

NORTHERN IRELAND POLICING BOARD

MINUTES OF A MEETING OF THE NORTHERN IRELAND POLICING BOARD HELD ON WEDNESDAY, 7 FEBRUARY 2007 AT 9:30AM IN WATERSIDE TOWER, BELFAST

PRESENT:

MEMBERS:

- Professor Sir Desmond Rea (Chairman)
- Mr Barry Gilligan (Vice Chairman)
- Mr Alex Attwood
- (1) Mr Joe Byrne
- (2) Mr Fred Cobain
- (3) Mr Brendan Duddy
- (4) Ms Arlene Foster
- Mr Willie Hay
- Mrs Dolores Kelly
- (5) Mr Danny Kennedy
- Ms Deirdre Mac Bride
- (6) Mrs Pauline McCabe
- (1) Mrs Rosaleen Moore
- (7) Mr Ian Paisley Jnr
- (8) Ms Dawn Purvis
- Mr Brian Rea
- Mr Trevor Ringland
- (9) Mr Suneil Sharma
- (1) Mr Peter Weir

PSNI IN ATTENDANCE:

- (10) Sir Hugh Orde (Chief Constable)
- (10) Mr Paul Leighton (Deputy Chief Constable)
- (11) Mrs Judith Gillespie (ACC Rural Region)
- (10) Mr Drew Harris (ACC Criminal Justice)
- (10) Mr Duncan McCausland (ACC Urban Region)
- (10) Mr Peter Sheridan (ACC Crime Operations)
- (10) Mr Roy Toner (ACC Operational Support)
- (10) Mr David Best, Director of Finance and Support Services
- (10) Ms Sinead McSweeney, Director of Media and PR
- (10) Mr Joe Stewart, Director of Human Resources
- (10) Mr David Cox, Director of Historical Enquiries
- (10) Team (HET)
- (10) T/Superintendent, Command Secretariat
- (12) DCU Commander, Banbridge
- (12) DCU Commander, Magherafelt
- (10) Chief Superintendent, HET
- (10) Superintendent, Head of Operational Development Programme

- (10) 2 representatives, PSNI Analysis Centre
- (10) 2 representatives, Command Secretariat

**OFFICIALS IN
ATTENDANCE:**

- Mr Trevor Reaney (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)
- Mrs Sinead Simpson (Director of Policy)
- (13) Mr Keir Starmer, Human Rights Advisor
- (13) Ms Jane Gordon, Human Rights Advisor
- 3 Board Officials

- (1) Item number 3.1.6 to close
- (2) Item numbers 11, 13 & part 14.2
- (3) Item numbers 3.1.10 to 5.7, 11, 13 & part 14.2
- (4) Item numbers 5.4 to 5.7 & 13
- (5) Item number 3.1.9 to close
- (6) Item number 4 to close
- (7) Item numbers 3.1.9 to 5.7, 11, 13 & part 14.2
- (8) Item numbers 1 to 5, 11, 13 & part 14.2
- (9) Item numbers 1 to 7.3, 11, 13 & part 14.2
- (10) Item number 13 only
- (11) Item numbers 11 & 13 only
- (12) Item number 11 only
- (13) Item numbers 5.4 to 5.7 & 13

1. APOLOGIES, ETC

There were no apologies received for the meeting. NOTED.

2. MINUTES OF MEETINGS OF THE POLICING BOARD

Minutes Of The Policing Board Meeting Held On 13 December 2006

It was:-

RESOLVED:

That the draft minutes of the Policing Board meeting held on 13 December 2006 be approved.

2.2 Minutes Of The Policing Board Meeting In Public Held On 13 December 2006

It was:-

RESOLVED:

That the draft minutes of the Board meeting in public held on 13 December 2006 be approved.

2.3 Minutes Of The Policing Board Meeting Held On 24 January 2007

It was:-

RESOLVED:

That the draft minutes of the special Board meeting held on 24 January 2007 be approved.

3. MATTERS ARISING FROM THE MINUTES OF THE MEETING

3.1 Meeting Held On 13 December 2006

3.1.1 Community Based Restorative Justice (Item 3.1 Of Minutes Refers)

The Deputy Chief Executive drew the attention of Members to the publication of the Northern Ireland Affairs Committee (NIAC) report on Community Based Restorative Justice. A paper was being prepared for the Community and Human Rights Committee regarding the content of the NIAC Report. NOTED.

