

## NORTHERN IRELAND POLICING BOARD

### MINUTES OF A MEETING OF THE NORTHERN IRELAND POLICING BOARD HELD ON THURSDAY, 7 OCTOBER 2010 AT 9:30AM IN WATERSIDE TOWER, BELFAST

#### PRESENT:

#### MEMBERS:

Mr Brian Rea (Acting Chairman)  
Mr Gearóid Ó hEára (A/Vice Chairman)

Ms Martina Anderson

Mr Jonathan Bell

(1) Mr Dominic Bradley

(2) Mr Leslie Cree

Mr Alex Maskey

(3) Mr Basil McCrea

(2) Mr Ian McCrea

(3) Mr Daithí McKay

(2) Ms Mary McKee

(2) Mrs Rosaleen Moore

(4) Professor Sir Desmond Rea

(5) Mr Trevor Ringland

(6) Mr David Rose

(7) Mr Alastair Ross

(8) Mr Suneil Sharma

(3) Mr Jimmy Spratt

#### POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:

(9) Mrs Judith Gillespie (Deputy Chief Constable)

(9) Mr Alistair Finlay (ACC Urban Region)

(9) Mr Drew Harris (ACC Crime Operations)

(9) Mr Dave Jones (ACC Rural Region)

(9) Mr Duncan McCausland (ACC Operational Support)

(9) Mr David Best, Director of Finance & Support Services

(9) Mr Joe Stewart, Director of Human Resources

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

(9) 2 Police Officers, Command Secretariat

#### OFFICIALS IN ATTENDANCE:

Mr Adrian Donaldson (Chief Executive)

Dr Debbie Donnelly (Deputy Chief Executive)

Mr David Jackson (Director of Community Engagement)

Mr Sam Hagen (Director of Corporate Services)

Mr David Wilson (Director of Planning)

Mr Peter Gilleece (Director of Policy)

Three Board Officials

- (1) Item number 2.1 to close
- (2) Item numbers 1 – 4 and 16
- (3) Part Item number 3.1 to close
- (4) Item numbers 1 – 9.1, 11 and 16
- (5) Item numbers 1 – 3.1 and 16
- (6) Item numbers 1 – 6 and 16
- (7) Item numbers 1 – 7, part 11 and 16
- (8) Item numbers 1 – 7 and 16
- (9) Item number 16 only

## **1. APOLOGIES, ETC**

Apologies were received on behalf of Mr Barry Gilligan (Chairman). NOTED.

The Acting Chairman asked Members to declare any conflicts of interest arising from the agenda. No conflicts of interest arising from the agenda were recorded.

## **2. MINUTES OF MEETINGS OF THE POLICING BOARD**

### **2.1 Minutes Of The Policing Board Meeting Held On 2 September 2010**

The Board considered the draft minutes of the meeting.

It was:-

#### **RESOLVED:**

That the draft minutes of the Policing Board meeting held on 2 September 2010 be approved.

### **2.2 Minutes Of The Policing Board Meeting In Public Held On 2 September 2010**

The Board considered the draft minutes of the meeting.

It was:-

## **RESOLVED:**

That the draft minutes of the Policing Board meeting in public held on 2 September 2010 be approved.

### **3. MATTERS ARISING FROM THE MINUTES OF THE MEETING**

#### **3.1 The Arrangements For Acting Chairman And Acting Vice Chairman (Item 1 Of Minutes Refers)**

The Acting Chairman reminded the Board, that at the last meeting it had been agreed that the current acting-up arrangements put in place to cover the Chairman's absence should be reviewed.

Mr Jonathan Bell requested details of the legal advice which it had been agreed at the last meeting and at the Strategy Event on 23 September 2010 that the Board should seek in relation to the acting-up arrangements for Chairman and Vice Chairman of the Board.

During discussion a number of Members were of the view that it had not been agreed that the Board should seek legal advice regarding the acting-up arrangements. Members were reminded that officials had been asked to leave the meeting when the issue was discussed, so there was no official record of the decision.

Following discussion, Mr Jonathan Bell proposed the hearing of the legal advice asked for at a previous Board meeting in relation to the Chairman and Vice Chairman of the Board. The proposal was seconded by Mr Jimmy Spratt.

The recorded vote of Members was 6 in favour with 12 abstentions.

It was:-

**RESOLVED:**

To hear the legal advice regarding the position of the Chairman and Vice Chairman of the Board.

