

NORTHERN IRELAND POLICING BOARD

MINUTES OF THE 54th MEETING OF THE NORTHERN IRELAND POLICING BOARD HELD ON WEDNESDAY, 28 MARCH 2006 AT 10:00 AM IN WATERSIDE TOWER

PRESENT:

MEMBERS:

- Professor Sir Desmond Rea (Chairman)
- Mr Denis Bradley (Vice Chairman)
- (1)** Mr Alex Attwood
- (7)** Viscount Brookeborough
- Mr Joe Byrne
- Mr Fred Cobain
- Mr Brian Dougherty
- Mr Sam Foster
- Mr Barry Gilligan
- Mr Willie Hay
- (4)** Mr Tom Kelly
- Mrs Pauline McCabe
- (5)** Mr Alan McFarland
- (3)** Mrs Rosaleen Moore
- (7)** Mr Ian Paisley
- (2)** Mr Suneil Sharma
- (6)** Mr Sammy Wilson

OFFICIALS IN ATTENDANCE:

- Mr Trevor Reaney (Chief Executive)
- Mr David Jackson (Director of Community Affairs)
- Mr Sam Hagen (Director of Corporate Services)
- Mr David Wilson (Director of Planning)
- Mrs Sinead Simpson (Director of Policy)
- Board Officials

- (1)** Item number 3.2 to close
- (2)** Item number 3.2 to 5.8
- (3)** Item number 3.3 to close
- (4)** Item number 4 to close
- (5)** Item number 5.3 to close
- (6)** Item number Part 5.8 to 8
- (7)** Item number 1 to 5.8 and Item 8

1. APOLOGIES, ETC

No apologies were received for the meeting. NOTED

2. MINUTES OF MEETINGS OF THE POLICING BOARD

Minutes Of The 53rd Meeting Of The Policing Board Held On 1 March 2006

It was:

RESOLVED:

That the draft minutes of the 53rd Board meeting held on 1 March 2006 be approved.

2.2 Minutes Of The Policing Board Meeting In Public Held On 1 March 2006

It was:

RESOLVED:

That the draft minutes of the Board meeting in public held on 1 March 2006 be approved.

3. MATTERS ARISING FROM THE MINUTES OF THE POLICING BOARD MEETINGS

3.1 Community Restorative Justice (Item 3.1 and 15.1 Of Minutes Refers)

The Chairman read a letter he had received from Mr David Hanson, MP, Minister for State for Northern Ireland in which he sought to defer a meeting arranged for 28 March 2006 with Policing Board Members to discuss the current position on the Draft Guidelines for Community Based Restorative Justice schemes. The Chairman indicated that he had agreed to defer the meeting to a later date after the reconstitution of the new Policing Board in April 2006 NOTED.

It was:

RESOLVED:

That the Board's response to the consultation on Draft Guidelines for Community Based Restorative Justice schemes should now be published.

3.2 New Police Training College (Item 3.2 and 9.2 Of Minutes Refers)

The Board considered a paper which provided an update on the funding situation for the Police College. Members were reminded that the Project Board had submitted a draft outline business case to NIO setting out the case for a joint traditional/PFI procurement route to build a College at an upfront capital cost of £131m. NIO had recently confirmed that the Department had secured up to £90m to contribute towards the project leaving over £40m short of the initial capital funding required. There was also no reference by NIO to the funding of annual costs.

The Board Police College subgroup had met on 22 March 2006 to consider the situation and took the view that this would not enable the College to be built as envisaged and as agreed with government.

The Board discussed the report from the subgroup and correspondence to the Prime Minister from the Chairman and the leaders of some political parties asking the Prime Minister to review funding for the College and seeking additional funding. NOTED.

3.3 Statistics On Complaints Against Part-Time Reserve Officers And Full-Time Reserve Officers – Human Rights Implications (Item 3.5 Of Minutes Refers)

Officials advised Members that legal advice had been received from the Crown Solicitor's Office which confirmed that the human rights of Part Time

Reserve Officers and Full Time Reserve Officers had not been violated by the Human Rights & Professional Standards Committee in seeking a break down of statistics on complaints made against these officers. A copy of the legal advice was available to Members on request, from Officials. NOTED.

