

ORIGINATOR: CHIEF EXECUTIVE

DECISION NO. 19-2013

REASON FOR SUBMISSION: FOR DECISION

SUBMITTED TO: POLICE AND CRIME COMMISSIONER

SUBJECT: HUMAN RIGHTS POLICY

SUMMARY:

1. From March 2008, a new duty was imposed on police authorities under the Police and Justice Act 2006 to monitor the performance of their police forces in complying with the duties imposed on forces by the Human Rights Act 1998 (HRA).
2. As a consequence of the abolition of police authorities, the monitoring duty has transferred to police and crime commissioners.
3. In September 2009, the former Police Authority adopted a Human Rights Policy and Action Plan against which to monitor the Force's performance on human rights compliance.
4. The Authority's Policy has been reviewed and, subject to changes in nomenclature, general updating and the need to reflect the Accountability and Engagement Framework adopted by the Commissioner, remains relevant to the human rights monitoring duty of the Police and Crime Commissioner.

RECOMMENDATION:

It is recommended that the Police and Crime Commissioner adopts the Human Rights Policy at Appendix A.

APPROVAL BY: PCC

The recommendation set out is approved.

Signature

Tin Passmore

Date 18/03/2013

DETAIL OF THE SUBMISSION

1. INTRODUCTION

- 1.1 The Police Authorities (Particular Functions and Transitional Provisions) Order 2008 made under the Police and Justice Act 2006 provides that:

"a police authority shall monitor the performance of the police force maintained for its area in complying with the duties imposed on that force by the Human Rights Act 1998".

- 1.2 The monitoring duty came into effect on 14 March 2008.
- 1.3 Under the Police Reform and Social Responsibility Act 2011, police authorities were abolished and replaced by police and crime commissioners with effect from 22 November 2012. The above monitoring duty on police authorities has transferred to police and crime commissioners. This paper proposes a Human Rights Policy for adoption by the Police and Crime Commissioner (PCC).
- 1.4 In line with recommendations in guidance issued by the Association of Police Authorities (APA), the former Police Authority in September 2009 adopted a Human Rights Policy and Action Plan against which to monitor the Force's performance on human rights compliance. The policy has been updated as necessary in subsequent years.
- 1.5 The Authority's Policy has been reviewed and, subject to amendments to reflect the change from Police Authority to PCC and the Accountability and Engagement Framework adopted by the PCC, remains relevant to the PCC's human rights monitoring duty.
- 1.6 The Human Rights Policy at Appendix A, which has been the subject of consultation with the Chief Constable and the Independent Advisory Group (IAG), is recommended for adoption by the PCC.

2. FINANCIAL IMPLICATIONS:


- 2.1 There are no direct financial implications arising from this paper.

3. OTHER IMPLICATIONS AND RISKS:

- 3.1 There are no relevant other implications and risks.

ORIGINATOR CHECKLIST (MUST BE COMPLETED)	PLEASE STATE 'YES' OR 'NO'
Has legal advice been sought on this submission?	No – the originator is the Solicitor and Monitoring Officer.
Has the PCC's Chief Finance Officer been consulted?	Not applicable.
Have equality, diversity and human rights implications been considered including equality analysis, as appropriate?	Yes.
Have human resource implications been considered?	Yes, there are no such direct implications arising from this paper.
Is the recommendation consistent with the objectives in the Police and Crime Plan?	Not applicable.
Has consultation been undertaken with people or agencies likely to be affected by the recommendation?	Yes.
Has communications advice been sought on areas of likely media interest and how they might be managed?	No.
In relation to the above, have all relevant issues been highlighted in the 'other implications and risks' section of the submission?	Yes.

APPROVAL TO SUBMIT TO THE DECISION-MAKER (this approval is required only for submissions to the PCC).

Chief Executive	
I am satisfied that relevant advice has been taken into account in the preparation of the report and that this is an appropriate request to be submitted to the PCC.	
Signature: 	Date <i>4 March 2013</i>

