

NORTHERN IRELAND POLICING BOARD

MINUTES OF A MEETING OF THE NORTHERN IRELAND POLICING BOARD HELD ON THURSDAY, 5 MARCH 2009 AT 9:30AM IN WATERSIDE TOWER, BELFAST

PRESENT:

MEMBERS:

Professor Sir Desmond Rea (Chairman)

Mr Barry Gilligan (Vice Chairman)

(1) Ms Martina Anderson

(2) Mr Tom Buchanan

(3) Mr Leslie Cree

Mrs Dolores Kelly

(4) Mr Alex Maskey

(5) Mr Basil McCrea

(6) Mr Daithí McKay

(7) Ms Mary McKee

(8) Mrs Rosaleen Moore

Mr Ian Paisley Jnr

Mr Brian Rea

(8) Mr Trevor Ringland

(9) Mr David Rose

Mr Suneil Sharma

(4) Mr Jimmy Spratt

Mr Peter Weir

POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:

(10) Sir Hugh Orde (Chief Constable)

(11) Mr Paul Leighton (Deputy Chief Constable)

(10) Mr Alistair Finlay (ACC Urban Region)

(10) Mrs Judith Gillespie (ACC Rural Region)

(11) Mr Drew Harris (ACC Crime Operations)

(11) Mr David Jones (ACC Crime Support)

(12) Mr Duncan McCausland (ACC Criminal

(11) Justice)

(12) Mr Roy Toner (ACC Operational Support)

Mr David Best (Director of Finance &

(11) Support Services)

Mr Joe Stewart (Director of Human

(12) Resources)

(13) Ms Liz Young, Head of Media & PR

(13) Mr Ian Moore, Head of Estate Services

(13) T/Superintendent Alistair Wallace

(11) C/Inspector Colin Gillis

3 PSNI Personnel, Command Secretariat

**OFFICE OF THE POLICE
OMBUDSMAN IN
ATTENDANCE:**

- (14) Mr Al Hutchinson (Police Ombudsman)
- (14) Mr Jim Copeland, (Senior Investigator)
- (14) Mr Sam Pollock, Chief Executive

**OFFICIALS IN
ATTENDANCE:**

- Mr Adrian Donaldson (Chief Executive)
- Dr Debbie Donnelly (D/Chief Executive)
- Mr David Jackson (Director of Community Engagement)
- (15) Mr Sam Hagen (Director of Corporate Services)
- Mr Peter Gilleece (Director of Policy)
- (16) Mr David Wilson (Director of Planning)
- 3 Board Officials

- (1) Item numbers 1 – part of 13 and 15
- (2) Item number 5 – 10.1, 11, 13 and 15
- (3) Item numbers 1 – 11, 13 and 15
- (4) Item number 4 to close
- (5) Item numbers 10.2, 13 and 15
- (6) Item number 12 and part of item 15 to close
- (7) Item numbers 1 – 11, 13 and 15
- (8) Part of item number 3 to close
- (9) Part of item number 3 – 11, 13 and 15
- (10) Item numbers 10.2 and 15
- (11) Item number 15 only
- (12) Item numbers 10.2, 12 and 15
- (13) Item number 12 only
- (14) Part of item number 13
- (15) Item numbers 1 – 11, 13 and 15
- (16) Item numbers 1 – 10.1 and 11

1. APOLOGIES, ETC

Apologies were received on behalf of Mr Gearóid Ó hEára. NOTED.

The Chairman welcomed Mr Adrian Donaldson, Chief Executive to his first meeting of the Board.

The Chairman paid tribute to the high quality work which had been carried out by Dr Donnelly during her period as Acting Chief Executive.

2. MINUTES OF MEETINGS OF THE POLICING BOARD

2.1 Minutes Of The Policing Board Meeting Held On 5 February 2009

The Board considered the draft minutes of the previous meeting.

It was:-

RESOLVED:

That the draft minutes of the Policing Board meeting held on 5 February 2009 be approved.

