	Newtownabbey DPP
Beirne, Maggie	Committee on the Administration of Justice (CAJ)
Belton, Genny	PSNI
Blair, John	Newtownabbey DPP
Blount, Sile	Community Policing Forum
Bourke, John	Probation Board NI
Boyd, Irene	Ards DPP
Brough, Emily	NUS-USI
Burke, Mairead	Antrim DPP
Burns, Michael	Star Neighbourhood Centre
Carland, Paul	NI Housing Executive / Castlereagh CPLC
Cassidy, Gillian	North Down DPP
Cassidy, Peter	Cookstown DPP
Clancy, Julitta	Meath Peace Group
Clenaghan, Alison	Craigavon DPP
Close, Delia	SPEAKER
Collins, Karen	Castlereagh DPP
Corr, Damien	Limavady Community Development Association
Craig, Ray	Larne DPP
Crawford, Anetta	Carrickfergus DPP
Cunningham, Tim	Committee on the Administration of Justice (CAJ)
Dayus, Dinah	University of Ulster
Dayus, Danny	
Devitt, Conal	Community Safety Unit, NIO
Doherty, Danny	Antrim DPP
Donaghey, Joe	Ballymoney DPP
Donnan, Cyril	Ulster Unionist Party
Donnelly, Cathy	Armagh DPP
Downey, Patrick	Banbridge DPP
Drinan, Padraigin	P Drinan Sols.
Ellison, Graham	Queens University Belfast
Falloon, Greta	Castlereagh DPP
Falloon, Thomas	

Ferguson, Eddie
Fitzpatrick, Maura
Foster, Carolan
Fox, Ciaran

Garvey, Brian
Gibson, George
Gibson, Patricia
Gilmore, Aideen
Goodman, Michael
Greenshields, Peter
Griffin, David

Harris, Toby
Hawkins, Marjorie
Hegarty, Angela
Hegarty, Tara
Hudson, Maureen
Jackson, David
Jamison, Marion
Jennett, Lilian
Kane, Alison
Kelly, Paddy
Kelly, Susan M.
Kelly, Una
Khan, A.S.

Lagan, Kate
Large, Noel
Lettis, Natasha
Logan, William
Logue, Michael
Lynn, Kerry

MacBride, Deirdre
Malville, Elisabeth Alma
Mannarelli, Joni
Marsden, Louise
Mawhinney, Trevor
McAdam, Sally
McAleer, Liz
McAuley, Caroline
McCabe, Barbara
McCaughey, Janet
McCausland, Fiona
McClellan, Paddy Joe
McConville, Peter
McCror, Stephen

Moyle DPP
North Belfast CPLC
Castlereagh DPP
CAJ

Interaction Belfast
Carrickfergus Borough Council
Armagh DPP
Committee on the Administration of Justice (CAJ)
Lower Ormeau Residents Action Group
Ballymena DPP
Banbridge DPP

SPEAKER
Carrickfergus DPP
CONFERENCE CHAIR
Derry City Council
Limavady Community Development Association
NI Policing Board
Armagh DPP
Armagh DPP
Carrickfergus Borough Council
Children's Law Centre
Women into Politics
Down DPP
Al-Nisa Association NI

Magherafelt DPP
Interaction Belfast
Coalition on Sexual Orientation
Ballymoney DPP
Belfast DPP
CAJ

SPEAKER
Carrickfergus DPP
CAJ
Larne DPP
Ards DPP
Down DPP
Committee on the Administration of Justice (CAJ)
Belfast DPP
Ulster People's College
Ards DPP
SPEAKER
Civic Forum
Banbridge DPP
Belfast DPP

McCullough, Thomas	Belfast DPP
McDonnell, Randul	Moyle DPP
McElroy, Jim	Banbridge DPP
McElroy, Pat	Newry & Mourne DPP
McEvoy, Dan	Down DPP
McEvoy, Peter	Newry DPP
McGowan, Dominica	Nexus Institute
McGreevy, Gail	PSNI
McIlkenny, Sean	Droichead an Dochais, Ashton Community Trust
McKee, Linda	Limavady DPP
McKeown, Helen	Ballymoney DPP
McKinty, Renee	North Down DPP
McLernon, Liam	Down DPP
McMullan, Susan	Upper North Belfast CPLC
McRoberts, Sylvia	Armagh City & District Council
McTeague, Tommy	Newtownabbey DPP
McVeigh, Elaine	Ards DPP
McWilliams, Monica	NI Women's Coalition
Metcalfe, Marie	SPEAKER
Moffett, Andy	Newry & Mourne DPP
Monaghan, Anne	Belfast DPP
Morrison, Rae	Coleraine DPP
Mulcahy, Aogan	University College Dublin
Murphy, Donall	CAJ
Murphy, Pauline	University of Ulster
Newton, Robin	Democratic Unionist Party
Norris, Bill	Ind.Commissioner for Detained Terrorist Suspects
O'Brien, Martin	Atlantic Philanthropies
O'Connor Danny	Larne DPP
O'Connor Paul	SPEAKER
O'Doherty Gerry	Omagh DPP
O'Kane, John	Fermanagh DPP
O'Neill, Eamonn	Down District Council
O'Rawe, Mary	University of Ulster
O'Rourke, Tony	CAJ
Pollock, Sam	Office of Police Ombudsman for Northern Ireland
Power, Carol	Banbridge DPP
Proctor, Adrian	Moyle DPP
Quinn, Tony	Cookstown DPP
Rainey MBE, Allan	Omagh District Council
Reavey, Jim	Armagh DPP
Reynolds, Valerie	Carrickfergus DPP
Ryan, Barry J.	Centre for Peace and Development Studies;
Scargill, Amanda	University of Limerick
Schwartzbauer, Paula	Banbridge DPP
	Committee on the Administration of Justice (CAJ)

Scott, Raymond
Sharma, Suneil
Sherry, Irene
Smyth, Marie
Smyth, Sharon
Sowney, Madeleine
Stewart, Thomas
Stratton, John
Surphlis, Pam
Symington, Frances R.

Thompson, Connie
Torley, Angela
Torley, Brenda
Trueick, Jim
Turner, Pat

Ward, Tanya
Watters, Deborah
Winstone, Tom
Wolff, Kathy

Yiasouma, Koulla

Carryduff CPLC
NI Policing Board
Droichead and Dochais, Ashton Community Trust
Criminal Justice Inspection NI
NIPSA
Oldpark Forum CPLC
Lisburn DPP
Police Federation NI
Antrim DPP
Magherafelt DPP

Newtownabbey DPP
P Drinan Sols.
P Drinan Sols.
PSNI
Castlereagh CPLC

Irish Council for Civil Liberties
Northern Ireland Alternatives
Northern Ireland Alternatives
Newtownabbey DPP

Include Youth

Appendix 4

Summary of evaluations

Evaluation forms were included in the conference pack, and many conference attendees took the time to fill these in. The overall feedback from the event was that it was excellent, timely, and welcome in providing the first real opportunity for DPP members particularly to come together and discuss shared experiences.

Below are summarised some of the responses to the questions posed on the form.

What did you feel was the best aspect of this event?

Over 70% of the evaluations submitted cited the opportunity to come together and share experiences and learning with other DPP members (in particular independent members) as the best aspect of the event. Over half referred to the quality of speakers, and other common references included the fact that this event had addressed a real need, and provided an opportunity to network and hear the views of others on what DPPs could/should be doing.

What did you feel was the worst aspect of this event?

The most common complaint was about a lack of time, both in the panels and workshops. Other frequent comments related to non-participation by the Policing Board, the poor representation by Councillors given the power they wielded on the DPPs, and the need for more information on roles/functions of DPPs.

What were your expectations of this event, and to what extent were they met?

The majority of responses to this questions stated that their expectations were to clarify the role, purpose, function and workings of DPPs, and their relationships/potential links to other bodies. In all cases it was felt that these expectations had been met, and in a number of instances the event had surpassed expectations. Many evaluations also admitted that they were not sure what to expect but that they had thoroughly enjoyed and benefited from the event.

Have you been able to take anything from the event of use to you in your work?

Over 80% responded positively to this question, with the most common theme being learning that other DPPs have similar problems/experiences, and confirmation of the frustrations shared by other independent members, particularly as regards relationships with elected members. Other consistent comments included the need for DPP members to come together more regularly and learn from each other's experiences, the need for more support from the Policing Board, the need to ask more questions, and the need for a clarification of the relationship between DPPs and CSPs.

What type of follow-up do you think CAJ could give to this conference?