The recorded vote was as follows:-

Name	For	Against	Abstain
Ms Martina Anderson			✓
Mr Jonathan Bell	✓		
Mr Dominic Bradley			✓
Mr Leslie Cree	✓		
Mr Alex Maskey			✓
Mr Basil McCrea			✓
Mr Ian McCrea	✓		
Mr Daithí McKay			✓
Ms Mary McKee			✓
Mrs Rosaleen Moore			✓
Mr Gearóid Ó hEára			✓
Mr Brian Rea			✓
Professor Sir Desmond Rea			✓
Mr Trevor Ringland			✓
Mr David Rose	✓		
Mr Alastair Ross	✓		
Mr Suneil Sharma			✓
Mr Jimmy Spratt	✓		
<b>Total</b>	<b>6</b>		<b>12</b>

The Chief Executive then read Members a summary of the legal advice which had been received from the Crown Solicitor's Office regarding the acting-up arrangements of Chairman and Vice Chairman of the Board.

Members noted that the full legal advice could be obtained from the Chief Executive, if required.

Mr Brian Rea referred to his appointment as Acting Chairman in the absence of the Chairman of the Board and outlined his views on the acting up arrangements.

A suggestion had been made that the Acting Vice Chairman should chair the Corporate Policy, Planning and Performance Committee in order to support the Acting Chairman, but this issue was not covered in the Board's Standing Orders.

During discussion, Members referred to a previous decision which had been taken by the Board to suspend the relevant Standing Orders in relation to the position of Vice Chairperson of the Board's Community Engagement Committee.

The Acting Vice Chairman outlined his views on the acting up arrangements and the suggestion that had been made regarding the position of chair of the Corporate Policy, Planning and Performance Committee.

Mr Suneil Sharma proposed to suspend Standing Orders to make the necessary arrangements to allow the Acting Vice Chairman of the Board to chair the Corporate Policy, Planning and Performance Committee and the Acting Chairman to be Vice Chairman of the Corporate Policy, Planning and Performance Committee. The proposal was seconded by Mrs Rosaleen Moore.

The recorded vote of Members was 11 in favour, 4 against with 3 abstentions.

It was:-

**RESOLVED:**

To suspend Standing Order 20 (c) - bullet point 1, to allow the Acting Vice Chairman to chair the Corporate Policy, Planning and Performance Committee and the Acting Chairman to act as Vice Chairman.

The recorded vote was as follows:-

Name	For	Against	Abstain
Ms Martina Anderson	✓		
Mr Jonathan Bell		✓	
Mr Dominic Bradley	✓		

Mr Leslie Cree			✓
Mr Alex Maskey	✓		
Mr Basil McCrea			✓
Mr Ian McCrea		✓	
Mr Daithí McKay	✓		
Ms Mary McKee	✓		
Mrs Rosaleen Moore	✓		
Mr Gearóid Ó hÉara	✓		
Mr Brian Rea			✓
Professor Sir Desmond Rea	✓		
Mr Trevor Ringland	✓		
Mr David Rose	✓		
Mr Alastair Ross		✓	
Mr Suneil Sharma	✓		
Mr Jimmy Spratt		✓	
<b>Total</b>	<b>11</b>	<b>4</b>	<b>3</b>

### 3.2 Board Meetings (Item 1 Of Minutes Refers)

The Acting Chairman advised Members, that the meeting with the Chief Constable and the PSNI Top Team to discuss working relationships post devolution would be held on 4 November 2010 following the Board meeting. The Board/PSNI Policing Plan Strategy Event would also be arranged for this date.

The Board discussed the issue and it was:-

#### **AGREED:**

That officials should arrange another date for the Board/PSNI Policing Plan Strategy Event, possibly later in November 2010.

### 3.3 Event For PSNI District Commanders (Item 3.1 Of Minutes Refers)

The A/Chairman advised Members that the working lunch for Board Members and the PSNI District Commanders would be arranged for Thursday 14 October 2010 at 12.30pm for 12.45pm. Members indicated their availability to attend the event.

## **4. CHAIRPERSON'S BUSINESS**

### **4.1 Engagements**

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

- PSNI/Penna 10th Anniversary Dinner – Belfast – 22 September 2010;
- Law Society Council Dinner 2010 – Belfast – 24 September 2010;
- Meeting with the Director of Police Resources and Reform in the Home Office – Belfast – 28 September 2010;
- Launch of the Mosaic Panels at Moyle Gateway Club – Ballycastle – 30 September 2010.

### **4.2 Publications**

No publications had been received by the Board.

### **4.3 Correspondence**

No correspondence to report to the Board.

### **4.4 Independent Review Of Northern Ireland Policing Board Functions**

The Acting Chairman referred to the original timetable which had been agreed by the Board for consideration of the report of the Independent Review of Northern Ireland Policing Board functions, and advised Members that officials would respond to the Independent Assessor regarding factual inaccuracies in the report.

Following discussion, it was:-

**AGREED:**

That officials should arrange a meeting between the Board and the Independent Assessor to discuss the final report.

A Member referred to a Board workshop scheduled to be held on 21 October 2010, to consider options for the Board's Corporate Plan 2011 – 2014 and suggested that this should not take place until after the meeting with the Independent Assessor to discuss the review of the Board's functions.

