

# LIBERTY

## POLICING AND HUMAN RIGHTS

### SUMMARY OF SUBSTANTIVE POLICY DISCUSSIONS AT LIBERTY COUNCIL MEETING

#### NOVEMBER 2019

The paper laid out eight key principles on policing and human rights to inform Liberty's decision making in response to emerging technologies and powers:

1. Does it engage human rights?
  1. Is it lawful?
  2. Does it advance a legitimate aim?
    1. Is it effective?
    2. Is it proportionate?
  3. What is the equality impact?
    1. Has there been sufficient stakeholder consultation and engagement? Has the participation been meaningful? Has it been taken into account?
    2. Historical analysis

Council was asked if they endorse the proposed guiding principles

An example followed on serious youth violence. The Council was asked to consider:

1. The human rights impacts of serious youth violence and the responses designed to address it;
2. The efficacy of criminal justice measures as a response to serious youth violence; and
3. The viability of alternative approaches, including a public health approach.

#### POSITION REACHED

Council endorsed the principles, with caveats around stakeholder engagement, efficacy and the precautionary principle. It was decided that Liberty will look at working in something around trial periods and evaluation, and real-time independent oversight and accountability.

On serious youth violence, Council warned that there are risks with a public health approach, it is vaguely defined, imposes significant obligations on under-resourced public agencies and could slide into a police-led process like Prevent.

It was noted that the theory of a multi-agency approach is a great, but in practice lack of resource will stop it from working. For a public health approach to work, it must be properly resourced.

Members further recommended Liberty consider the rights of the child, austerity, the disproportionate impact of this issue on people of colour and migrants, and the fact that education is devolved, whereas policing is not.