3.4 Presentation By PSNI Internal Investigations Branch (IIB) (Item 3.6 Of Minutes Refers)

A copy of a letter issued by the Director of Policy to Mr Sammy Wilson, clarifying information presented by the IIB to the January 2006 Human Rights & Professional Standards Committee was included in briefing papers for each Members. NOTED

3.5 Presentation On Taser (Item 3.7 Of Minutes Refers)

This matter was dealt with at Item 6.2.

3.6 Use Of Former Police Sites (Item 9.1.1 Of Minutes Refers)

Officials provided further information regarding an enquiry by a Member concerning an allegation that the work of contractors was being inhibited at the former Rosslea police station site. PSNI Estates Services Business Unit had advised that there were some minor incidents of damage to contractor's vehicles at the beginning of the demolition at Rosslea. It is the responsibility of the DCU Commander to ensure adequate security\protection of all individuals working on PSNI sites and the DCU Commander at Rosslea had taken the necessary community liaison steps to control the problem. Officials advised that the PSNI were not aware of any further issues. NOTED.

With regard to another query which was raised by a Member regarding the process which flows from a closure decision, the PSNI advised that the Treasury has established the Surplus Assets Disposal procedure. It does not provide for input from community groups\District Policing Partnerships to influence how a site is sold, what the site is used for after it is sold, etc.

However, if a community group wishes to acquire a site then they should obtain the support of a sponsoring public sector department who could purchase the site on their behalf and then make it available to the community group. NOTED.

3.7 Police Resources (Item 9.2 Of Minutes Refers)

The Chairman confirmed that the Chief Executive had written to the NIO on 9 March 2006 on behalf of the Board responding to the issues concerning:-

- Budget Allocations 2006\07
- Comprehensive Spending Review – in particular the views on the two proposed Value for Money Reviews
- Policing Precept
- Police College
- Briefing to the Board. By NIO on finance issues

The Chief Executive advised that the NIO had indicated that representatives would brief the new Board on financial issues in due course. NOTED.

4. CHAIRMAN'S BUSINESS

4.1 Engagements

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

- Meeting with Mr Shaun Woodward – 6 March 2006
- Meeting with Chevening Fellows – 7 March 2006 – Belfast.
- Meeting with the Chairman of the Parades Commission – 9 March 2006.
- DPP Chairman's Forum – 9 March 2006 – Ballymena.
- Neighbourhood Watch Briefing – Belfast – 20 March 2006.

- Dinner with Secretary of State – 21 March 2006 – Hillsborough Castle. NOTED.

The Chairman informed Members that he would write to the Secretary of State to express Members' thanks for the dinner given for Board Members on 21 March 2006 at Hillsborough Castle. NOTED.

Mrs McCabe, who had attended the Police College of Northern Ireland Learning Advisory Council Inaugural Award and Recognition Ceremony on 24 March 2006 at Cultra on behalf of the Chairman, briefed Members on the event. NOTED.

4.2 Publications

The following publications have been placed in the Library:-

- SDLP 'North-South Makes Sense' Document – February 2006
- NIHRC Report 'Investigating Lethal Force Deaths in Northern Ireland' – February 2006
- Stranmillis University College – Annual Report – 2004 – 2005.
NOTED

4.3 Correspondence

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

- Letter from Mrs M Christie regarding the DPP Chairman's Forum on 9 March 2006. NOTED