2.2 Minutes Of The Policing Board Meeting In Public Held On 5 February 2009

The Board considered the draft minutes of the previous meeting.

It was:-

RESOLVED:

That the draft minutes of the Policing Board meeting in public held on 5 February 2009 be approved.

3. MATTERS ARISING FROM THE MINUTES OF THE MEETINGS

3.1 PSNI Estate Strategy – Special Board Meeting (Item 3.3 Of Minutes Refers)

The Chairman advised the Board about the decision which had been made by the Corporate Policy, Planning and Performance Committee on 19 February 2009 to postpone the Special Board meeting on 20 February 2009 regarding the PSNI Estate Strategy and to consider re-arranging the meeting for a later date. NOTED.

3.2 Workshop On Rank Ratios (Item 5.5 Of Minutes Refers)

The Chairperson and Vice Chairperson of the Human Resources Committee updated the Board regarding a workshop on PSNI Rank Ratios which had been held on 13 February 2009. NOTED.

The Chairperson of the Committee suggested that the Board should set aside time for all Members to consider a joint PSNI/Board approach to rank ratios. NOTED.

During discussion, it was:-

AGREED:

- That a meeting should be held to consider a joint PSNI/Board approach to rank ratios.
- That documentation regarding the PSNI Review of Rank Ratios should be provided to Members.

4. CHAIRPERSON'S BUSINESS

4.1 Engagements

The Chairman highlighted the following engagements which he had undertaken on behalf of the Board:-

- Memorial Service for Professor Bill Clarke – University of Ulster – 20 February 2009;
- Launch of new Exhibition of BBC News – Belfast – 26 February 2009.

NOTED.

4.2 Publications

There were no publications received. NOTED.

4.3 Correspondence

The Chairman highlighted that the following correspondence had been received:-

- Letter dated 9 February 2009 from Dr Joan Smyth, Trinity Housing Ltd regarding tackling the recent increase in break-ins at Housing Schemes;
- Letter dated 27 February 2009 from Councillor Danny Kennedy MLA regarding the future of the Full Time Reserve;
- Letter dated 2 March 2009 from the Public Prosecution Service regarding matters arising from the police evidence given during the trial of Sean Hoey. (This correspondence was dealt with at item 13);
- Letter dated 4 March 2009 from ACC Crime Operations regarding verdict in case of Andrew Robb and David McIlwaine.

NOTED.

4.4 News Releases

The Chairman highlighted the following news releases:-

- Strategy for the Management of Women Offenders – NIO – 23 February 2009;
- Goggins announces Review of Special Measures for Vulnerable or Intimidated Witnesses – NIO – 23 February 2009;
- Government to Introduce Tagging – Goggins – NIO – 24 February 2009.

NOTED.

5. CHIEF EXECUTIVE'S BUSINESS

5.1 Conferences/Seminars

The Chief Executive informed Members about the following conferences:-

- Cross Border Fraud, Corruption and European Union Financial Interests Conference – Dublin Castle – 19 – 20 March 2009;
- International Criminal Justice Conference – Douglas, Isle of Man – 2 April 2009;
- Northern Ireland Human Rights Commission Annual Conference – Belfast – 20 April 2009;
- Centre for Public Scrutiny 7th Annual Conference & Exhibition – Nottingham 9 – 10 June 2009.

Any Member wishing to attend the conferences was asked to contact Secretariat.

NOTED.

6. CORPORATE POLICY, PLANNING AND PERFORMANCE COMMITTEE

6.1 Minutes Of The Meeting Of The Corporate Policy, Planning And Performance Committee Held On 19 February 2009

6.1.1 Visit To Washington (Item 3.3 Of Minutes Refers)

The Deputy Chief Executive updated the Board on the Members' visit to the St Patrick's Day events in Washington in March 2009. NOTED.

6.1.2 Recruitment Of Deputy Chief Constable To The Police Service Of Northern Ireland (PSNI) – 2009 (Item 9 Of Minutes Refers)

The Director of Corporate Services updated the Board on the current progress in relation to the recruitment process for the appointment of Deputy Chief Constable to the PSNI. NOTED.