The most common request was to hold more of these kinds of events, with particular emphasis on a follow-up conference to see whether any of the issues raised had been addressed. The need to produce and widely disseminate a report of the findings (particularly to all DPP members and official bodies) was also stressed. Other suggestions ranged from holding training workshops, regional events, and disseminating models of good practice and information on a human rights approach to accountability.

What kind of follow-up could other bodies usefully give, e.g. Policing Board, DPPs, community groups etc?

The overarching theme in responses to this question was the need for the Policing Board to be more active and give more support to DPPs, for example, by organising workshops, providing training and information, creating fora for regular interaction both among DPPs (perhaps by creation of a network) and between DPPs and the Board.

How would you rate this event overall, and how might it have been improved?

Over 70% rated the event as excellent or very good, with some taking the opportunity to state again the need for more time to discuss the issues raised.

Any additional comments?

Comments in this section focussed on the venue, food, air conditioning and parking!!

Appendix 5

Biographical notes on speakers

Lord Toby Harris of Haringey

Toby Harris has been Chair of the Metropolitan Police Authority since 2000. He was a member of Haringey Council (1978 - 2002) and leader of the Council (1987 - 1999). He was also an elected member of the London Assembly for the district of Brent and Harrow. Professionally, he has held key positions in the consumer movement and was made a Life Peer in 1998.

Marie Metcalfe

Marie Metcalfe has been Co-ordinator of the Community Policing Forum in Dublin's north inner city since 1999. The Forum came into being initially as part of a local Drugs Task Force and it explores ways in which the community, Gardaí and Dublin Corporation can co-operate to address drug dealing and anti social behaviour in the area. Marie's role is to help improve communication between the community and the different members of the board.

Delia Close

Delia Close was a secondary school teacher for thirty years before retiring a number of years ago. She is an independent member of Ballymena DPP.

Deirdre MacBride

Deirdre MacBride has been involved in community development and activism for over twenty five years. She is an independent member of Belfast DPP, member of the West Belfast DPP sub-group and vice-chair of the East Belfast DPP sub-group.

Fiona McCausland

Fiona McCausland is a community development worker in Old Warren Partnership in Lisburn. She is an independent member of Lisburn DPP.

Paul O'Connor

Paul O'Connor is Project Co-ordinator in the Pat Finucane Centre, a human rights non-governmental organisation. The PFC works in the areas of policing, criminal justice, human rights and dealing with the past, and making public bodies accountable. It is an independent and anti-sectarian organisation.

Angela Hegarty (conference chair)

Angela Hegarty is a Senior Lecturer in Law in University of Ulster, Magee College, and is a Research Fellow at the Transitional Justice Institute. Angela is a long-standing member and former chair of the CAJ.

Suneil Sharma

Suneil Sharma is an independent member of the Northern Ireland Policing Board. He is also Managing Director of the Befab group and a former Commissioner with the Commission for Racial Equality, NI.

Appendix 6

Summary of the human rights framework and how DPPs can assist in that process

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

Paper by Keir Starmer, QC and Jane Gordon
Policing Board, Human Rights Advisors

The Northern Ireland Policing Board is under a duty to monitor the performance of the Police Service of Northern Ireland (PSNI) in complying with the Human Rights Act 1998 (Section 3(3)(b)(ii) of the Police (Northern Ireland) Act 2000). The Policing Board is under a continuing obligation to discharge this duty unless and until s.3(3)(b)(ii) is amended or repealed.

In early 2003 the Policing Board appointed Keir Starmer QC and Jane Gordon as its Human Rights Advisors. Our primary responsibility is to advise the Board on how to meet its statutory duty under s.3(3)(b)(ii). In December 2003, the Policing Board published its Monitoring Framework setting out how it proposed to monitor the compliance of the PSNI with the Human Rights Act 1998 for the period 2003-2004.⁵⁰

The Monitoring Framework defines two stages to measuring compliance with the Human Rights Act 1998. First, the development of meaningful standards against which the performance of the police can be monitored. Second, the monitoring process itself. So far as the first stage is concerned, the Board is monitoring PSNI's performance according to (i) the standards set out in the PSNI Code of Ethics and (ii) a more detailed set of criteria drawn up by us (appended to the Monitoring Framework). The purpose of devising a more detailed set of criteria to supplement the Code of Ethics is to enable the Board to engage in a more sophisticated analysis of human rights compliance in key areas.

The monitoring process itself has been informed by three broad principles. First, that it is the PSNI's performance as a whole that is being monitored. Second, that the process of monitoring is dynamic, involving a positive dialogue between the Board and the PSNI which recognises and addresses problems as they arise. Third, that the monitoring process is not retrospective - what is being monitored is how the police in Northern Ireland are complying with the Human Rights Act, not how well the police may or may not have complied with their obligations in the past.

⁵⁰ *Monitoring PSNI Compliance with the Human Rights Act 1998.*

The monitoring process examines the PSNI's compliance with its obligations under the Human Rights Act 1998 at all levels. This includes close scrutiny of the mechanisms in place intended to ensure that policy (both at the drafting and the implementation stages), training (from preparation through to implementation, awareness and appraisal), investigations and operations (from planning through to implementation) are effective in ensuring human rights compliance.

Our Monitoring Framework recognises that other processes are already in place which, in one way or another, measure the performance of the PSNI. Our monitoring process does not therefore seek to replicate the work of other bodies. Rather, it seeks to assess the response of the PSNI to the findings of other bodies (including complaints, disciplinary findings and court judgments) and the response to legitimate criticism and recommendations made where they touch on human rights issues.

The Board's first Human Rights Annual Report examines the following 12 issues: (1) the PSNI programme of action; (2) the adequacy and effectiveness of PSNI human rights training; (3) compliance of PSNI policies with the Human Rights Act 1998; (4) compliance of PSNI operations with the Human Rights Act 1998; (5) adherence by PSNI officers to the Code of Ethics; (6) complaints, discipline and civil actions raising human rights issues; (7) public order; (8) the use of force; (9) covert policing; (10) victims' rights; (11) the treatment of suspects; and (12) human rights awareness among PSNI officers.

We are pleased to report that examination in each of those areas has been completed. The Policing Board's Human Rights Annual Report 2005 on PSNI compliance with the Human Rights Act will shortly be published.

The Policing Board committed itself in its Monitoring Framework to expand its monitoring work in year two to include the areas of privacy, data protection and the impact of human rights on District Policing Partnerships. Our analysis of human rights compliance in these areas has already begun, and will be included in our second annual report. We also intend to expand our examination of the PSNI's work in respect of victims' rights in our second report and to deal with the issue of notifiable memberships.⁵¹

District Policing Partnerships (DPPs) were established in March 2003 under the Police (Northern Ireland) Act 2000.⁵² The duties and responsibilities of a DPP are set out under s.16 of the Act and include providing views to the PSNI District Commander and the Policing Board on any matter concerning the policing of the district and monitoring the performance of the PSNI in carrying out the Annual Policing Plan as it relates to the district and the local Policing Plan for the district. DPPs, like the Policing Board and the PSNI, are public bodies under the terms of the Human Rights Act and are therefore obliged to act in compliance with the ECHR and with the equality duties of section 75 of the N.I. Act 1998.

⁵¹ As defined under s.51 of the Police (Northern Ireland) Act 2000.

⁵² Police (Northern Ireland) Act 2000, ss.14-23 and Schedule 3.

Patten Recommendation 1 required that “There should be a comprehensive programme of action to focus policing in Northern Ireland on a human rights-based approach.” The PSNI has committed itself to embracing human rights as a core value.⁵³ The Policing Plan 2005-2008 sets out the objectives, performance indicators and targets to be achieved by the PSNI for the next three years under six policing domains: citizen focus, reducing crime, investigating crime, promoting public safety, resource usage and programme of change. District Commanders take account of this Policing Plan in preparing their local policing plans.⁵⁴ As part of the PSNI’s action under the domain of citizen focus in the Policing Plan 2005-2008, the PSNI has committed itself to “promoting awareness and understanding of a human rights approach to policing based on the standards and principles of the Human Rights Act 1998.”

DPPs have an obligation therefore to include consideration of human rights compliance in monitoring the performance of the PSNI at the district level, both in carrying out the Annual Policing Plan as it relates to the district and in implementing the local Policing Plan. DPPs also have a duty to bring any concerns they have in this regard to the attention of the PSNI District Commander and the Policing Board. The Policing Board’s Human Rights Annual Report will inform and assist this process, as it will highlight key areas of strengths and weaknesses of PSNI human rights compliance. These findings can be explored with District Commanders to ensure human rights compliance at the local level. Further, the PSNI has agreed to publish a Human Rights Programme of Action in response to the Policing Board’s Human Rights Annual Reports.⁵⁵ DPPs will be able to use these Programmes of Action as an important tool in holding the PSNI to account at the district level. In this way, DPPs have an important role to play in ensuring human rights compliance at the local level.