The Deputy Chief Executive also drew the attention of Members to the publication of the Protocol for Community-based Restorative Justice Schemes by the Northern Ireland Office (NIO), on 5 February 2007. NOTED.

3.1.2 New Policing College (Item 3.2 Of Minutes Refers)

The Vice Chairman updated Members on discussions at a meeting of the Police College Project Board held on 5 February 2007. It was anticipated that an official announcement about the funding for the college would be made by the Secretary of State in the near future, possibly at the International Policing Conference. NOTED.

3.1.3 Members' Attendance At Events (Item 5.1 Of Minutes Refers)

The Board considered a revised paper which detailed the record of attendance by Members at events, other than Board/Committee meetings, for the period 1 April to 31 December 2006.

It was:-

AGREED:

That the attendance schedule should be published on the Board's website.

3.1.4 Board Meeting – March 2007 (Item 5.2 Of Minutes Refers)

This matter was dealt with at item 5.4.

3.1.5 Omagh Bombing – Response To Omagh Support And Self Help Group (Item 6.3 Of Minutes Refers)

Officials confirmed that as agreed at the previous meeting, a letter had been issued to the Omagh Support and Self Help Group. NOTED.

3.1.6 International Policing Conference – Progress Report (Item 6.4 Of Minutes Refers)

The Director of Policy updated Members about the arrangements for the International Policing Conference from 20 to 22 February 2007.

Members discussed the arrangements and made a number of suggestions regarding the role of independent Members, invitations to panellists and the reduction of fees for representatives from the community sector. The Director of Policy advised that the matters raised by Members would be brought to the Conference Project Board for further consideration. NOTED.

3.1.7 Policing Board Position Statement – PSNI Policy On Retention Of DNA (Item 6.5 Of Minutes Refers)

This matter was dealt with at item 6.4.

3.1.8 Consultation On The Future Arrangements For District Policing Partnerships (Item 7.3 Of Minutes Refers)

The Deputy Chief Executive updated the Board about the consultation process on the future arrangements for District Policing Partnerships and advised it was planned to include this matter on the agenda of the next Community and Human Rights Committee meeting. NOTED.

3.1.9 Board Engagement With The Business And Retail Sector (Item 10.1 Of Minutes Refers)

The Director of Community Engagement updated the Board about the event that was held on 24 January 2007 with the manufacturing, service, business and retail community. He advised that the main area of feedback concerned how the Board should follow up on the event and that this would be considered at a future Community and Human Rights Committee meeting. NOTED.

3.1.10 Proposed Closure – Gilford Police Station (Item 11.2 Of Minutes Refers)

This matter was dealt with at item 11.1.

3.2 Meeting Held On 24 January 2007

The Chairman reminded Members that additional time had been allocated to the private session with the Chief Constable, to facilitate further discussion on the Statement by the Police Ombudsman on her investigation into the circumstances surrounding the death of Raymond McCord Jnr and related matters. In addition, a number of questions had been tabled for the Chief Constable for the Board meeting in public. NOTED.

4. CHAIRMAN'S BUSINESS

4.1 Engagements

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

- Board Christmas Reception – 13 December 2006;
- A Celebration for the life of David W Ervine – Belfast – 12 January 2007;
- Holocaust Memorial Evening – Lisburn – 25 January 2007;
- Briefing – Organised Crime Task Force Stakeholder Group Meeting – Belfast – 29 January 2007;
- meeting with the Harbinson Family – Belfast – 30 January 2007;
- meeting with the Mr Raymond McCord Senior – Belfast – 31 January 2007.

The Chairman and Members who attended the Organised Crime Task Force Stakeholder Group meeting on 29 January 2007 updated Members on discussion at the meeting. Board Members had raised the issue of the merger of the Assets Recovery Agency (ARA) and the Serious and Organised Crime Agency (SOCA) and the group had discussed the issue. NOTED.

The merger of ARA and SOCA was also discussed at item 6.2.1.

4.2 Publication

The Chairman advised Members that the following publication had been placed in the library:-

- Chinese Welfare Association – Annual Report – 2005 – 2006.

NOTED.

4.3 Correspondence

The Chairman informed Members that he had received the following correspondence:-

- OFMDFM Research Reports on a Shared Future 26 January 2007:-
 - Flags Monitoring Project 2006;
 - A Shared Future and Racial Equality Strategy.