4.4 News Releases

The Chairman highlighted the following news releases:-

- Inter-Country and Inter-Agency Co-Operation Pivotal in Tackling Domestic Violence – Hanson – NIO – 5 February 2006.
- 100th Neighbourhood Watch Scheme Launched – NIO – 7 February 2006.
- United Approach to combating Organised Crime: Woodward – The Organised Crime Task Force – 7 February 2006.
- Assets Recovery Agency Agrees £45,000 Settlement – Assets Recovery Agency – 15 February 2006.
- Oils Fraud a Key Priority: Woodward – 17 March 2006.
- ARA Freezes £1.4m of Assets in suspected Armagh Fuel Smuggling Case – 17 March 2006.
- Night Bus for Belfast – Hanson – 20 March 2006. NOTED

4.5 Washington – 14 - 18 March 2006

The Chairman referred Members to a report of the Board's visit to Washington from 14-18th March 2006, which was tabled for information. With regard to the testimony which the Chairman/Vice-Chairman had given to a Congressional Hearing on 15 March, the Chairman advised that a DVD of the Hearing would be available to Members within the next couple of weeks. NOTED.

5. CHIEF EXECUTIVE'S BUSINESS

5.1 Conferences

The Chief Executive advised the Board about:-

- The 2006 Institute of Public Administration\CIPD Ireland Public Sector HRM Conference in Dublin on 30 March 2006
- A seminar on Achieving Excellent Future Governance in Northern Ireland, in Belfast on 26 April 2006

- The ACPO\Home Office Research and Development Conference on Organised Crime, in Stratford-upon-Avon on 8\9 June 2006.

Any Member interested in attending any of these conferences should contact Secretariat. NOTED.

5.2 Support For Special Olympics Torch Run

The Chief Executive advised Members that the Board had made a contribution of £2500 to the PSNI team who will be participating in the Special Olympics Torch Run. The contribution will promote the Board through recognition of its support for merchandising material which will carry the Board's logo. The PSNI are also seeking to involve DPPs and the new Board will be asked to take an interest in the Special Olympics. NOTED.

5.3 PSNI Procurement Review

Mr Gilligan and Viscount Brookeborough, the Board's representatives on the PSNI Procurement Review updated Members on developments regarding the Review. NOTED.

5.4 Review Of Public Administration

The Chief Executive advised Members about a further announcement made by the Secretary of State on 21 March 2006 regarding the rationalisation of "Quangos". The new Board will be briefed on progress in respect of the future structure of DPPs and DCUs. NOTED.

5.5 DPP Member – Incident

The Chief Executive informed Members about an incident that had occurred at the home of a Member of a DPP. NOTED.

5.6 HMIC Firearms Report – Project Board

The Chief Executive informed Members that ACC Operational Support, as project sponsor\chair of the Project Board taking forward the recommendations of the HMIC Firearms Report, had invited the Board to nominate an official to attend meetings of the Project Board as an observer. As with the PSNI Project Team looking at training in crime operations, such an observer would contribute to discussions on behalf of the Board and report back to the Board. The Human Rights & Professional Standards Committee had noted progress on the issue and will be briefed by the PSNI on their Implementation Plan.

It was:

RESOLVED:

That an official should be nominated to attend meetings of the Project Board as an observer.

5.7 Pension Regulations

The Chief Executive informed Members that NIO had sought the views of the Board on a number of changes to the Police Pension Regulations to be introduced on 5 April 2006 dealing with:-

- The Civil Partnership Act 2004
- Common agreements reached at PNB, including what happens if an officer who has opted out of the pension scheme wishes to rejoin.

Officials will draw the attention of the NIO to the short consultation period that had been set and will report on the matter to the next meeting of the Human Resources Committee. At this stage officials had no issues to raise on the regulations. NOTED.

5.8 Letter from NIO – Correspondence between Board and PSNI

The Chief Executive provided a report of events associated with an exchange of correspondence between the Board and PSNI. Members discussed the background circumstances concerning the issue and subsequent withdrawal of correspondence issued by the Chairman of a Committee of the Board.

It was:

RESOLVED:

- The Chief Executive should address the administrative matter highlighted in his report and provide the Board with an update at a future Board meeting.
- The Chief Executive should reply to NIO following the completion of his report.
- A copy of the Chief Executive's speaking notes should be made available to Board Members on request.