Following the launch of the Policing Board’s first Human Rights Annual Report, the Policing Board’s human rights advisors intend to visit DPPs over the course of 2005 to outline the nature of their monitoring work and their core findings and recommendations. In this way, the Policing Board hopes to support DPPs in their work in the area of human rights compliance.

Keir Starmer QC
Jane Gordon
March 2005

*See overleaf for extract from Northern Ireland Policing Board report entitled
Monitoring PSNI Compliance with the Human Rights Act 1998 - (Appendix 1)*

⁵³ Chief Constable’s Introduction, PSNI Human Rights Programme of Action 2004.

⁵⁴ Local policing plans are drafted using an integrated planning model which incorporates the National Intelligence Model business process.

⁵⁵ Chief Constable’s Introduction, PSNI Human Rights Programme of Action 2004

**Extract from Northern Ireland Policing Board report entitled
Monitoring PSNI Compliance with the Human Rights Act 1998 - (Appendix 1)**

HUMAN RIGHTS INDEX

1. GENERAL PRINCIPLES

1.1 In the performance of their duties, police officers should respect and protect human dignity and maintain and uphold the human rights of all persons. [Code of Ethics for the PSNI ("PSNI Code of Ethics"), Article 1.3] (UN Code of Conduct for Law Enforcement Officials ("UN Code of Conduct"), Article 2).

1.2 Those rights include the right to life, the prohibition on torture, inhuman or degrading treatment and punishment, the right to liberty, the right to a fair trial, the right to privacy, freedom of thought, religion, expression, association and assembly and the prohibition on discrimination (ECHR Articles 2 to 14).

1.3 The right to life, the prohibition on torture, inhuman or degrading treatment and punishment are absolute rights, which means that they cannot be restricted for any reason, including the public interest.

1.4 The right to liberty, the right to a fair trial, the right to privacy, freedom of thought, religion, expression, association and assembly and the prohibition on discrimination are qualified rights, which means that they can be restricted, but only where such restriction is for a legitimate reason and is also strictly necessary and proportionate.

1.5 Relevant in assessing whether a restriction is proportionate is the question of whether the same objective could be achieved by less restrictive alternatives.

1.6 Police officers should act with integrity, impartiality and dignity. Police officers should refrain from and vigorously oppose all acts of corruption [PSNI Code of Ethics, Articles 1.3, 7.5] (European Declaration on the Police, A2; Recommendation (2001) 10 on the European Code of Police Ethics ("European Code of Police Ethics"), Articles 44, 46; UN Code of Conduct, Article 7)

1.7 A police officer should carry out orders properly issued by his/her superior, but s/he shall refrain from carrying out any order he knows, or ought to know, is unlawful [PSNI Code of Ethics, Article 1.5] (European Code of Police Ethics, Article 39; European Declaration on the Police, A4).

1.8 Police officers should receive thorough general training, professional training and in-service training, as well as appropriate instruction, in social problems, human rights and in particular the ECHR (European Declaration on the Police, Article B3, European Code of Police Ethics, Article 26).

1.9 Police officers should enjoy the same human rights as other citizens. Restrictions to these rights may only be made when they are necessary for the exercise of the functions of the police in a democratic society, in accordance with the law and in conformity with the ECHR (European Code of Ethics, Article 31).

2. EQUALITY/NON-DISCRIMINATION

2.1 Police officers have an over-arching obligation in relation to non-discrimination and should not discriminate (or aid or incite others to discriminate) on any grounds including race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status [PSNI Code of Ethics, Article 6.2] (UDHR, Article 2; ICCPR Article 26; ECHR Article 14; CERD Article 5; CEDAW Article 2; CRC Article POLICE SERVICE OF NORTHERN IRELAND 2; Convention relating to the Status of Refugees Article 3; Convention relating to the Status of Stateless Persons Article 3; Northern Ireland Act 1998, s76).

2.2 The protection of national minorities and of the rights and freedoms of persons belonging to those minorities forms an integral part of the international protection of human rights (European Framework Convention for the Protection of National Minorities, Article 1) and discrimination based on belonging to a national minority is prohibited (European Framework Convention for the Protection of National Minorities, Article 4.1).

2.3 No one should be subject to discrimination on the grounds of religion or other belief (Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion and Belief, Article 2(1)).

3. PROTECTING THE PUBLIC

3.1 In certain well-defined circumstances, the police are under an obligation to take preventative operational measures to protect individuals whose lives are at risk from the criminal acts of others (*Osman v UK* (1998) 29 EHRR 245).

3.2 Bearing in mind the difficulties involved in policing modern societies, the unpredictability of human conduct and the operational choices which must be made in terms of priorities and resources, such an obligation must be interpreted in a way which does not impose an impossible or disproportionate burden on the police (*Osman v UK* (1998) 29 EHRR 245).

3.3 What is required of the police is therefore that they take all steps that could reasonably be expected of them to avoid a real and immediate risk to life about which they know or ought to have known (*Osman v UK* (1998) 29 EHRR 245).

3.4 This obligation can also arise where the risk to life does not come from the criminal acts of others; for, example, it can extend to an obligation to take reasonable steps to prevent self-imposed risks to life (e.g. suicide) (*Keenan v UK* (2001) 33 EHRR 38).

3.5 Failing to pass on important information concerning a risk to an individual's life to the appropriate person or body can breach this obligation (*Edwards v UK* (1992) 15 EHRR 417).

4. USE OF FORCE

Basic Provisions

4.1 Every human being has the inherent right to life (UDHR Article 3; ICCPR Article 6; ECHR Article 2; European Code of Police Ethics, Article 35).

4.2 Torture, cruel, inhuman or degrading treatment or punishment is prohibited absolutely [PSNI Code of Ethics, Article 1.4] (UDHR Article 5; ICCPR Article 7; CAT Article 2(1); CRC Article 37(a); ECHR Article 3; UN Body of Principles, Principle 6; UN Code of Conduct for Law Enforcement Officials Article 5; European Declaration on the Police, Article A3; European Code of Police Ethics, Article 36).

4.3 Torture includes deliberate inhuman treatment causing very serious and cruel suffering (*Ireland v UK* (1978) 2 EHRR 25, ECtHR) which has a purpose, such as the obtaining of information or confession, or the infliction of punishment (*The Greek Case* (1969) 12 Yearbook 1; *Aksoy v Turkey* (1996) 23 EHRR 553).

4.4 Treatment/punishment will be inhuman if it 'causes intense physical or mental suffering.' It is less severe than torture but can include threats of torture and the infliction of psychological harm (*Ireland v UK* (1978) 2 EHRR 25, ECtHR).

4.5 Treatment/punishment will be degrading if it arouses in the victim a feeling of fear, anguish and inferiority capable of debasing him or her and breaking his or her physical or moral resistance (*Ireland v UK* (1978) 2 EHRR 25, ECtHR); but only if it reaches a particular level of severity.

4.6 Arbitrary or abusive use of force and firearms by police officers is never acceptable (European Code of Police Ethics, Article 37) and is punishable as a criminal offence.

4.7 Deprivation of life will not constitute a breach of ECHR Article 2 if, but only if, it results from the use of force which is no more than absolutely necessary: UKHRR 1399 (2002) HRLR 1; *Finucane v UK* Times Law Reports (18 July 2003)).

(i) in self-defence or in defence of any others where there is an imminent threat of death or serious injury (*Wolfgram v Germany* (1986) 49 DR 213; *Diaz Ruano v Spain* (1994) A/285-B);

(ii) in order to effect a lawful arrest or to prevent the escape of a person lawfully detained (*Farrell v UK* (1982) 30 DR 96 and (1984) 38 DR 44; *Kelly v UK* (1993) (App. No. 17579/90);

(iii) in action lawfully taken for the purpose of quelling a riot or insurrection (ECHR Article 2, *McCann v UK* EHRR (1995) 21 EHRR 97).

4.8 Exceptional circumstances, such as internal political instability or any other public emergency, cannot be invoked to justify any departure from these basic principles (Principles on the Use of Force, Principle 8).

Justification

4.9 If it is possible to do so, police officers should apply non-violent means before resorting to the use of force and firearms. Force and firearms may only be used when strictly necessary (i.e. where other means would be ineffective or stand no chance of achieving the intended result) and to the minimum extent required to obtain a legitimate objective. [PSNI Code, Article 4.1]

(European Code of Police Ethics, Article 37; UN Code of Conduct for Law Enforcement Officials, Article 3; UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials ("UN Principles on the Use of Force"), Principles 4 and 13; McCann v UK (1995) 21 EHRR 97).