The Chairman advised that following the publication of the Queen's New Years Honours List 2007, he had written to the PSNI recipients to offer the Board's congratulations. NOTED.

4.4 News Releases

The Chairman highlighted the following news releases:-

- ARA Freezes £11.8 million of Property in Manchester – Assets Recovery Agency -18 January 2007;
- Holocaust Must Never Be Forgotten – Hain – Northern Ireland Office – 25 January 2007;
- Hanson Welcomes Northern Ireland Affairs Committee Report – Northern Ireland Office – 25 January 2007;

- Strategic Review Of Parading Launched – Northern Ireland Office – 2 February 2007;
- Police Community Support Officers – A Step Closer: Goggins – NIO – 5 February 2007.

NOTED.

4.5 Press Articles Regarding:

4.5.1 Recruitment And Retention Of Catholic PSNI Officers

The Chairman reminded Members of an article that appeared in the press on 27 December 2006, attributed to British/Irish Rights Watch, which stated that the PSNI had not been able to recruit enough Catholic police officers and had trouble retaining Catholic officers. The impression given in the article was that this affected public confidence in policing and that intimidation was a significant reason for this. The Chairman informed Members that he had written to the Director of British/Irish Rights Watch setting out the success of the recruitment process, emphasising that PSNI do not have any difficulty in recruiting sufficient Catholic officers and detailing the reasons for resignation and dismissal of student officers. NOTED.

4.5.2 Appointment Of Chief Constable (2002)

This matter was dealt with at item 14.2

5. CHIEF EXECUTIVE'S BUSINESS

5.1 RUC GC Foundation Bursary Scheme 2007 – “Police And Community Initiatives To Protect The Elderly In Society”

The Chief Executive advised the Board about a Foundation Bursary Scheme 2007 regarding “Police and Community Initiatives to Protect the Elderly”. NOTED.

5.2 Renewal Of The Temporary Provisions Of The Police (NI) Act 2000

The Chief Executive advised the Board that the Order to renew the temporary provisions of the Police (NI) Act 2000 for a further 3 years was laid in Parliament on 29 January 2007. NOTED.

5.3 Board Visit To Washington – St Patrick’s Day 2007

The Chief Executive informed the Board about an invitation for Members to visit Washington for the St Patrick’s Day celebrations.

Following discussion, it was:-

AGREED:

That 7 Members of the Board (Chairman, Vice Chairman, 3 representatives from the political parties on the Board and 2 independent Members) should represent the Policing Board in Washington.

5.4 Reconstitution Of The Policing Board – Administrative Arrangements

The Board considered a paper, tabled at the meeting, which provided a briefing on plans for the reconstitution of the Policing Board, subject to the anticipated restoration of devolution on 26 March 2007.

The Chief Executive outlined proposals regarding administrative arrangements necessary to facilitate reconstitution.

It was:-

AGREED:

- the Board meeting arranged for 7 March 2007 should be cancelled.
- all Committee meetings in March 2007 should be cancelled, with any urgent Committee business being dealt with at a final private Board meeting to be held prior to reconstitution;
- a final private meeting of the outgoing Board should be held on 22 March 2007 at 2.00pm;
- a brief induction session for the “transitional” Board should be arranged for 17 April 2007, with further sessions being arranged as necessary to meet the specific needs of new Members;
- to hold the 1st private meeting of the “transitional” Board on 18 April 2007 to elect a Board Chairman and Vice Chairman and to deal with any urgent business;
- that the Corporate Policy, Planning and Performance Committee should give further consideration to the schedule of meetings for April 2007 at its February meeting;
- the normal schedule of Board and Committee meetings should resume in May 2007.

It was:-

RESOLVED:

That for the period from the date of reconstitution until the election of the Chairman and Vice Chairman of the “transitional” Board, that the Chief Executive should have delegated authority to deal with any urgent items of business.

The Chief Executive drew the attention of Members to a number of other issues associated with the end of the current Board’s term of office. He advised that an assessment of Members’ performance during 2006/07 would be undertaken by the Chairman, to comply with OCPA requirements and to assist with “fast tracking” through the recruitment process for those Members who wished to be considered for reappointment to the Board. NOTED.

5.5 Review Of Remuneration Of Board Members

The Chief Executive referred Members to a letter issued by the Secretary of State to the Chairman on 16 January 2007, which had been copied to all Board Members. The letter was in relation to the Review of Remuneration of Board Members.