6. CORPORATE POLICY COMMITTEE MEETING

6.1 Minutes Of The 53rd Corporate Policy Committee Meeting Held On 8 March 2006

Invitation to speak at US House of Representatives Foreign Relations Committee (Item 12.2 of Minutes refers)

A Member referred to paragraph 12.2 of the minutes regarding the circumstances relating to a letter of invitation being issued by the House of Representatives Foreign Relations Committee in Washington to a Board Member to give testimony to the Committee. Members discussed the background to the invitation. The Member asked that it be recorded that he considered that the minutes did not accurately reflect the circumstances

regarding the invitation. The Chairman indicated that he considered that the minutes of the meeting were accurate.

It was:

RESOLVED:

To adopt the draft minutes of the 53rd meeting of the Corporate Policy Committee held on 8 March 2006.

6.2 Limited Introduction of Taser– Consultation Exercise

The Board considered documentation concerning the PSNI intention to introduce Taser, on a trial basis, for use by a limited number of officers in specified circumstances.

The Board discussed the consultation which had taken place regarding the introduction of Taser and the written views of consultees that had been received from a range of interested parties.

The Board considered a number of recommendations made in the light of the outcome of the consultation process and subsequent discussion with the Equality Commission. Following further discussion,

It was:

RESOLVED:

- That the Board should request the PSNI to undertake an Equality Screening Exercise regarding the introduction of Taser and conduct the associated consultation with those on the Section 75 list in the PSNI Equality Scheme.
- In the interim the Board should formally seek the views of it's Human Rights Advisors on the PSNI intention to introduce Taser in the limited circumstances described.

The SDLP Members of the Board asked that it be recorded that the party does not support the introduction of Taser.

One Board Member recorded that he disagreed with the Board's decision

6.3 Review Of PSNI Underwater Search Unit And Search And Rescue Team

The Board considered a paper which informed Members of a PSNI review of both the Underwater Search Unit and the Search and Rescue Team. The PSNI had invited comments from the Board by 28 March 2006.

Members discussed the primary functions of the Units.

It was:-

RESOLVED:

That the Board's response should include reference to the following issues:-

- The management of public expectation on the role and strength of the Units
- The responsiveness\accountability of the Units versus the cost of running the Units and ensuring value for money
- Exploring possible linkages with emergency services
- Consideration of expectations of what is possible and communication of this to the public following recent public disclosures regarding the Underwater Search Unit
- The development of protocols on priority situations and communicating these to the public
- Exploration of the North\South and East\West arrangements
- Training of further volunteers to back up the Units
- Input from the members and the families of the two Units
- Contact with other providers of diving services for their views

6.4 Review Of Standing Orders

The Board considered a paper containing recommendations from the Corporate Policy Committee and additional issues arising from a review of the Board's Standing Orders, Code of Conduct for Board Members and the Roles of Committees. The review had been undertaken as part of the administrative preparations for the reconstitution of the Board in April 2006.

The Chief Executive advised Members that the text of the Standing Orders had been updated to reflect the new Committee structure and to take account of recommendations from the Independent Assessment Panel.

It was:

RESOLVED:

To approve the recommendations of the Corporate Policy Committee and approve the revised Standing Orders, including amendments made to the level of delegation to Committees and the Code of Conduct for Members.

In addition, it was:

RESOLVED:

To give delegated authority to the Human Resources Committee to undertake the Board's responsibilities in relation to the secondment of PSNI officers up to and including the rank of Chief Superintendent.

A Member referred the Board to the revision of paragraph 4 of the Code of Conduct for Board Members. The Member suggested that political Members could find themselves in a position where their personal or party views/principles were in conflict of those of the Board.

Following further discussion, the Chairman called for a show of hands of those in favour of the amendment of the Standing Orders as previously agreed. By show of hands, the majority of Members indicated their approval of the revised wording of paragraph 4 of the Standing Orders concerning the general responsibilities of individual Members.