4.10 Force can be used to effect an arrest, but it must always be strictly necessary and proportionate (Raninen v Finland (1997) 26 EHRR 563).

4.11 Handcuffing is legitimate, but only where justified as strictly necessary and proportionate (Raninen v Finland (1997) 26 EHRR 563).

4.12 Police officers should not use force against persons in custody or detention except where strictly necessary for the maintenance of security and order within the institution or when personal safety is threatened [PSNI Code of Ethics, Article 5.2] (UN Principles on the Use of Force, Principle 15).

Use of Firearms

4.13 The use of firearms should be considered an extreme measure (UN Code of Conduct, Commentary on Article 3).

4.14 Firearms should only be used against persons:

(i) in self-defence; or in defence of others against the imminent threat of death or serious injury; or

(ii) to prevent the perpetuation of a particularly serious crime involving great threat to life; or

(iii) to arrest a person presenting a danger to life or of serious injury and who is resisting authority; or

(iv) to prevent his or her escape.

4.15 Before firearms are employed, police officers should identify themselves and give clear warning of their intent to use firearms, affording sufficient time for the warning to be observed, unless to do so would place the law enforcement officer at risk or create a risk of death or serious harm to other persons [PSNI Code of Ethics, Article 4.5] (UN Principles on the Use of Force, Principle 10).

4.16 Whenever the use of firearms is unavoidable, police officers should (i) exercise restraint in such use, acting in proportion to the seriousness of the offence and the legitimate objective to be achieved;

(ii) minimise damage and injury and respect and preserve human life;

(iii) render assistance and medical aid to any injured or affected persons at the earliest opportunity;

(iv) notify relatives or close friends of injured or affected persons at the earliest opportunity.

[PSNI Code of Ethics, Article 4.3] (UN Principles on the Use of Force, Principle 5).

Internal Procedures and Follow-up Investigations

4.17 Police training at all levels should include practical training on the use of force and limits with regard to established human rights principles (European Code of Police Ethics, Article 29).

4.18 Effective reporting and review procedures should be put in place regarding injuries and/or deaths resulting from the use of force and firearms by police officers. In cases of death and serious injury, a detailed report should be sent to the competent authorities (UN Principles on the Use of Force, Principles 6 and 22).

4.19 In addition, an effective official investigation is required whenever an individual is killed as a result of force being used by an agent of the state and/or when it is arguable that there has been a breach of Article 2 or Article 3 of the ECHR (Anguelova v Bulgaria, 13 June 2002; R (Wright) v Home Office (2001))

4.20 The investigation must be prompt, thorough, impartial and careful so as to ensure accountability and responsibility (Anguelova v Bulgaria, 13 June 2002).

4.21 The investigation must involve an assessment of the organisation and planning (if any) of the operation during which lethal force was used. The training, instructions and communications of those who used lethal force and those who lay behind the operation are relevant to that determination (*McCann v UK* (1995) 21 EHRR 97).

4.22 An effective official investigation requires the appropriate authorities to secure all the relevant evidence concerning the incident causing death and to analyse the cause of death (*Anguelova v Bulgaria*, 13 June 2002); it also requires a degree of public and independent scrutiny and the involvement of the family of the deceased in the procedure to the extent necessary to safeguard their legitimate interests (*Anguelova v Bulgaria*, 13 June 2002).

4.23 The duty to investigate suspicious deaths can arise even where there is no suggestion of any state involvement in causing death either deliberately or by omission (*Menson v UK*, 6 May 2003); the form of the investigation will vary with the circumstances, but must always be prompt, rigorous and impartial (*Menson v UK*, 6 May 2003); in order to be effective, the investigation should be conducted by individuals independent of the alleged perpetrators (*Finucane v UK* (2003) Times Law Reports (18 July 2003)).

4.24 The duty to investigate is a continuing one (*Re McKerr Application for Judicial Review* [2003] NI 117). (*Rassemblement Jurassien and Unite Jurassienne v Switzerland* (1979) 17 DR 138)

5. PUBLIC ORDER

5.1 Everyone has the right to freedom of peaceful assembly and of association (UDHR Article 20; ICCPR Articles 21 and 22; ECHR Article 11; CERD Article 5(d)(ix)).

5.2 These are qualified rights; they can be restricted, but only where a restriction is lawful, legitimate, necessary and proportionate.

5.3 The right to peaceful assembly is not confined to static meetings; it also covers marches and processions (*Rassemblement Jurassien and Unite Jurassienne v Switzerland* (1979) 17 DR 138; *Christians Against Racism and Fascism v UK* (1980) 21 DR 138).

5.4 The purpose of the assembly is irrelevant, so long as it is peaceful. The mere fact that an assembly may result in disorder does not automatically preclude Article 11 ECHR protection - peaceful intent is it sufficient, even if unintentional disorder results (*Christians Against Racism and Fascism v UK* (1980) 21 DR 138).

5.5 As with free speech under Article 10 ECHR, an assembly may annoy or give offence, but is nonetheless protected under Article 11 ECHR (*Refah Partisi v Turkey* (2002) 35 EHRR 56).

5.6 In particular, those opposed to official views must find a place for the expression of their views (*Piermont v France* (1995) 20 EHRR 301).

5.7 Where there is a threat of disruption or disorder from others, the relevant authorities (including the police) are under a duty to take appropriate steps to protect those who want to exercise their right of peaceful assembly (*Plattform Ärzte Für das Leben v Austria* (1988) 13 EHRR 204).

5.8 There is no absolute duty to protect those who want to exercise their right of peaceful assembly: the obligation is to take 'reasonable and appropriate measures', and a fairly wide discretion is left to the authorities responsible for regulating the assembly (*Plattform Ärzte Für das Leben v Austria* (1988) 13 EHRR 204).

5.9 A requirement of prior notice or authorisation for a march or meeting is not necessarily a breach of Article 11 ECHR, so long as the purpose behind the procedure is not to frustrate peaceful assemblies

5.10 But orders banning meetings and marches are justified only in extreme circumstances, where there is a real danger of disorder that cannot be prevented by other less stringent measures (*Christians Against Racism and Fascism v UK* (1980) 21 DR 138).

5.11 Restrictions on the political activities of police officers, including the right of assembly, can be justified under the ECHR on the basis that a politically neutral police force is in the public interest (*Rekvenyi v Hungary* (20 May 1999)).

6. CRIMINAL INVESTIGATIONS

Basic Provisions

- 6.1** Everyone has a right to respect for his/her private and family life, his home and his correspondence. No one shall be subjected to arbitrary interference with his/her privacy, family, home or correspondence. (UDHR, Article 12; ICCPR, Article 17; ECHR, Article 8).
- 6.2** The police shall only interfere with an individual's right to privacy when strictly necessary and for a legitimate purpose (ECHR, Article 8(2), European Code of Ethics, Article 41); all interferences with an individual's right to privacy must also be proportionate to the legitimate purpose which justifies such interference (ECHR Article 8(2)).
- 6.3** Police investigations shall be objective and fair. They shall be sensitive and adaptable to the special needs of persons, such as children, juveniles, women, minorities including ethnic minorities and vulnerable persons [PSNI Code of Ethics Article 2.1, 2.2] (European Code of Police Ethics, Article 49).
- 6.4** Collection, storage and use of personal data by the police shall be carried out in accordance with international data protection principles [including the Data Protection Act 1998, the Regulation of Investigatory Powers Act 2000 and associated Codes of Practice and the PACE (NI) Order 1989] and in particular, be limited to the extent necessary for the performance of lawful, legitimate and specific purposes [PSNI Code of Ethics, Article 3.1] (European Code of Ethics, Article 42).
- 6.5** Matters of a confidential nature in the possession of police officers shall be kept confidential, unless the performance of duty or the needs of justice strictly require otherwise [PSNI Code of Ethics, Article 3.3] (UN Code of Conduct for Law Enforcement Officials, Article 4).