It was:-

AGREED:

That the Special Responsibility Allowance should be increased by the same percentage as the overall increase detailed in the letter.

5.6 Fair Employment Tribunal Case

The Chief Executive updated Members regarding correspondence received in connection with an ongoing Fair Employment Tribunal case. NOTED.

5.7 Police Support To Hospital Accident And Emergency Units

The Chief Executive informed Members that ACC Urban Region had offered a briefing to the Board on the recent initiative in police support to accident and emergency units in hospitals. NOTED.

6. CORPORATE POLICY, PLANNING AND PERFORMANCE COMMITTEE MEETINGS

6.1 Minutes Of The Meeting Of The Corporate Policy, Planning And Performance Committee Held On 19 December 2006

It was:-

RESOLVED:

To adopt the minutes of the meeting of the Corporate Policy, Planning and Performance Committee held on 19 December 2006.

6.2 Minutes Of The Meeting Of The Corporate Policy, Planning And Performance Committee Held On 17 January 2007

6.2.1 Merger Of ARA/SOCA (Item 5.7 Of Minutes Refers)

The Chairman advised the Board that, as agreed at the Committee meeting, he had written to the Minister regarding the announcement by the Home Office on 11 January 2007 to bring forward proposals to merge the Assets Recovery Agency (ARA) with the Serious and Organised Crime Agency (SOCA) by April 2008.

The Chairman emphasised the grave concerns expressed by the Corporate Policy, Planning and Performance Committee at their January 2007 meeting about the merger.

The Chairman advised Members that in his letter he had raised the following points:-

- the success of the ARA in Northern Ireland;
- the much higher profile ARA had in Northern Ireland compared with Great Britain;
- the clear message sent by the ARA in the past to perpetrators of organised crime that there are no hiding places;
- the concern of Members that SOCA would not work with the same vigour as the ARA in disabling the perpetrators, operating at all levels of organised crime in Northern Ireland, particularly if more appealing prospects presented in Great Britain, and the need for the Board to be reassured on this issue;
- the concerns expressed by Members about the future relationship between SOCA and the Criminal Assets Bureau and law enforcement agencies in Northern Ireland generally.

The Chairman confirmed that he had invited the Minister to meet with the Board to discuss the merger. NOTED.

6.2.2 Final Draft Of The 2007/08 Policing Plan (Item 7 Of Minutes Refers)

The Chairman confirmed that he had signed off the 2007/08 Policing Plan. NOTED.

It was:-

RESOLVED:

To adopt the draft minutes of the meeting of the Corporate Policy, Planning and Performance Committee held on 17 January 2007.

6.3 Value For Money Establishment Review Of The PSNI Post 2010/11

The Chief Executive informed the Board, that in view of the anticipated reconstitution of the Board and the subsequent disruption to Board and Committee meetings, that he had sought written responses from the Chief Constable and the Police Staff Associations regarding the Value for Money Review of the PSNI Post 2010/11. NOTED.

6.4 PSNI Policy On The Retention Of DNA

The Chairman referred Members to a paper which sought the Board's views on the PSNI Policy on the Retention of DNA on the police national computer and to further information supplied to Members on 31 January 2007.

Following discussion, it was:-

AGREED:

- that the PSNI should be asked to comment with reference to Police, Public Order and Crime Justice (Scotland) Act 2006, Section 83; and
- that the matter should be referred to the Corporate Policy, Planning and Performance Committee for further consideration.

7. COMMUNITY AND HUMAN RIGHTS COMMITTEE MEETINGS

7.1 Minutes Of The Meeting Of The Community And Human Rights Committee Meeting Held On 14 December 2006

It was:-

RESOLVED:

To adopt the minutes of the meeting of the Community and Human Rights Committee held on 14 December 2006.

7.2 Minutes Of The Meeting Of The Community And Human Rights Committee Held On 11 January 2007

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

7.2.1 Board Support For Policing With The Community Awards 2007 (Item 10 Of Minutes Refers)

7.2.2 “Raid Control” Crime Prevention Initiative (Item 11 Of Minutes Refers)

It was:-

RESOLVED:

To adopt the draft minutes of the meeting of the Community and Human Rights Committee held on 11 January 2007.