6.5 Draft Policy On Members Services – IT, Telecommunications And Secure Storage

It was:

RESOLVED:

To approve a policy regarding Members Services – IT, Telecommunications and Secure Storage, which will come into effect on 1 April 2006.

6.6 Royal Ulster Constabulary (Conduct) (Senior Officers) Regulations 2000

The Chief Executive briefed Members on progress on a complaint made by a former police officer against senior officers in PSNI. He referred Members to a confidential paper which set out the details of the complaint and the results of an independent scoping study.

The Board considered the paper and the action taken to date by Board officials.

Following consideration,

It was:

RESOLVED:

- That there was no need for a formal investigation into the complaint and that the findings of the Scoping Study which had been carried out were sufficient to end the Board's involvement with the complaint.
- That PSNI should be requested to appoint a senior employee to speak with the complainant and give an honest acknowledgement and admission of management deficiencies within the department referred to by the complainant.
- That the complainant be advised accordingly.

7. AUDIT AND RISK MANAGEMENT COMMITTEE MEETING

7.1 Minutes Of The 3rd Meeting Of The Audit And Risk Management Committee Held On 22 March 2006

It was:

RESOLVED:

To adopt the draft minutes of the 3rd meeting of the Audit and Risk Management Committee on 22 March 2006.

8. COMMUNITY INVOLVEMENT COMMITTEE MEETING

8.1 Minutes Of The 27th Meeting Of The Community Involvement Committee Held On 9 March 2006

8.1.1 Presentation – Knife Awareness and Disposal Campaign (Item 2 of Minutes refers)

The Vice-Chairman of the Committee highlighted the presentation which the Committee had received on a PSNI Knife Awareness and Disposal

Campaign. He highlighted the need for additional funding to be found to support the campaign during the next financial year. NOTED.

In adopting the recommendations of the Committee concerning financial support for the campaign during the current year:

It was:

AGREED:

That officials should seek further funding from NIO for the 2006\07 financial year for the Knife Awareness Campaign.

It was:

RESOLVED:

To adopt the draft minutes of the 27th meeting of the Community Involvement Committee on 9 March 2006.

8.2 PSNI Response To The Recommendations Made In Research Conducted By The Institute For Conflict Research

The Board considered a paper in relation to reports that were launched on 22 February 2006 concerning:

- Policing, Accountability and the Black and Minority Ethnic Communities in Northern Ireland
- Policing, Accountability and the Lesbian, Gay and Bisexual Communities in Northern Ireland. NOTED.

8.3 2006 DPP Public Consultation Survey Questions

The Board considered a paper seeking approval to questions to be included in the 2006 DPP Public Consultation Survey.

It was:

RESOLVED:

To approve the draft core questions for inclusion in the 2006 DPP Public Consultation Survey.

9. FINANCE AND GENERAL PURPOSES COMMITTEE MEETING

9.1 Minutes Of The 19th Meeting Of The Finance and General Purposes Committee Held On 10 March 2006

It was:

RESOLVED:

To adopt the draft minutes of the 19th meeting of the Finance and General Purposes Committee on 10 March 2006.

9.1.1 NIO Chaired Steering Group re: Alternative Approaches to Conflict Management (Item 6.4 of Minutes refers)

The Vice-Chairman of the Board highlighted the intention of the Home Office to take over the chairmanship of the Steering Group on Alternative Approaches to Conflict Management, currently chaired by the NIO.

It was:

AGREED:

That the matter should be drawn to the attention of the reconstituted Board and that the Policing Board should continue to be represented on the Steering Group.

10. HUMAN RESOURCES COMMITTEE MEETINGS

10.1 Minutes Of The 57th Meeting of the Human Resources Committee Held On 24 February 2006

It was:

RESOLVED:

To adopt the minutes of the 57th meeting of the Human Resources Committee on 24 February 2006.