Surveillance

- 6.6** Surveillance is an interference with privacy and therefore must be prescribed by law, strictly necessary and proportionate (Kopp v Switzerland (1998) 27 EHRR 214) [PSNI Code of Ethics, Article 3.2]).
- 6.7** Intercepting telephone calls is a form of surveillance and therefore must also be prescribed by law, strictly necessary and proportionate (Malone v UK (1984) 7 EHRR 14; Halford v UK (1997) 24 EHRR 523); intercepting pager messages is also a form of surveillance and therefore must also be prescribed by law, strictly necessary and proportionate (Taylor-Sabori v UK, 22 October 2002); each case must be justified on its own facts.
- 6.8** The use of CCTV cameras, even in public places, can raise privacy issues under Article 8 ECHR and therefore must be prescribed by law, strictly necessary and proportionate (Peck v UK, 28 January 2003); the use of CCTV cameras includes disclosure of the contents of any images obtained by such use (Peck v UK, 28 January 2003; Perry v UK App. No 63737/00 (17 July 2003)).
- 6.9** Gathering information in files about a particular individual raises privacy issues and therefore must also be prescribed by law, strictly necessary and proportionate, even where the information has not been gathered by an intrusive or covert method (Rotaru v Romania (2000) 8 BHRC 449).
- 6.10** There must be proper methods of accountability regarding both the authorisation and the use of police surveillance and other information-gathering activities.
- 6.11** Investigations into allegations of abuse must be independent (Govell v UK [1999] EHRLR 101).

Informers and undercover officers

- 6.12** It is legitimate for the state to use informers and undercover officers in the investigation of crime (Ludi v Switzerland (1992) 15 EHRR 173).
- 6.13** But informers and undercover officers should not incite an individual to commit a crime s/he would not otherwise commit (Teixira de Castro v Portugal (1998) 28 EHRR 101; R v Looseley [2001] 1 WLR 2060).

6.14 When deciding whether conduct amounts to 'state-created crime' the question is whether, in all the circumstances, the conduct of the police is so seriously improper as to bring the administration of justice into disrepute (*R v Looseley* [2001] 1 WLR 2060).

6.15 If an individual freely takes advantage of an opportunity to break the law given to him by a police officer, the police officer is not to be regarded as being guilty of 'entrapment' (*R v Looseley* [2001] 1 WLR 2060).

6.16 The right to silence cannot be invoked to exclude statements made voluntarily to informers or undercover officers, unless they deliberately manipulate the situation to elicit incriminating evidence; placing an informant in a cell with others with instructions to elicit certain information amounts to deliberate manipulation and thus breaches the right to silence (*Allan v UK* 5 November 2002).

Search and seizure

6.17 Search and seizure interfere with privacy and therefore must be prescribed by law, strictly necessary and proportionate [PSNI Code of Ethics, Article 3.2] (*Camenzind v Switzerland* (1997) 28 EHRR 458; *Niemietz v Germany* (1992) 16 EHRR 97).

6.18 The right to privacy can extend to business or work premises (*Niemietz v Germany* (1992) 16 EHRR 97).

6.19 Consent to search and seizure will not be valid unless it is genuine and informed.

Fingerprints, samples and personal data

6.20 Taking fingerprints, samples and personal data interferes with privacy and therefore must be prescribed by law, strictly necessary and proportionate (*Murray v UK* (1994) 19 EHRR 193).

6.21 Any consent to the taking of samples must be informed consent.

6.22 Retaining fingerprints, samples and personal data also interferes with privacy and therefore must be prescribed by law, strictly necessary and proportionate (*X v Germany* (1976) 3 DR 104; *R (Marper) v Chief Constable of South Yorkshire* [2003] 1 All ER 148)

6.23 Retaining fingerprints, samples and personal data of individuals who were charged but not subsequently convicted can be justified under the ECHR (*R (Marper) v Chief Constable of South Yorkshire* [2003] 1 All ER 148).

7. ARREST AND PRE-TRIAL ISSUES

Basic Provisions

7.1 Everyone has the right to liberty and security of their person. No one shall be subjected to arbitrary arrest or detention (UDHR Articles 3 and 9, ICCPR Article 9(1); CERD Article 5(b); ECHR Article 5(1)).

7.2 Deprivation of liberty of persons shall be as limited as possible and conducted with regard to the dignity, vulnerability and personal needs of each detainee (European Code of Police Ethics, Article 54).

7.3 Arrest and detention should be carried out strictly in accordance with the law (ECHR Article 5(1); UN Body of Principles, Principle 2).

7.4 All persons under any form of detention or imprisonment shall be treated in a humane manner and with respect for the inherent dignity of the human person [PSNI Code of Ethics, Article 5.1] (ICCPR Article 10; CRC Article 37(c); UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment ["UN Body of Principles"], Principle 1; Police and Criminal Evidence (NI) Order 1989 Codes of Practice C-E).

7.5 Any form of detention or imprisonment and all measures affecting the human rights of a person under any form of detention or imprisonment shall be ordered by, or be subject to, the effective control of a judicial or other authority (UN Body of Principles, Principle 4).

7.6 The unacknowledged detention of an individual is a breach of the right to liberty. Having assumed control over an individual, it is incumbent on the authorities to account for his/her whereabouts (*Kurt v Turkey* (1998) 27 EHRR 373).

7.7 All money, valuables, clothing and other property belonging to a detainee which he is not allowed to retain shall be placed in safe custody [PSNI Code of Ethics, Article 8.1] (Standard Minimum Rules for the Treatment of Prisoners, Rule 43)

Reasonable suspicion

7.8 There must be a reasonable suspicion that an individual has committed a criminal offence before an arrest is made [PSNI Code of Ethics, Article 2.2] (Fox, Campbell and Hartley v UK (1990) 13 EHRR 157; European Code of Police Ethics, Article 47).

7.9 Having a 'reasonable suspicion' presupposes the existence of facts or information which would satisfy an objective observer that the person concerned may have committed the offence (Fox, Campbell and Hartley v UK (1990) 13 EHRR 157).

7.10 The honesty and good faith of suspicion constitute indispensable elements of its reasonableness (Fox, Campbell and Hartley v UK (1990) 13 EHRR 157; R v Feeney (1997) 2 SCR 13).

Reasons

7.11 Everyone arrested should be informed, in a language s/he understands of the reasons for his/her arrest (ICCPR Article 9(2); ECHR Article 5(2); UN Body of Principles, Principle 10).

7.12 Notification should be at the time of arrest or as soon as practicable thereafter (Fox, Campbell and Hartley v UK (1990) 13 EHRR 157).

7.13 Sufficient details should be given to enable the person arrested to know the basis upon which s/he is being held

7.14 Detained persons should be provided with information on and an explanation of their rights and how to avail themselves of their rights (UN Body of Principles, Principle 13; European Code of Police Ethics, Article 55).

7.15 The reasons for the arrest, the time of the arrest, the identity of the police officers concerned and the place of custody of the detained person should be recorded (UN Standard Minimum Rules for the Treatment of Prisoners, Rule 7(1)) and such record should be communicated to the detained person or his counsel, if any (UN Body of Principles, Principle 12).

7.16 Detained persons should be entitled to notify or to require the competent authority to notify members of his family or other appropriate persons of their choice of their arrest, detention or imprisonment (UN Body of Principles, Principle 16(1); European Code of Police Ethics, Article 57).

External Communication

7.17 Communication of a detained person with the outside world, in particular, his/her family and legal representative, should not be denied for more than a matter of days (UN Body of Principles, Principle 15) and shall be allowed under supervision at regular intervals thereafter (UN Standard Minimum Rules for the Treatment of Prisoners, Rule 37; McVeigh, O'Neill and Evans v UK, (1981) 5 EHRR 71).

Access to a lawyer

7.18 Everybody should be informed of the right to be assisted by a lawyer upon arrest (UN Basic Principles on the Role of Lawyers, Principle 5).

7.19 Access to a lawyer is fundamental and should not be delayed (UN Basic Principles on the Role of Lawyers, Principle 5; Murray v UK (1996) 22 EHRR 29).

7.20 Communications between a suspect and his/her lawyer should be confidential (S v Switzerland (1991) 14 EHRR 667) and inadmissible as evidence unless they are concerned with a continuing or contemplated crime (UN Body of Principles, Principle 18(5)).

7.21 The right of access to a lawyer must be effective.

7.22 However, there is no right to access to a lawyer before a roadside breath test is administered (Campbell v DPP (2002) EWCA 1314); and access to a lawyer can be delayed where there is a proper basis for believing that there is a risk that such access will frustrate the arrest of other suspects (Brennan v UK (2002) 34 EHRR 18).

Questioning

7.23 No suspects while being interrogated should be subject to violence, threats or methods of interrogation which impair his/her capacity of decision or judgement (UN Body of Principles, Principle 21(2)).