7.3 PSNI's Consultation On Registration Of Notifiable Memberships

It was:-

AGREED:

To defer this matter to the next Board meeting.

7.4 Meeting With Chairs And Vice Chairs Of District Policing Partnerships (DPPs)

The Chairman of the Committee updated Members about a meeting which had briefed DPP Chairs and Vice Chairs on the Board's position on Community Based Restorative Justice, DPP reconstitution, the future of DPPs and the possible impact of CSR07 on DPP budgets. He advised that there was considerable concern about the reconstitution of DPPs and the impact that this would have on members, particularly independent members who had committed to a period of 4 years service. The meeting also expressed a concern that the NIO had already decided on the future of DPPs and the role of Community Safety Partnerships. NOTED.

8. HUMAN RESOURCES COMMITTEE MEETINGS

8.1 Minutes Of The Meeting Of The Human Resources Committee Held On 14 December 2006

A Member of the Committee highlighted the following matters considered by the Committee and outlined Committee discussions/recommendations regarding:-

8.1.1 Gender Action Plan Business Case From PSNI (item 11 Of Minutes Refers)

It was:-

RESOLVED:

To adopt the minutes of the Human Resources Committee held on 14 December 2006.

8.2 Minutes Of The Meeting Of The Human Resources (Quorum) Committee Held On 14 December 2006

It was:-

RESOLVED:

To adopt the minutes of meeting of the Human Resources (Quorum) Committee held on 14 December 2006.

8.3 Minutes Of The Meeting Of The Human Resources Committee Held On 10 January 2007

A Member of the Committee highlighted the following matters considered by the Committee and outlined Committee discussions/recommendations regarding:-

8.3.1 HMIC Human Resources Inspection Report (Item 4.13 Of Minutes Refers)

A number of Members of the Committee expressed concern that the final report had not yet been received from HMIC.

8.3.2 LINKS Project (Item 4.1 Of Minutes Refers)

Members expressed concerns at the lack of clarity for this project and the need to ensure that LINKS and CORE are co-ordinated.

8.3.3 Appointment Of New PSNI District Commanders (Item 6.1 Of Minutes Refers)

It was:-

RESOLVED:

To adopt the draft minutes of the Human Resources Committee held on 10 January 2007.

8.4 Minutes Of The Meeting Of The Human Resources (Quorum) Committee Held On 10 January 2007

It was:-

RESOLVED:

To adopt the draft minutes of meeting of the Human Resources (Quorum) Committee held on 10 January 2007.

9. RESOURCES AND IMPROVEMENT COMMITTEE MEETINGS

9.1 Minutes Of The Meeting Of The Resources And Improvement Committee Held On 15 December 2006

A Member of the Committee highlighted the following matters considered by the Committee and outlined Committee decisions/recommendations regarding:-

9.1.1 PSNI November 2006 Expenditure And Overtime Reports (Item 5 Of Minutes Refers)

9.1.2 General Authorisation For The Supply, Sale Or Consumption Of Intoxicating Liquor On Police Premises (Item 8 Of Minutes Refers)

It was:-

RESOLVED:

To adopt the draft minutes of the Resources and Improvement Committee held on 15 December 2006.

9.2 Minutes Of The Meeting Of The Resources And Improvement Committee Held On 19 January 2007

A Member of the Committee highlighted the following matters considered by the Committee and outlined Committee decisions/recommendations regarding:-

9.2.1 PSNI December 2006 Expenditure Report (Item 6 Of Minutes Refers)

9.2.2 PSNI Best Value Review Area For 2007/08 (Item 9 Of Minutes Refers)

9.2.3 Best Value Review – Partnership Working (Item 13 Of Minutes Refers)

9.2.4 PSNI Comprehensive Spending Review 2007 figures (Item 14 Of Minutes Refers)

It was:-

RESOLVED:

To adopt the draft minutes of the Resources and Improvement Committee held on 19 January 2007.

9.3 PSNI Comprehensive Spending Review (CSR) 2007 Figures

The Board considered a paper which detailed the figures in current circulation relating to the funding of PSNI over the CSR2007 period.

It was:-

RESOLVED:

That delegated authority should be given to the Resources and Improvement Committee to 'sign off' the PSNI Comprehensive Spending Review 2007 at its next meeting on 16 February 2007 and that all Members of the Board should be invited to attend this part of the meeting.

