

**NORTHERN IRELAND HUMAN RIGHTS COMMISSION**

**POLICE (NORTHERN IRELAND) BILL  
COMMITTEE STAGE  
STANDING COMMITTEE B**

**Proposed Amendments  
15 June 2000**

**Schedule 3, para. 8(2), page 49**

**Proposed amendment:**

Paragraph (2)(a) and (b), lines 8-15, delete.

**Reason for amendment:**

In its draft Strategic Plan the NIHRC noted that even though former prisoners have, by definition paid their debt to society, by undergoing a period of loss of liberty, they still face considerable difficulties in reintegrating into society once they leave prison. The NIHRC believes that protecting the rights of ex-prisoners can play a useful role in reintegrating ex-prisoners from all sections of the community in Northern Ireland into a new, trusting and pluralistic society.

NIHRC considers that the disqualification on people who have been convicted of offences from becoming independent members of a DPP is a bar to the reintegration of prisoners into society and an impediment in working towards an inclusive society.

**Clause 18 (2), page 9**

**First proposed amendment:**

In line 21, delete “and”

**Second proposed amendment:**

After line 22, insert new sub-paragraphs (c), (d) and (e) as follows:

- (c) the Northern Ireland Human Rights Commission;
- (d) the Equality Commission for Northern Ireland; and
- (e) any other body the Board deems appropriate.

**Reason for proposed amendment:**

To reflect the emphasis in Patten on human rights and equality, the code of practice for District Policing Partnerships should include recommendations to DPPs on how best to ensure that their policy and practice is inclusive and in accordance with human rights standards and norms. The Northern Ireland Human Rights Commission and the Equality

Commission for Northern Ireland are the bodies best placed to deliver advice on this issue.

**Clause 22 (1), page 11**

**First proposed amendment:**

In line 3, delete “may” and insert “shall”

**Second proposed amendment:**

In line 4, after “revise”, insert “long term”.

**Reason for the proposed amendments:**

The Patten report made clear the need to clarify the respective roles of the Policing Board, the Secretary of State and the Chief Constable (Patten para 6.4). Accordingly, the report recommended that the Secretary of State should be able to set “long-term governmental objectives or principles” (Patten para 6.4). The NIHRC believes that this recommendation should be reflected in the legislation.

**Clause 25 (2), page 12**

**First proposed amendment:**

In line 7, delete “and”.

**Second proposed amendment:**

After line 8 , insert new sub-paragraphs (c) and (d):  
(c) the Northern Ireland Human Rights Commission; and  
(d) the Equality Commission for Northern Ireland.

**Reason for the proposed amendments:**

To reflect the emphasis in Patten on human rights and equality, codes of practice for the discharge of Policing Board functions should include recommendations on how best to ensure that the Board’s policy and practice are inclusive and in accordance with human rights standards. The Northern Ireland Human Rights Commission and the Equality Commission for Northern Ireland are the bodies best placed to deliver advice on these issues.

**Clause 30(1) page 15**

**Proposed amendment:**

After line 21, insert a new sub-paragraph (a) and renumber the following sub-paragraphs as appropriate:

(a) “to protect the human rights of all in accordance with international human rights standards.”

**Reason for the amendment:**

The Patten report stated that “the fundamental purpose of policing should be, in the words of the Agreement, the protection and vindication of the human rights of all” (para. 4.1). It is the view of the NIHRC that this role should be expressly reflected in the legislation under the general functions of policing.

**Clause 36, page 17**

**First proposed amendment:**

In line 39, after “individuals” insert “and their traditions and beliefs consistent with a free and democratic society governed by the rule of law”

**Second proposed amendment:**

After line 41, insert a new sub-section (2):

“(2) Every member of the police service already attested as a constable shall make the declaration in subsection 1.”

**Reason for the amendments:**

These amendments more accurately reflect the recommendations of the Patten report, of which the Commission approve.

**Clause 48, page 25**

**First proposed amendment:**

In line 13, delete “and”.

**Second proposed amendment:**

After line 13 insert a new sub-paragraph (d) and renumber the following paragraph:

“(d) the Northern Ireland Human Rights Commission; and”

**Reason for the amendments:**

The Northern Ireland Human Rights Commission is well placed to advise the Chief Constable on what should be contained in the proposed code of ethics and he or she should therefore be mandated to consult the Commission.

**Clause 49, page 25**

**First proposed amendment:**

In line 24, delete “and”.

**Second proposed amendment:**

In line 25, after “Association”, insert “and”.

**Third proposed amendment:**

After line 25, insert a new sub-paragraph (d):

“(d) the Northern Ireland Human Rights Commission;

**Reason for the amendments:**

The Northern Ireland Human Rights Commission is well placed to advise the Secretary of State on what should be contained in the proposed guidance and he or she should therefore be mandated to consult the Commission.

**Clause 50, page 26**

**First proposed amendment:**

In line 1, delete “and”.

**Second proposed amendment:**

In line 2, after “Association” insert “and”.

**Third proposed amendment:**

After line 2, add a new sub-paragraph (d):

“(d) the Equality Commission for Northern Ireland.”

**Reason for the amendments:**

The Equality Commission for Northern Ireland is well placed to advise the Secretary of State on what should be contained in the proposed regulations and he or she should therefore be mandated to consult the Commission.