7.24 All suspects have the right to remain silent during questioning (ICCPR, Article 14(3)(g); Article 40(2)(b)(iv); *Funke v France* (1993) 16 EHRR 297; *Saunders v UK* (1996) 23 EHRR 313) but adverse inferences can be drawn from silence, so long as they are fair and legitimate (*Murray v UK* (1996) 22 EHRR 29; *Condron v UK* (2000) 31 EHRR 1; *Beckles v UK* (2003) 36 EHRR 13); however, appropriate weight must be given to the explanation given by the defendant for exercising his right to silence (*Beckles v UK*, 8 October 2002, (2003) 36 EHRR 13).

7.25 Any force used during interrogation (e.g. slapping and kicking) is inhuman treatment (*Ribitsch v Austria* (1995) 21 EHRR 573; *Tomasi v France* (1992) 15 EHRR 1).

7.26 The time and place of all interrogations should be recorded (UN HRC General Comment 20; UN Body of Principles, Principle 23(1)).

7.27 Registers should be kept of all those in custody, which should be accessible to relatives and friends (UN HRC General Comment 20).

The right to be brought promptly before a court

7.28 Everyone arrested for a criminal offence has the right to be brought promptly before a court (ICCPR Article 9(3); ECHR Article 5(3); CRC Article 40(2)(b)(iii); UN Body of Principles, Principle 37; *Brogan v UK* (1998) 11 EHRR 117).

7.29 An assessment of 'promptness' has to be made in the light of the object and purpose of this requirement, which is to protect the individual against arbitrary interference by the state; the European Court of Human Rights works to a rule of thumb that ordinarily the period of detention before a person is brought before a court should not be longer than four days (*Tas v Turkey* (2001) 33 EHRR 15).

7.30 The court before which a person is brought must have power to order release (*Ireland v UK* (1978) 2 EHRR 25). Alternatively, a detained person may be brought before an officer authorised by law to exercise judicial power (ECHR Article 5(3)). Such an officer must have some of the attributes of a judge: s/he must be independent, impartial and must consider the facts and have power to order release (*Schiesser v Switzerland* (1979) 2 EHRR 417).

Bail

7.31 The general presumption is that those awaiting trial should not be detained (ICCPR Article 9(3); UN HRC General Comment 8; UN Body of Principles, Principle 39; Tokyo Rules, Rule 6; *Wemhoff v Germany* (1968) 1 EHRR 55).

7.32 Bail may be refused if it is necessary and for a good reason, such as fear of absconding, interference with the course of justice and protection of others, but the reasons must be relevant and sufficient (*Stogmuller v Austria* (1969) 1 EHRR 155; *Neumeister v Austria* (1968) 1 EHRR 91; *Tomasi v France* (1992) 15 EHRR 551; *Van Alphen v Netherlands*, UN HRC Communication No.305/1988, HRC 1990 Report, Annex IX.M).

7.33 Bail may be conditional (*Wemhoff v Germany* (1968) 1 EHRR 55).

7.34 Material relevant to the decision whether to grant bail should in principle be disclosed, but may be edited to protect the identity of informants (*Re Donaldson's Application for Bail* [2003] NI 93).

8. VICTIMS

8.1 Victims should be treated with compassion and respect for their dignity [PSNI Code of Ethics, Article 2.1]. They are entitled to access to the mechanisms of justice and to prompt redress, as provided for by national legislation, for the harm that they have suffered (Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, Article 4).

8.2 Police officers should provide the necessary support, assistance and information to victims without discrimination (European Code of Ethics, Article 52).

8.3 Certain victims, including children and other vulnerable individuals are entitled to special protection (*Stubbings v UK* (1996) 23 EHRR 213).

8.4 Victims should be informed of the timing and progress of the investigation of their cases and subsequent proceedings [PSNI Code of Ethics, Article 2.1] (Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, Article 6).

9. DETENTION

Basic Provisions

9.1 Torture, inhuman and degrading treatment is prohibited absolutely [PSNI Code of Ethics, Article 1.4] (UDHR Article 5; ICCPR Article 7; CAT Article 2(1); CRC objective observer that the person concerned may have committed the offence (*Fox, Campbell and Hartley v UK* (1990) 13 EHRR 157). (*Kelly v Jamaica* (UN HRC 253/1987; 8 April 1991; A/46/40). Principle 6; UN Code of Conduct, Article 5; *Chahal v UK* (1996) 23 EHRR 413; *Osifelo v R* (1995) 3 LRC 602).

9.2 No justification or excuses, including state of war, threat of war, internal political instability or any other public emergency (such as combating organised terrorism and crime: *Selcuk and Askar v Turkey* (1998) 26 EHRR 477), may be invoked to justify the prohibition on torture, inhuman and degrading treatment (CAT Article 2(2); UN Body of Principles, Principle 6; UN HRC General Comment 20). The victim's conduct is irrelevant (*Chahal v UK* (1996) 23 EHRR 413).

9.3 Where an individual enters custody uninjured and is later found to have injuries, it is incumbent on the detaining authorities to explain how the injuries occurred or risk the drawing of an adverse inference (*Ribitsch v Austria* (1995) 21 EHRR 573; *Russell v Home Office*, 2 March 2001).

Conditions of detention and ill-treatment

9.4 Detained persons should be given the right to a medical examination on admission (UN Body of Principles, Principle 24). The full protection of the health of persons in custody should be ensured and medical attention provided when required [PSNI Code of Ethics, Article 5.3] (UN Code of Conduct, Article 6; UN Standard Minimum Rules for the Treatment of Prisoners, Rule 22).

9.5 Any unnecessary and deliberate force against those in detention is inhuman (*Ribitsch v Austria* (1995) 21 EHRR 573); deliberately striking a defendant and handcuffing him causing real injury is capable of amounting to inhuman treatment (*Egmez v Cyprus* (2002) 34 EHRR 29).

9.6 Very special reasons are needed to justify solitary confinement, restrictions on wearing own clothes and eating own food for those awaiting trial (*Blanchard v Minister of Justice* (2000) 1 LRC 671).

9.7 Instruments of restraint, such as handcuffs, chains, irons and strait-jackets, shall never be applied as a punishment (UN Standard Minimum Rules for the Treatment of Prisoners, Rule 33).

9.8 Allegations of ill-treatment, including all suspected cases of extra-legal, arbitrary and summary executions, must be properly, promptly and impartially investigated (CAT Articles 12 and 13; UN Body of Principles, Principle 7; UN Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions; *Assenov v Bulgaria* (1998) 28 EHRR 652).

9.9 Evidence obtained by ill-treatment must be excluded at trial (CAT Article 15; *Austria v Italy* (1963) 6 Yearbook 740, European Commission on Human Rights).

10. CHILDREN

10.1 In all actions concerning children, the best interests of the child are the primary consideration (CRC Article 3(1)).

10.2 A child must be afforded such protection and care as is necessary for his or her well-being (CRC, Article 3(2); UN Standard Minimum Rules for the Administration of Juvenile Justice ("Beijing Rules") Rule 5).

10.3 Protecting a child's privacy is of paramount importance (ICCPR Article 14(1); CRC Article 40(2); Beijing Rules, Rules 8 and 21). In principle, no information that may lead to the

identification of a juvenile offender should be published (Beijing Rules, Rule 8.2). Records of juvenile offenders should be kept strictly confidential and closed to third parties (Beijing Rules, Rule 21.1).

10.4 Arrest, detention or imprisonment of a child should be used only as a measure of last resort and for the shortest appropriate period of time (CRC Article 37(b); Beijing Rules, Rule 13.1; UN Rules for the Protection of Juveniles Deprived of their Liberty, Rules 1 and 2).

10.5 Detention pending trial should be limited to exceptional circumstances and whenever possible be avoided and replaced by alternative measures such as close supervision (Beijing Rules, Rule 13.2; UN Rules for the Protection of Juveniles Deprived of their Liberty, Rule 17).

10.6 While in custody, children should receive care, protection and all necessary individual assistance (social, educational, vocational, psychological, medical and physical) that they require in view of their age, sex and personality (Beijing Rules, Rule 13.5; UN Rules for the Protection of Juveniles Deprived of their Liberty, Rule 28).

10.7 A child's parents or guardian should be immediately notified of the apprehension of their child and a judge or other competent official or body should without delay consider the issue of release (Beijing Rules, Rule 10).

10.8 Police officers who frequently or exclusively deal with juveniles or who are primarily engaged in the prevention of juvenile crime should be specially instructed and trained (Beijing Rules, Rule 12.1).

10.9 Adaptations to the criminal justice system are needed where children are on trial (T and V v UK (1999) 30 EHRR 121). Basic procedural safeguards should be guaranteed at all stages of any criminal proceedings (Beijing Rules, Rule 7.1).

