

Policing and Human Rights

myths, challenges, and realities

Thursday 24 May 2007

Jolly Hotel St Ermin's, 2 Caxton Street, London SW1

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A one-day conference organised by JUSTICE and Sweet & Maxwell

An up-to-the-minute assessment of the impact of the Human Rights Act on policing

- Latest legislation and case law
- New police powers
- Policing public protests
- Fatal incidents
- Data and disclosure
- Anti-social behaviour and community policing
- Counter-terrorism
- Police perspectives on Human Rights Act

Keynote Speaker:

*Ken Jones, President, Association
of Chief Police Officers*

Speakers:

Jason Beer, 5 Essex Court Chambers

*Professor Ed Cape, University of the
West of England*

Michael Fordham QC, Blackstone Chambers

*Tarique Ghaffur, Assistant Commissioner,
Metropolitan Police*

Richard Hermer, Doughty Street Chambers

Rajiv Menon, Garden Court Chambers

Fiona Murphy, Bhatt Murphy Solicitors

Tim Owen QC, Matrix

Richard Perks, 5 Essex Court Chambers

Maya Sikand, Garden Court Chambers

*Dr Jennifer Tooze, Home Office Legal
Adviser's branch*

*John Wadham, Independent Police
Complaints Commission*



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Policing and Human Rights

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... the fundamental purpose of policing should be... the protection and vindication of the human rights of all... 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.

The Report of the Independent Commission on Policing for Northern Ireland, 1999

The whole concept of "human rights" in Britain has become a travesty under which the interests of killers, rapists and paedophiles are placed above those of their victims.

The Sun, 12 May 2006

Why you should attend this conference

Perhaps more than any other public authority, police and law enforcement agencies are at the forefront of the development of a human rights culture in the United Kingdom. Protection against serious crime is an essential part of the safeguarding of fundamental rights to life, liberty and property. However, as new police powers are created, new technology is developed and new threats to public safety emerge, how can the police ensure that they do not infringe the very rights they seek to uphold?

The Human Rights Act 1998 has permeated the culture of policing – to the extent that the PACE Code of Practice on arrest now expressly refers to the importance of the right to liberty. But the rights themselves are broadly drafted, and myths have arisen surrounding the Act's requirements and its effects on efficient crime-fighting.

Policing and Human Rights: myths, challenges and realities

seeks to sweep away the myths and highlight the realities of policing in the human rights age. Bringing together leading experts from varied perspectives, this conference will:

- Examine the realities of policy and practice in a number of key areas – from terrorism to anti-social behaviour
- Analyse the impact of recent developments in legislation and case-law
- Discuss the implications of possible new proposals

Specialist interactive breakout sessions will concentrate on the topics of particular current interest:

- Fatal incidents
- Policing protests
- Data and disclosure
- Community policing and anti-social behaviour

Key issues will include:

- How does the Human Rights Act affect the exercise of new police powers?
- What duties does Article 2 of the European Convention on Human Rights place on the police in relation to fatal incidents?
- What personal information can the police disclose?
- When can the police interfere with the democratic right of public protest?
- Anti-social behaviour initiatives – creating safer neighbourhoods or criminalising childhood?

Who should attend

- Lawyers working in the following areas:
 - Criminal law
 - Public law
 - Actions against the police
 - Human rights
- Police forces
 - Legal departments
 - Policy-makers
 - Press departments
- Police authorities
- Government departments
 - Home Office
 - Department for Constitutional Affairs
 - Treasury Solicitors
 - Department of Communities and Local Government
- Local authorities
 - Legal departments
 - Anti-social behaviour units
- Academics
- NGOs

Your chance to clarify the realities of policy, practice, legislation and case law

For further enquiries: Call (020) 7393 7859 Email: conferences@sweetandma

ts myths, challenges and realities

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Programme

- 9:00 Registration with Coffee**
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- 9:30 Morning plenary session:
Policing and Human Rights – dispelling the myths
Welcome from the chair –**
Roger Smith, Director, JUSTICE
- Introduction to the conference
 - The relationship between policing and human rights from policing and legal perspectives
 - Recent major developments
 - Myths that have arisen around the Human Rights Act
-
- 09:35 Keynote speech**
Ken Jones, President, Association of Chief Police Officers
-
- 10:05 Plenary speech**
Tim Owen QC, Matrix
-
- 10:35 Questions and discussion**
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- 11:00 Coffee break**
-
- 11:20 Morning break out sessions**
(choose one from the following two)
-
- 1. Fatal incidents**
John Wadham, Independent Police Complaints Commission
Richard Hermer, Doughty Street Chambers
Chair: *Rachel Brailsford, JUSTICE*
- Fatal incidents involving the police – duties on police forces under the Human Rights Act in relation to preventative and investigative measures
 - The effect of the incorporation of Article 2 (right to life) of the European Convention on Human Rights
 - Recent developments in relation to:
 - deaths in custody
 - fatal shootings
-
- 2. Policing protests**
Michael Fordham QC, Blackstone Chambers
Rajiv Menon, Garden Court Chambers
Chair: *Sally Ireland, JUSTICE*
- Freedom of expression and of assembly – scope of guarantees under the Human Rights Act 1998
 - Recent substantial legislative restrictions on the exercise of the right to protest
 - The courts' interpretation of the common law and statutory police powers
 - Impact of cases including *Laporte* and *Gillan*
-
- 12:45 Lunch**
-
- 13:45 Afternoon breakout sessions**
(choose one from the following two)
-
- 3. Data and disclosure**
Jason Beer, 5 Essex Court Chambers
Second speaker to be confirmed
Chair: *Eric Metcalfe, JUSTICE*
- Impact of the Human Rights Act on the retention and disclosure of personal data by police forces
 - Retention and the Data Protection Act 1998
 - Disclosure of criminal records and intelligence data to other agencies
-
- 4. Community policing and anti-social behaviour**
Maya Sikand, Garden Court Chambers
Dr Jennifer Tooze, Home Office Legal Adviser's branch
Chair: *Emma Douglas, JUSTICE*
- Extension of summary powers and the use of civil orders to control criminal and anti-social behaviour
 - The relationship between Human Rights Act obligations and 'simply, speedy, summary' justice
 - How can anti-social behaviour powers be used proportionately?
 - How can the Human Rights Act inform the work of the police in securing good community relations?
-
- 15:15 Tea**
-
- 15:30 Afternoon plenary session:
The reality of policing under the Human Rights Act 1998**
Fiona Murphy, Bhatt Murphy Solicitors
Richard Perks, 5 Essex Court Chambers
Tarique Ghaffur, Assistant Commissioner, Metropolitan Police
Professor *Ed Cape, University of the West of England*
Chair: *Jessica Simor, Matrix*
- Impact of the Human Rights Act on:
 - police powers, including the questioning of suspects
 - accountability for human rights infringements
 - Analysis of recent case-law from the police lawyer's perspective
 - What are the implications for policing present and future?
-
- 16:50 Chair's closing remarks**
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- 17:00 Close of conference**

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conference will constitute late cancellation and payment will still be due or forfeit if already paid.

We reserve the right to change the programme, date, content, price, speakers and venue as necessary; or cancel the conference totally in which case we will refund any payment made in respect of the cancelled conference.

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Substitute delegates can be accepted at any time, without charge. Please telephone the Conference Administrator on 020 7393 7859 to let us know the name of the substitute.

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