10.2 Minutes Of The 58th Meeting (Quorum) Of The Human Resources Committee Held On 24 February 2006

It was:

RESOLVED:

To adopt the minutes of the 58th (Quorum) meeting of the Human Resources Committee on 24 February 2006.

10.3 Minutes Of the 59th Meeting Of The Human Resources Committee Held On 22 March 2006

10.3.1 Training Strategy and Cost of Training Plan (Item 25.1 of minutes refers)

It was:

AGREED:

To amend the second sentence of the first paragraph of Item 25.1 of the draft minutes to read. 'She explained that she and an official had met the Head of the Police College and had suggested that consideration should be given to *details of planned action points over the next 12 months in respect of*'.

It was:

RESOLVED:

To adopt the minutes of the 59th meeting of the Human Resources Committee on 22 March 2006, subject to the above amendment.

10.4 Minutes Of The 60th Meeting Of The Human Resources Committee Held On 22 March 2006

It was:

RESOLVED:

To adopt the minutes of the 60th meeting of the Human Resources Committee on 22 March 2006.

11. BOARD'S RESPONSE TO HMIC BASELINE ASSESSMENT 2005

Under Section 42 (2) of the Police (NI) Act 1998, the Board is required to publish its findings on the published report of Her Majesty's Inspectorate of Constabulary (HMIC). The Board considered a paper which set out a draft response to the baseline assessment measuring PSNI performance during April 2004 and March 2005. The report was published by HMIC in January 2006.

It was:

RESOLVED:

To approve the draft response to the HMIC baseline assessment

12. 2005 – 2006 BUSINESS PLAN

The Board considered a paper which set out the progress achieved towards the targets set in the 2005-2006 Northern Ireland Policing Board Business Plan. NOTED.

13. CORPORATE PLAN 2005 – 2008 UPDATE

The Board considered a paper which set out the achievements against the objectives contained within the 2005-2008 Northern Ireland Policing Board Corporate Plan. NOTED.

14. MONTHLY LEAVE DAY ENTITLEMENTS – CHIEF OFFICERS

The Board considered a paper which contained a Staff Side submission to the Police Negotiating Board (PNB) from the Chief Police Officers Staff

Association (CPOSA) for an increase in the current monthly leave days for Chief Officers.

Members discussed the submission.

It was:

AGREED:

- That PNB should consider the submission as part of the total package of entitlements for Senior Officers
- That further information should be obtained from CPOSA on how many days leave are actually taken by CPOSA members during each year.

15. QUESTIONS FOR THE CHIEF CONSTABLE

Members considered written replies to questions raised at the previous Board meeting. NOTED.

With regard to a response from PSNI which provided a breakdown of the crimes committed by PSNI officers,

It was:

AGREED:

That the Board should request a six monthly update on criminal convictions of PSNI officers.

16. INFORMATION PAPERS

16.1 9th Report Of The Independent Monitoring Commission (IMC)

The Chairman drew the attention of Members to the publication of the 9th Report of The Independent Monitoring Commission on 8 March 2006.

NOTED.

16.2 Future Of Part-Time Policing

The Board considered a paper which provided an update from the Part-Time Policing Tripartite Working Group. NOTED.

17. PRESS ISSUES

It was:

AGREED:

That news releases should be issued in respect of the following matters:

- Taser
- Community Based Restorative Justice.

18. ANY OTHER BUSINESS

The Chairman paid tribute to the work of the outgoing Members of the Board – Mr Bradley, Viscount Brookeborough, Mr Dougherty, Mr Foster, Mr Kelly, Lord Kilclooney, Mr McFarland, Mr McGrady and Mr Wilson.

A number of Members spoke about their experiences of their membership of the Board during the last 4½ years and paid tribute to their colleagues and the support work carried out by the Board's Chief Executive and staff.

19. DATE OF NEXT MEETING

Subject to the reconstitution of the Board, the date of the next meeting was arranged for 6 April 2006.

(Meeting closed 12.45 pm)

Secretariat

April 2006

CHAIRMAN