10.10 The procedure should take account of the child's age and the need to promote their rehabilitation (ICCPR Article 14(4)).

10.11 A child capable of forming his/her own views should have the opportunity to be heard and express those views freely in any judicial, administrative or other matter affecting him/her, either directly or through a representative or other appropriate body. The child's views should be given due weight in accordance with the age and maturity of the child (CRC, Article 12).







Appendix 7

Programme of Action - summary of recommendations

CAJ recommends that the Policing Board keep under review the composition of District Policing Partnerships and make proposals for legislative and procedural changes as and when necessary to ensure that the bodies are broadly representative of the local community. CAJ welcomes current proposals to amend the policing legislation in line with Patten - to allow independent members to serve as vice-chairs of DPPs.

CAJ recommends that the Northern Ireland Policing Board ensure that a training audit to identify the generic and specialised training needs of DPP members and staff be consulted upon and developed, with a view to putting in place a detailed training programme for all DPP members as soon as possible.

CAJ recommends that the Board implement the suggestions for increased support of the DPPs that members voiced at CAJ's conference, including:

-  **Increasing public awareness of the DPPs, the fact that they are independent of the police and the Policing Board;**
-  **Holding regular meetings with DPP members in order to discuss issues of concern, discuss best practice, identify training needs and share information;**
-  **Providing guidance to the DPPs on their roles, duties, powers and the relationship between DPPs and other policing institutions, including the Community Safety Partnerships;**
-  **Giving unequivocal guidance when serious problems arise which need to be handled consistently across all of the DPPs;**
-  **Consulting and sharing information with the DPPs regarding policing in general, policing in Northern Ireland, and the activities and decisions of the Policing Board; and**
-  **Facilitate meetings of DPP members and managers in order to discuss issues of concern to the DPPs and how the different DPPs are handling them.**

CAJ proposes that the DPP review group should study this Programme of Action, since it distils the concerns of a number of DPP members, and the review should engage fully with DPP members to determine additional measures to be taken to strengthen the oversight of policing at the local level provided by DPPs.

CAJ recommends that the Policing Board assist the DPPs to create a network which allows interested DPP members to get together to discuss issues and strategies which will assist them in becoming more productive members of the DPP.

CAJ recommends that the Policing Board maintain a 'watching brief' on the internal relationships in DPPs so as to assist the effective cooperation of political and independent members as envisaged by Patten.

CAJ recommends that the training audit to be prepared by the Policing Board of DPP needs should in particular address the needs of DPP members to improve meeting practice, heighten their capacity to pose searching questions, and thereby hold the police effectively to account.

CAJ recommends that the Policing Board and/or the DPP network that it is suggested be created consider how the police can be assisted to work more collaboratively with the DPPs.

CAJ recommends that DPPs review their working relations with the public and ensure that their meetings, outreach efforts, communications strategy, and all their activities are aimed at securing a "constant dialogue at local levels between the police and the community".³¹ Good practice in this regard should be routinely and actively disseminated around DPPs.

CAJ recommends that the appropriate authorities revisit the issue of two distinct local structures relating to policing and community safety. If it is determined to retain two entities, there must be clear protocols to ensure cooperation and sufficient communication. CAJ further recommends that such a protocol, once finalised, be communicated to all DPP members and monitored by the Policing Board.

CAJ recommends that DPPs study closely the Policing Board's Monitoring Framework and determine how their work at local level can assist the PSNI to comply with these human rights standards.

CAJ recommends that the Policing Board provide specific guidance as to how DPPs can feed in local information, insights and experience to assist the Board in monitoring overall PSNI compliance with the Human Rights Act.

Appendix 8

Brief Synopsis of CAJ's Policing Work 1981 - 2004

The Committee on the Administration of Justice has been working on policing in Northern Ireland since its inception in 1981. The following is a brief synopsis of CAJ's work on policing and human rights:

- 1981 CAJ founded after conference at Queens on civil liberties.
- 1982 Publication "Complaints Against the Police" - police complaints' systems became a routine topic of concern with subsequent publications in 1983, 1990, 1991, 1993, advocating an independent complaints system. This culminated in active work pre-and post the Hayes report setting up a Police Ombudsman.
- 1985 Publication "Consultation between the police and the public".
- 1988 Publication "Police Accountability in NI." This topic was also regularly revisited with work on lay visiting to police stations (1990) and responses to various consultation documents (1994 NIO document on "Policing in the Community", submissions to the Police Authority in 1995, and legislative proposals in 1995 and 1998).
- 1990 Publication on "Plastic Bullets and the Law" (which updated an earlier 1985 report, and was then complemented by a 1998 report).
- 1996 Publication entitled "Misrule of Law" on the policing of public order disturbances in 1996. Subsequent publications and shorter submissions were produced in 1997, 1998 and 2001, as well as a number of documents relevant to the Parades Commission.

PATTEN COMMISSION

- 1997 Major report "Human Rights on Duty: Principles for better policing - international lessons for Northern Ireland".
- 1998 Submission to Patten; organised Council of Europe visit to Belfast; facilitated follow up visit by Patten team to Strasbourg.
- 1999 CAJ holds pre-Patten report conference (February) and produces conference proceedings; submission to US Congress (April); CAJ holds post-Patten report conference (November) and produces conference proceedings; Commentary to NIO on Patten report (November).

- 2000 Extensive lobbying around Police (NI) Act
- 2001 Organised Council of Europe seminar for Oversight Commissioner team; produced Benchmarks for Oversight Commissioner (April); spoke on panel at Policing and Human Rights conference (October); commented on draft police Code of Ethics (November).
- 2002 Produced the following documents:
 "Commentary on the Code of Practice on the Functions and Responsibilities of District Policing Partnerships" (May);
 "Submission to the Review of the Parades Commission" (May);
 "Commentary on the NIO Code of Practice on Reports and Inquiries under Sections 59 and 60" (June); and Comments and Suggested Amendments to the Police (NI) Bill (December). In addition, met and corresponded with the Police Ombudsman and the Independent Assessor of Military Complaints on plastic bullets and commented on several PSNI draft policy documents.
- 2003 Lobbied extensively around the Police Act 2003; responded to the Quigley Review on parading (January); addressed the PSNI's conference on policing and young people; commented on research programme into public order weaponry (March); commented on the Policing Board's Human Rights Monitoring Framework; and published a 50-page commentary assessing the work of the Policing Board (November).
- 2004 Conference organised to discuss work of District Policing Partnerships (June); commented on work around plastic bullets, CS spray, and water cannon guidance