Following discussion, it was:-

**AGREED:**

That the Workshop on 21 October 2010 should be cancelled.

**5. CHIEF EXECUTIVE'S BUSINESS**

**5.1 Protocol On The Policing Architecture**

The Chief Executive referred Members to a letter from the Department of Justice (DOJ) dated 27 September 2010 regarding a revised draft of the Protocol on the Policing Architecture which included amendments proposed by the Committee for Justice.

The Board discussed paragraph 2.4 of the protocol and the draft wording "the Chief Constable is operationally independent and operationally responsible for directing and controlling the police" and asked for clarification that this was the wording which had previously been agreed by the Board.

It was:-

**AGREED:**

Subject to the wording of paragraph 2.4 being in accordance with what the Board had previously agreed, that officials should write to the Department of Justice accepting the amendments proposed by the Committee for Justice.

## **5.2 The Use Of PowerPoint Presentations At Board And Committee Meetings**

The Chief Executive reminded the Board that at the June 2010 Board meeting, Members agreed that there should be no PowerPoint presentations at Board/Committee meetings for a trial period of 3 months.

The Board reviewed the use of PowerPoint presentations at Board/Committee meetings.

It was:-

### **AGREED:**

That there should be no PowerPoint presentations at Board/Committee meetings unless there was a specific reason as to why one was required.

## **6. CORPORATE POLICY, PLANNING AND PERFORMANCE COMMITTEE**

### **6.1 Minutes Of The Meeting Of The Corporate Policy, Planning And Performance Committee Held On 16 September 2010**

It was:-

### **RESOLVED:**

That the minutes of the Corporate Policy, Planning and Performance Committee meeting held on 16 September 2010 be approved.

## **7. AUDIT AND RISK MANAGEMENT COMMITTEE MEETING**

### **7.1 Minutes Of The Audit And Risk Management Committee Meeting Held On 17 September 2010**

Mr Jimmy Spratt asked that it be recorded that he was concerned that the Board had not been advised of the following issues:-

- a matter relating to expenses claimed by a Member which was highlighted in a report following an internal audit regarding a review of administration procedures in respect of travel and subsistence expenses;
- a single tender action which had been approved in relation to the appointment of a consultant to carry out work for the Board.

Following discussion It was:-

#### **AGREED:**

That the Audit and Risk Management Committee should consider the matters further.

It was:-

#### **RESOLVED:**

That the minutes of the Audit and Risk Management Committee meeting held on 17 September 2010 be approved.

Mr Spratt expressed his concern in relation to the minutes of the meeting and stated that he was not in favour of the Board adopting the minutes of the meeting of the Audit and Risk Management Committee held on 17 September 2010.

## **8. COMMUNITY ENGAGEMENT COMMITTEE MEETINGS**

### **8.1 Minutes Of The Meeting Of The Community Engagement Committee Held On 26 August 2010**

It was:-

#### **RESOLVED:**

That the minutes of the Community Engagement Committee meeting held on 26 August 2010 be approved.

### **8.2 Minutes Of The Meeting Of The Community Engagement Committee Held On 30 September 2010**

As the minutes of the meeting of 30 September 2010 were not yet available, the Chairperson of the Committee highlighted details of the meeting.

## **9. HUMAN RESOURCES COMMITTEE MEETINGS**

### **9.1 Minutes Of The Meeting Of The Human Resources Committee Held On 9 September 2010**

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

#### **9.1.1 Post Related Allowance For Chief Superintendents (Item 5.1 Of Minutes Refers)**

The Committee had considered a paper which outlined proposals which had been received from the PSNI regarding the payment of the Post Related Allowance to 13 Chief Superintendents for the period 1 April 2010 to 31 March 2011. The PSNI Human Resources Director had briefed the Committee on the proposals and had outlined the circumstances facing the Chief Superintendents at this time of change in the PSNI and against dissident threats. A letter had been received from the Chief Constable re-emphasising the high level of risk experienced by the Chief Superintendents who had been put forward for payment of the allowance.

The Chairperson of the Committee outlined details of a meeting which he had attended with the Chief Constable on 30 September 2010 regarding the payment of the allowance.

During discussion which followed, Members expressed their views regarding the proposal in view of Police Negotiating Board guidance, which recommends that nationally, 15% of Superintendents should receive the post related allowance.

It was:-

**AGREED:**

That the Human Resources Committee should consider the matter further.

**9.1.2 Full Time Reserve (FTR) And Part Time Reserve (PTR) – Claim For Compensation In Respect Of Recognition Of Work And Conditions Of Equal Value (Item 15 Of Minutes Refers)**

The Chairperson of the Committee highlighted that Members of the FTR and PTR had taken a number of legal actions in relation to Equal Pay issues. Details of PSNI's strategy for dealing with future claims had been requested by the Committee and information regarding the actions had been passed to the Resources and Improvement Committee in order to consider from a financial perspective.

