

Presentation on Report to Council

“That following a number of incidents involving violence and human rights violations against women, DCSDC will write to the Northern Ireland Human Rights Commission and the Committee on the Administration of Justice, asking them to conduct an immediate investigation into recent complaints of inappropriate policing tactics used against women and vulnerable children in Creggan. “

Council Motion 25 March 2021

CAJ and policing standards

- CAJ is independent non-governmental organisation (NGO);
- Assessed how matters as described by elected representatives comply or conflict with human rights standards, including:
 - European Convention on Human Rights (ECHR)
 - UN Code of Conduct for Law Enforcement Officials
 - European Police Code of Ethics
 - PSNI Code of Ethics

Issue 1: That the police deployment for the search operation was disproportionate.

- The key human rights principles: deployment should only consist of be what is proportionate and necessary to undertake the search in its particular context
- PSNI Code of Ethics: 3.2 Police officers shall exercise powers of search and surveillance only when it is lawful, necessary and proportionate to do so.

Issue 2: The use of force by officers was disproportionate.

- Complaints a child was assaulted, woman pinned to ground by three male officers, an arrested man being hooded, bystanders *“pushed and accosted with one being seriously assaulted”* and *“attacked by batons with one person receiving a serious head injury.”*
- Principles: officers *“may use force only when strictly necessary and to the extent required for the performance of their duty”*, particular consideration regarding children and non-discrimination.
- PSNI Code of Ethics Article 4.1 : *“Police officers, in carrying out their duties, shall as far as possible apply non-violent methods before resorting to any use of force. Any use of force shall be the minimum...”*



Issue 3: Officer conduct was unprofessional and inappropriate.

- Complaints of officers being “quite aggressive”, taunting and being abusive to residents, flaunting weapons etc.
- Council of Europe Code of Police Ethics provides that *“Police personnel shall act with integrity and respect towards the public”*
- PSNI Code of Ethics: *“Police officers shall act with fairness, self-control, tolerance and impartiality when carrying out their duties. They shall use appropriate language and behaviour in their dealings with members of the public, groups from within the public and their colleagues...They shall avoid all forms of behaviour that may reasonably be perceived to be abuse, harassment...”*