It was:-

RESOLVED:

To adopt the minutes of the meeting of the Corporate Policy, Planning and Performance Committee meeting held on 19 February 2009.

The Board discussed the timing of the election of Chairman and Vice Chairman of the Board, and it was:-

RESOLVED:

That the election of the Board's Chairman and Vice Chairman should take place at the May 2009 Board meeting, with effect from 1 June 2009 or when the appointment process for the Deputy Chief Constable has been completed, whichever is the later.

Members sought approval to change the date of the June 2009 Board meeting as it was scheduled to take place on the same date as the elections to the European Parliament.

It was:-

AGREED:

That a proposal regarding the date of the June 2009 Board meeting should be considered by the Corporate Policy, Planning and Performance Committee.

7. COMMUNITY ENGAGEMENT COMMITTEE MEETING

7.1 Minutes Of The Meeting Of The Community Engagement Committee Held On 26 February 2009

As the minutes of the 26 February 2009 meeting were not yet available, the Chairperson of the Committee highlighted the following matters considered by the Committee and outlined Committee discussions/recommendations:-

7.1.1 Community Engagement Public Meeting – Derry/Londonderry – 18 February 2009

7.1.2 Neighbourhood Watch Briefing – Cookstown – 2 March 2009

7.1.3 District Policing Partnerships Six Month Assessment Of The Implementation Of PSNI Neighbourhood Policing Framework

7.1.4 PSNI Update On Refreshing Policing With The Community Strategy

7.1.5 Belfast District Policing Partnership Report On The Work Of The Sub Groups For April To September 2008

7.1.6 Outreach By The Board To Republican And Loyalist Communities

7.2 Consideration Of The Removal From Office Of A DPP Member

The Board considered a paper regarding the conviction of a District Policing Partnership (DPP) political member.

Following discussion, it was:-

RESOLVED:

That the DPP Member should not be removed from Office in view of:-

- the minor status of the offence reflected by the Magistrate in imposing a £60.00 fine;
- the offence occurred before appointment to DPP;
- the length of time that had lapsed between the date of the offence in 2005 and the date of the conviction in 2009;
- the guiding principle within the Board's Policy; and
- the Member's positive record of working with the Police since taking up appointment with the DPP.

8. HUMAN RESOURCES COMMITTEE MEETING

8.1 Minutes Of The Meeting Of The Human Resources Committee Meeting Held On 12 February 2009

The Chairperson of the Committee highlighted the following matters considered by the Committee and outlined Committee discussions/recommendations:-

8.1.1 Quality Assuring The Board's Human Resources Strategic Monitoring Framework (Item 6 Of Minutes Refers)

8.1.2 PSNI Monitoring Of Wellbeing – April To December 2008 (Item 7 Of Minutes Refers)

8.1.3 Student Officer Meetings With The Board (Item 11 Of Minutes Refers)

It was:-

RESOLVED:

That Members should continue to meet with Student Officers at week 21 of their course for a 1½ hour meeting consisting of a presentation and an opportunity to ask questions.

It was:-

AGREED:

That Members should be provided with a schedule of dates of the meetings with Student Officers for 2009.

It was:-

RESOLVED:

To adopt the minutes of the meeting of the Human Resources Committee meeting held on 12 February 2009.

9. HUMAN RIGHTS AND PROFESSIONAL STANDARDS COMMITTEE MEETING

9.1 Minutes Of The Meeting Of The Human Rights And Professional Standards Committee Held On 11 February 2009

The Vice Chairperson of the Committee highlighted the following matters considered by the Committee and outlined Committee discussions/recommendations:-

9.1.1 Human Rights Advisor's Briefing (Item 5 Of Minutes Refers)

The Vice Chairperson advised the Board that the Committee had held a successful roundtable discussion with stakeholders on 23 February 2009, regarding the Human Rights Thematic Inquiry into Domestic Abuse. The report would be launched in Waterside Tower on 24 March 2009 at 10:00am. Following discussion, it was:-

AGREED:

That the presentation which was scheduled to be given at the Board meeting in public on Domestic Abuse should be deferred until the April 2009 meeting after which the Thematic Inquiry Report on the subject would have been launched.