It was:-

**RESOLVED:**

That the draft minutes of the Human Resources Committee meeting held on 9 September 2010 be approved.

**9.2 Development Of Policy For The Consideration Of Requests For PSNI International Secondments**

The Board considered a paper which outlined details of the criteria for the consideration and determination of requests for the provision of PSNI advice and assistance to international organisations.

It was:-

**RESOLVED:**

That the criteria outlined in the paper for the determination of requests for the provision of PSNI advice and assistance to international organisations should be adopted.

**10. HUMAN RIGHTS & PROFESSIONAL STANDARDS COMMITTEE MEETING**

**10.1 Minutes Of The Meeting Of The Human Rights and Professional Standards Committee Held On 15 September 2010**

It was:-

**RESOLVED:**

That the draft minutes of the Human Rights and Professional Standards Committee meeting held on 15 September 2010 be approved.

## **11. RESOURCES AND IMPROVEMENT COMMITTEE MEETING**

### **11.1 Minutes Of The Meeting Of The Resources and Improvement Committee Held On 17 September 2010**

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

#### **11.1.1 Station Reviews – Carryduff, Crumlin and Oldpark Police Stations (Item 8 Of Minutes Refers)**

The Vice Chairperson advised the Board that the Committee had deferred a decision on the disposal of Crumlin PSNI station pending a full presentation and discussion with PSNI at the October 2010 Resources and Improvement Committee meeting.

The disposal of Carryduff and Oldpark Police Stations was dealt with at item 11.2

It was:-

#### **RESOLVED:**

That the draft minutes of the Resources and Improvement Committee meeting held on 17 September 2010 be approved.

### **11.2 Station Disposals – Carryduff And Oldpark PSNI Stations**

The Board considered a paper regarding a recommendation from the Resources and Improvement Committee in relation to the disposal of Carryduff and Oldpark police stations.

The Board noted a paper, tabled at the meeting, which outlined the views of North Belfast Sub Group of Belfast District Policing Partnership (DPP) in relation to the disposal of Oldpark police station.

The Vice Chairperson of the Committee advised the Board that the Committee had considered the demographic changes in Carryduff which meant that the location of the station no longer served the expanding community and that although attempts had been made to establish a more suitable shop front location, this had not been resolved. The Committee had also placed considerable weight on the view of Castlereagh DPP which was agreeable to closure.

During discussion, Members were of the view that PSNI should continue to investigate the use of a shop front facility or shared use of another public facility in the Carryduff area.

It was:-

**RESOLVED:**

To dispose of Carryduff and Oldpark police stations.

**12. FORMAT AND STRUCTURE OF BOARD MEETINGS**

It was:-

**AGREED:**

To defer this item of business to the next Board meeting.

**13. CHIEF CONSTABLE'S ANNUAL REPORT 2009 – 2010**

The Board noted:-

- the receipt of the Chief Constable's Annual Report for 2009 – 2010;
- an analysis of the statistical information contained in the Annual Report.

NOTED.

#### **14. INFORMATION PAPERS**

There were no information papers.

#### **15. COMMUNICATION ISSUES**

There were no communication issues arising from the meeting.

#### **16. QUESTIONS FOR THE CHIEF CONSTABLE**

The Acting Chairman welcomed the Deputy Chief Constable and other PSNI representatives to the meeting.

Discussion centred on the following issues:-

- the potential implications of a current court case regarding the admissibility of live scan evidence;
- CCTV images, including those showing persons under the age of 18 years, which were issued by the PSNI to local papers in the Foyle area to assist in the identification of alleged offenders.

Discussion took place regarding legal advice which had been received by the Board and PSNI in relation to human rights implications following the release of the photographs of young people.

During the discussion, Mr Jimmy Spratt asked that it be recorded that he was concerned at the expenditure that was being incurred in respect of human rights advice and at a press statement that had been issued recently by the Board regarding legal advice in relation to CCTV images.

The Deputy Chief Constable referred to the Governments proposed spending cuts and outlined 4 key issues on which the PSNI would require the Board's support in relation to funding.

It was:-

**AGREED:**

That PSNI should provide details of the issues to the Resources and Improvement Committee.

The Board then moved into public session and following the Board meeting in public, the PSNI representatives left the meeting.

**17. ANY OTHER BUSINESS**

No other business was conducted.

**18. DATE OF NEXT MEETING**

The date of the next meeting with the Chief Constable was arranged for 4 November 2010 at Waterside Tower, Belfast.

(Meeting closed 4.00pm).

**Secretariat**

**October 2010**

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**Acting Chairman**