10. INFORMATION PAPERS

10.1 The PSNI Review Of Underwater Search Unit

The Board considered a paper which detailed the outcome of the Review of the PSNI Underwater Search Unit, conducted in March 2006. NOTED.

11. STATION REVIEWS

11.1 Station Review – Gilford Police Station

The Chairman welcomed ACC Rural Region, and the DCU Commanders from Banbridge and Magherafelt to the meeting.

The Director of Planning updated Members on a meeting that he had attended with Banbridge District Policing Partnership on 17 January 2007 regarding the proposed closure of Gilford police station. He advised that Banbridge DPP members had reaffirmed their original position that they were not prepared to offer a collective view on the proposed closure, although the DPP members clearly held individual views on the

issue. However, the DPP noted that the consultation exercise carried out by the District Commander largely supported the retention of the station but in excess of £200,000 was required to refurbish Gilford station to make fit for purpose.

In the event of a decision being taken to close the station, Banbridge DPP:-

- were satisfied with the alternative policing plans outlined by the District Commander and are prepared to monitor the impact of the alternative arrangements;
- wished to see efforts made to establish a police surgery or similar feature within the new Gilford community facility;
- asked that the local council be consulted with a view to the site being used to provide low cost housing.

NOTED.

The Chairman reminded Members that at the December 2006 meeting, it had been agreed to defer a decision in respect of a proposal from PSNI to close Gilford station and to seek further information from Banbridge DPP regarding the proposed closure.

The Chairman asked Members to consider the proposal to close Gilford station.

It was:-

RESOLVED:

To endorse the Chief Constable's proposal to close, demolish and dispose of the PSNI station in Gilford.

During discussion, it was:-

AGREED:

That PSNI should be asked to provide the Resources and Improvement Committee with an update on the overall impact of the closure of police stations.

11.2 Station Review – Draperstown Police Station

The Chairman referred Members to the Station Review Template referred to the Board by the Resources and Improvement Committee concerning a proposal by the Chief Constable to close Draperstown police station.

Members considered the paper and received a presentation from the District Commander, Magherafelt concerning the proposed closure. A copy of the slides used during the presentation is attached at Appendix 'A'.

The Board noted that the closure had been discussed at a DPP meeting on 27 September 2006 and that consultation regarding the proposed closure had taken place over a 6 month period during 2006. Magherafelt DPP considered that it had been adequately briefed and consulted regarding the proposed station closure. The DPP had looked favourably on the PSNI's proposal, taking into account the £750,000 required to bring the station up to health and safety standards. The DPP considered that the station site could be put to better use by the local community.

Following a discussion with the PSNI representatives and a show of hands, the majority of Members:-

RESOLVED:

To endorse the Chief Constable's proposal to close, demolish and dispose of the PSNI station in Draperstown.

Members discussed the programme for the review of stations throughout Northern Ireland and the impact of the Review of Public Administration and restructuring of district command areas on the review programme. ACC Rural Region confirmed that the programme of station reviews would be reconsidered in the light of changes to

district commands and that where it was considered appropriate, proposals for closures would continue to be brought to the Board.

The Chairman thanked ACC Rural Region and colleagues for their contribution and they left the meeting.

12. COMMUNICATION ISSUES

It was:-

AGREED:

To issue news releases in respect of the following items of business.

- the future of Gilford and Draperstown police stations;
- report by the Police Ombudsman into the events surrounding the death of Raymond McCord Jnr.

13. QUESTIONS FOR THE CHIEF CONSTABLE

The meeting discussed questions to be put to the Chief Constable and decided whether they should be asked at the Board meeting in public, in the private session or be dealt with by way of written reply.

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

The Board received further information in relation to:-

- police investigations into the murder of Mr David McElwaine and Mr Andrew Robb;

- preparations for the transfer of lead responsibility for national security intelligence from PSNI to the Security Services;
- the policy and funding arrangements for the provision of payments to covert human intelligence sources.
- The implications of the Comprehensive Spending Review on PSNI overtime, IS strategy, estate strategy and civilian staff numbers. The PSNI representatives undertook to provide further, more detailed financial information concerning the implications in a written response.
- proposals contained in the Policing (Miscellaneous Provisions) (NI) Order 2007 for proposed police powers to examine documents or records and to close roads;
- the decision by the judge in the trial of Mr Sean Hoey to refer PSNI actions to the Police Ombudsman for investigation;
- police investigations into the robbery at the Northern Bank;
- the outcome of the review of the PSNI Underwater Search Unit;
- training preparations for the introduction of the new performance appraisal system in April 2007. PSNI representatives offered to provide a more detailed presentation to the Human Resources Committee in relation to the new system.