Appendix 9

CAJ's Publications list

- No. 1 **The Administration of Justice in Northern Ireland:** the proceedings of a conference held in Belfast on June 13th, 1981 (no longer in print)
- No. 2 **Emergency Laws in Northern Ireland:** a conference report, 1982 (no longer in print)
- No. 3 **Complaints Against the Police in Northern Ireland,** 1982 (price £2.50)
- No. 4 **Procedures for Handling Complaints Against the Police,** 1983 (updated by pamphlet No.16)
- No. 5 **Emergency Laws: suggestions for reform in Northern Ireland,** 1983 (£1.50)
- No. 6 **Consultation between the Police and the Public,** 1985 (price £3.00)
- No. 7 **Ways of Protecting Minority Rights in Northern Ireland,** 1985 (price £4.00)
- No. 8 **Plastic Bullets and the Law,** 1985 (updated by pamphlet No. 15) (see also Plastic Bullets briefing No. 40)
- No. 9 **“The Blessings of Liberty”:** An American Perspective on a Bill of Rights for Northern Ireland, 1986 (price £2.50)
- No. 10 **The Stalker Affair: More questions than answers,** 1988 (price £3.00)
- No. 11 **Police Accountability in Northern Ireland,** 1988 (price £2.00)
- No. 12 **Life Sentence and SOSP Prisoners in Northern Ireland,** 1989 (price £1.50)
- No. 13 **Debt - An Emergency Situation?** A history of the Payments for Debt Act in Northern Ireland and its effects on public employees and people on state benefits, 1989 (price £2.00)
- No. 14 **Lay Visitors to Police Stations in Northern Ireland,** 1990 (price £2.00)
- No. 15 **Plastic Bullets and the Law,** 1990 (price £2.00)
- No. 16 **Cause for Complaint:** The system for dealing with complaints against the police in Northern Ireland, 1990 (price £2.00)
- No. 17 **Making Rights Count.** Includes a proposed Bill of Rights for Northern Ireland, 1990 (price £3.00)
- No. 18 **Inquests and Disputed Killings in Northern Ireland,** 1992 (price £3.50)
- No. 19 **The Casement Trials:** A Case Study on the Right to a Fair Trial in Northern Ireland, 1992 (price £3.00)
- No. 20 **Racism in Northern Ireland:** The need for legislation to combat racial discrimination in Northern Ireland, the proceedings of a CAJ conference held on 30th November 1992, (price £3.00)
- No. 21 **A Bill of Rights for Northern Ireland,** 1993 (price £2.00)
- No. 22 **Staid agus Stadas Gaeilge i dTuaisceart na hEireann - The Irish Language in Northern Ireland:** The UK Government's approach to the Irish Language in light of the European Charter for Regional or Minority Languages, 1993 (price £3.50)
- No. 23 **A Fresh look at Complaints against the Police,** 1993 (price £3.50)
- No. 24 **Adding Insult to Injury?** Allegations of Harassment and the use of Lethal Force by the Security Forces in Northern Ireland, 1994 (price £3.50)
- No. 25 **The States We are In: Civil Rights in Ireland, North and South -** proceedings of a conference held in Dublin by the Irish Council of Civil Liberties and the CAJ, 1993 (price £3.50)
- No. 26 **Civil Liberties in Northern Ireland: The CAJ Handbook** (2nd edition), June 1993 (price £6.00)
- No. 27 **“Harassment: It's part of life here...”** Survey of young people's attitudes to and experience of harassment by the security forces, December 1994 (price £5.00)
- No. 28 **No Emergency, No Emergency Law: Emergency Legislation related to Northern Ireland the case for repeal,** March 1995 (price £4.00)
- No. 29 **Right to Silence debate,** the Northern Ireland Experience (May 1994) (price £3.00)
- No. 30 **Human Rights: The Agenda for Change - Human Rights, the Northern Ireland Conflict and The Peace Process** (includes proceedings of a conference held in Belfast on 11th & 12th March 1995), December 1995 (price £3.50)
- No. 31 **Fair Employment For All:** Submission to the Standing Advisory Commission on Human Rights on Fair Employment, February 1996 (price £4.00)
- No. 32 **The Misrule of Law:** A report on the policing of events during the Summer of 1996 in Northern Ireland, October 1996 (price £5.00)

- No. 33 **Mainstreaming Fairness? : A discussion paper by Dr.Christopher McCrudden, on “Policy Appraisal and Fair Treatment”**, November 1996 (Price £3.00)
- No. 34 **Mainstreaming Fairness, “Policy Appraisal and Fair Treatment”, A summary of a consultation process around “Policy Appraisal & Fair Treatment”**, June 1997 (Price £2.00)
- No. 35 **Making a Bill of Rights Stick: Options for Implementation in Northern Ireland**, A Discussion Paper published by the Committee on the Administration of Justice, September 1997 (Price £2.00)
- No. 36 **Policing the Police : A Report on the Policing of Events During the Summer of 1997 in Northern Ireland**, November 1997 (Price £2.00)
- No. 37 **Human Rights on Duty: Principles for better policing - International lessons for Northern Ireland**. December 1997 (Price £6.00)
- No. 38 **Civil Liberties in Northern Ireland: The CAJ Handbook (3rd edition)**, December 1997 (Price £7.00)
- No. 39 **Benchmarks for Change: A Proposal by Dr. Christopher McCrudden on Mainstreaming Fairness in the Governance of Northern Ireland** , February 1998 (Price £2.00)
- No. 40 **Plastic bullets briefing paper**, June 1998 (Price £3.00)
- No. 41 **A Guide to Prisoners’ Rights and Prison Law in Northern Ireland**, September 1998 (Price £5.00)
- No. 42 **The Agreement and a new beginning to policing in Northern Ireland** (Proceedings of a conference held in February 1999, this report also includes Human Rights Benchmarks for policing change, June 1999 (Price £5.00)
- No. 43 **Fundamental Social Rights in Northern Ireland: Building upon the Agreement and the European Social Charter**, October 1999. Proceedings of a conference jointly hosted by CAJ and the Council of Europe, held in June 1999 (Price £5.00)
- No. 44 **The Patten Commission: The way forward for policing in Northern Ireland?** Proceedings of a conference on the findings of the Patten Commission held in October 1999 (Price £5.00)
- No. 45 **Dignity, Equality & Inalienable Rights:** Lecture in Belfast, November 2001 by Archbishop Desmond Tutu, July 2002 (Price £3.00)
- No. 46 **A Bill of Rights for Northern Ireland Through the years – the views of the political parties**, July 2003 (Price £3.50)
- No. 47 **Civil Liberties in Northern Ireland: *The CAJ Handbook*, 4th ed., November 2003 (Price £9.50)**
- No. 48 **Commentary on the Northern Ireland Policing Board**, November 2003 (Price £5.00)
- No. 49 **Commentary on District Policing Partnerships - including “Police in the Community”** conference proceedings, April 2005 (Price £5.00)

Submissions

- S1 **Submission to the UN Human Rights Committee “Human Rights in Northern Ireland”**, 1991 (price £1.00)
- S2 **Submission to the United Nations Committee Against Torture**, November 1991 (price £1.50)
- S3 **Submission to the Royal Commission on Criminal Justice**, November 1991 (price £1.00)
- S4 **Submission to United Nations Sub-Commission on the Prevention of Discrimination and the Protection of Minorities**, August 1992 (price £1.00)
- S5 **Submission to United Nations Sub-Commission on the Prevention of Discrimination and the Protection of Minorities**, August 1993 (price £1.00)
- S6 **Submission to United Nations Sub-Commission on the Prevention of Discrimination and the Protection of Minorities**, August 1994 (price £1.00)
- S7 **Submission to Initiative ‘92**, January 1993 (price £1.00)
- S8 **Allegations of Psychological Ill-treatment of Detainees held under Emergency Legislation in Northern Ireland**, February 1993 (price £2.00)
- S9 **Combating Racism in NI - Submission to the Central Community Relations Unit**, March 1993 (price £3.00)
- S10 **Submission to the United Nations Committee on the Elimination of Racial Discrimination**, August 1993 (price £2.00)

- S11 **Combating Racist Harassment in Northern Ireland:** A joint submission by the Chinese Welfare Association, CAJ and the Northern Ireland Council for Travelling People to the Home Affairs Committee Inquiry into Racial Attacks and Harassment, June 1993 (price £3.00)
- S12 **Response to the Draft Children (Northern Ireland) Order 1993,** December 1993 (price £1.00)
- S13 **Submission to President Clinton “Civil Liberties in Northern Ireland”,** 1993 (price £1.00)
- S14 **Submission to President Clinton “Civil Liberties in Northern Ireland”,** 1994 (price £1.00)
- S15 **Response to the NIO Consultation Document “Policing in the Community”,** May 1994 (Price £1.00)
- S16 **Response to the Draft Prison and Young Offender Centre Rules (Northern Ireland) 1994,** June 1994 (price £2.00)
- S17 **Comments on the Proposal for Draft Local Government (Miscellaneous Provisions) (NI) Order** (Irish Language Street Signs), June 1994 (price £1.00)
- S18 **Submission to the United Nations Committee on the Rights of the Child,** August 1994 (price £3.00)
- S19 **Comments on the Criminal Cases Review Authority** August 1994 (price £1.50)
- S20 **A Major Miscarriage of Justice: The Casement Trials,** September 1994 (free leaflet)
- S21 **Selected Examples of Foreign Experience in the investigation of complaints against police personnel,** March 1991 (price £1.00)
- S22 **Submission to United Nations Commission on Human Rights,** 1993 (price £1.00)
- S23 **Submission on the killings of Pearse Jordan, Gerard Maginn & Patrick Finucane, to the UN Special Rapporteur,** 1993 (price £2.50)
- S24 **Submission to United Nations Commission on Human Rights,** 1994 (price £1.00)
- S25 **Submission to Joint Oireachtas Foreign Affairs Committee,** 1994 (price £1.00)
- S26 **Submission to the United Nations Committee on Economic, Social and Cultural Rights,** November 1994 (price £1.00)
- S27 **Response to “Learning for Life: the Education Service in NI”,** 1994 (price £1.00)
- S28 **Killings by the Security Forces - an information Pack for Families of Victims,** 1994 (free)
- S29 **Proposal for a Draft Police (Amendment) (N.I.) Order,** 1995 (price £1.00)
- S30 **Submission to the United Nations Human Rights Committee,** June 1995 (price £4.00)
- S31 **Submission to the Police Authority for Northern Ireland (PANI) Consultation on the future of policing in Northern Ireland,** August 1995 (price £2.00)
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