9.1.2 Proposed Research – Evaluation Of PSNI Recommendation 4 Of The Independent Commission Report On Policing In Northern Ireland (Item 6 Of Minutes Refers)

9.1.3 Terms Of Reference For Thematic Inquiry On Children And Young People (Item 7 Of Minutes Refers)

9.1.4 Consideration Of Eames/Bradley Report (Item 12 Of Minutes Refers)

9.1.5 PSNI Programme Of Action – Human Rights Annual Report (Item 13 Of Minutes Refers)

It was:-

RESOLVED:

To adopt the minutes of the meeting of the Human Rights and Professional Standards Committee held on 11 February 2009.

10. RESOURCES AND IMPROVEMENT COMMITTEE MEETING

10.1 Minutes Of The Meeting Of The Resources And Improvement Committee Meeting Held On 20 February 2009

The Chairperson of the Committee highlighted the following matters considered by the Committee and outlined Committee discussions/recommendations:-

10.1.1 PSNI Update On 2009/2010 Balanced Budget (Item 6 Of Minutes Refers)

10.1.2 Final Validation Report From The National Policing Improvement Agency On The 2004 – 2008 PSNI IS Strategy (Item 11 Of Minutes Refers)

10.1.3 PSNI Continuous Improvement Strategy 2009 – 2010 (Item 12 Of Minutes Refers)

It was:-

RESOLVED:

To adopt the minutes of the meeting of the Resources and Improvement Committee held on 20 February 2009.

10.2 PSNI Budget 2009 – 2010

The Board considered a paper which advised of the contents of the PSNI proposed balanced budget for the 2009/2010 and 2010/2011 financial years.

The Chief Constable, ACC Rural Region, ACC Urban Region, ACC Criminal Justice and Director of Finance and Support Services were all in attendance.

The Director of Corporate Services referred Members to a letter from the Chief Constable to the Northern Ireland Office (NIO) and to the NIO's reply dated 4 March 2009.

The Director of Finance and Support Services advised Members that the increase in hearing loss cases and the equalisation of pay was making it increasingly difficult to balance the books.

He advised Members that PSNI was unable to progress with Police Community Support Officers (PCSOs). He also advised Members of a decrease in police overtime.

Members were also advised by ACC Urban Region, ACC Rural Region and ACC Criminal Justice of proposed cuts in spending in each of their areas.

Members main concerns were centred around frontline policing and the effect of the budget cuts on this and also the effect of a possible reduction in numbers.

Following a discussion with the Chief Constable and his Senior Team, the issue of reducing police numbers by stopping recruitment in 2010/11 was to be examined again in 2009 due to the contents of the NIO letter on hearing loss claims and the equal pay claim, along with the add back of £7.7m to the baseline.

It was:-

RESOLVED:

To submit the PSNI proposed budget, without the reduction to police officers through stopping recruitment, to the Secretary of State in line with the Police (Northern Ireland) Act 2000.

11. INFORMATION PAPERS

There were no matters arising.

NOTED.

12. BRIEFING BY PSNI REGARDING THE VETTING OF CONTRACTORS

The Board noted the content of a briefing paper, tabled at the meeting, in relation to the vetting of contractors. NOTED.

The Chairman welcomed Assistant Chief Constable Criminal Justice and other PSNI representatives to the meeting.

The Assistant Chief Constable and his colleagues provided a briefing to the Board regarding the vetting of contractors. A copy of the slides used during the briefing is attached at Appendix 'A'.

Members discussed a number of issues arising from the briefing including:-

- The number of individuals who had been refused vetting clearance from across all communities in Northern Ireland;
- The PSNI Procurement Policy;
- The levels of vetting required by contractors in order to access the Police Estate;
- The role of the PSNI Vetting Unit;
- The difficulties associated with the vetting of Directors of Companies who did not access the Police Estate. A criminal investigation would be undertaken by the PSNI if there were allegations that any Director was involved in criminal activities;
- Concern that some Directors who had been involved in serious crime were being awarded contracts.

In conclusion, it was:-

AGREED:

That ACC Criminal Justice would provide the Board with a legal opinion regarding the current vetting arrangements.

The Chairman thanked the Assistant Chief Constable and his colleagues for their contribution and they left the meeting.

13. DISCUSSION WITH POLICE OMBUDSMAN

The Board noted the content of the following:-

- statement on the Police Ombudsman's investigation into matters arising from Police evidence given during the Trial at Belfast Crown Court between September 2006 and 2007;
- a news release, which had been issued by the Police Ombudsman in relation to the Ombudsman's findings regarding the case; and
- a letter dated 2 March 2009 from the Public Prosecution Service regarding matters arising from the police evidence given during the trial of Sean Hoey.

NOTED.

The Chairman welcomed the Police Ombudsman and other representatives from the Ombudsman's Office to the meeting.

The Police Ombudsman provided a briefing to the Board regarding the Ombudsman's investigation into matters arising from evidence given by 2 police witnesses at a trial in Belfast Crown Court, of a person accused of 58 terrorist charges, including alleged offences relating to the bomb in Omagh on 15 August 1998.

Members discussed a number of issues arising from the briefing including:-

- the presentation of a photograph to the Judge at the Omagh Bomb trial with respect to the discovery of an unexploded mortar bomb at Altmore Forest which led the Judge to conclude that 2 police witnesses had not told the truth about forensic precautions taken at the scene;
- the evidence which had been given by police officers during the trial;

- the preparation of documentation by the PSNI in relation to the case; and
- further report which would be provided to the Chief Constable by the Police Ombudsman relating to case preparation, documentation and disclosure, a copy of which report would be provided to the Board.

The Chairman thanked the Ombudsman and his colleagues for briefing the Board and they left the meeting.

The Board considered a draft letter to the Lord Chief Justice regarding the Ombudsman's investigation into the evidence given by the two police officers during the R – v - Hoey Crown Court Trial and the statement issued by the Public Prosecution Service on 20 February 2009. The representatives from Sinn Fein recorded their opposition to the issuing of the letter.

During further discussion it was proposed that the letter should be issued to the Lord Chief Justice. Following a show of hands and by a majority vote, it was:-

RESOLVED:-

That the letter should be issued to the Lord Chief Justice.

14. COMMUNICATION ISSUES

There were no communication issues arising from the meeting.

15. QUESTIONS FOR THE CHIEF CONSTABLE

The Chairman welcomed the Chief Constable and other PSNI representatives to the meeting. In response, the Chief Constable expressed concern that the presentation regarding "Domestic Abuse" at the public session of the Board had been postponed and at the large volume of questions which had been received from Members.

The Board received further information in relation to:-

- The petrol bomb attack in Clogh, Co Fermanagh;
- The death of Brian Magill on 30 December 1999 and the plans for an investigation into the circumstances surrounding his death;
- The case reported in the media recently regarding a young woman who had been dismissed from her job in the PSNI;
- Recent press reports around an interim injunction granted to Federal Security Services Ltd following a challenge to the award of the security and transport contract to Resource Ltd;
- The recent bomb found in Castlewellan;
- Cross border links between PSNI and An Garda Siochana;
- The reporting of crime by victims and witnesses; and
- Recent activity of dissident republican groups.

The Board then moved into public session.

16. ANY OTHER BUSINESS

There were no matters arising.

17. DATE OF NEXT MEETING

The date of the next meeting with the Chief Constable was arranged for 2 April 2009 at Waterside Tower, Belfast.

(Meeting closed 5:05pm).

Secretariat

March 2009

Chairman