The Chief Constable highlighted the need for additional resources to enable the Historical Enquiries Team (HET) to implement recommendations arising from the report by the Police Ombudsman in relation to complaints made by Mr Raymond McCord Snr. The Director of the Historical Enquiries Team then outlined the issues associated with mounting an effective investigation into a linked series of historical murders and other serious offences to restore public confidence, the requirement to maintain delivery of HET core business and the requirement to manage other complex cases contemporaneously. He described the likely scale of the investigation and the resources that would be required to undertake the task.

The Board also considered a paper tabled by the Board's Human Rights Advisors which set out a proposal for a monitoring mechanism in respect of recommendation 20 of the Ombudsman's report.

Following discussion, it was:-

AGREED:

That the PSNI should forward a paper setting out the HET's assessment of requirements and resources and that this should be considered by the next meeting of the Corporate Policy, Planning and Performance Committee.

It was:-

RESOLVED:

That the Human Rights Advisors recommendations concerning the implementation of recommendation 20 were appropriate and should be taken forward by the Board.

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

14. ANY OTHER BUSINESS

14.1 13th Report Of The Independent Monitoring Commission (IMC)

The Board considered a paper that summarised the main findings contained in the 13th Report from the Independent Monitoring Commission (IMC), published on 13 January 2007. NOTED.

14.2 Appointment Of Chief Constable (2002)

The Chairman referred Members to a confidential paper, tabled at the meeting, relating to the appointment of the Chief Constable in 2002. He referred Members to a copy of an advertisement which appeared in the Irish News on 26 January 2007. The

advertisement, which was placed by the Social, Democratic and Labour Party (SDLP) included a paragraph which stated *“Against the wishes of Tony Blair and John Reid, we made sure that the Policing Board showed Ronnie Flanagan the door. Against the wishes of Tony Blair and John Reid, we ensured that the Policing Board appointed Hugh Orde – and not a policeman from the old RUC Order”*.

The Chairman drew the attention of Members to a brief chronology of the Chief Constable appointment process in 2002. He also referred Members to a private and confidential letter which he had written to the leader of the SDLP, Mr Mark Durkan regarding an inference in the advertisement that there had been some collaborative manipulation of events surrounding the end of Sir Ronnie Flanagan’s term of appointment and the appointment of Sir Hugh Orde as Chief Constable. He advised Members that he considered that the comments did a disservice to the Board, to all those involved in the appointment process, including the assessors to the panel, to the candidates who had applied for the post and to Sir Hugh Orde, as it implied that he was not appointed solely on merit. The Chairman asked Members to note the correspondence and to consider any action that should be taken by the Board.

In the lengthy debate which followed, Members expressed deep concerns about:-

- the inference that the successful candidate had not been appointed on merit alone;
- the inference that the Board had not acted in an independent manner;
- the inference that a member of the appointment panel had not approached the process from a totally independent viewpoint;
- confidence issues surrounding future appointments to senior command posts in PSNI;
- damage to the credibility of the Board;
- the use of the term *“old RUC Order”*;
- the prospect of future legal action by candidates for the post;
- the decision by the SDLP leader not to issue an immediate public statement to clarify the wording in the statement.

Members discussed:-

- the context of the advertisement in the run up to the Assembly elections;
- the need for a review of the appointment process in 2002;
- the rigorous nature of appointment process;
- the commendation that it and subsequent senior office appointments processes had received from HMICs and those participating.

The Chief Executive informed the Board that subsequent to the publication of the advertisement, that he had initiated a review of the scores by each Member of the recruitment panel and no evidence of manipulation of the scores had been found.

Following further discussion, the Board unanimously expressed its satisfaction that its recruitment processes in 2002 and subsequent appointment boards had been carried out to the highest professional standards and the successful candidates had been appointed only on merit.

Members discussed the reference in the advertisement to the suggestion that the Prime Minister and Secretary of State had attempted to influence the independence of the Board.

Following further discussion, it was:-

AGREED:

- that the Board Chairman and Vice Chairman should accept the invitation from the leader of the SDLP to meet and should convey the concerns of the Board concerning the advertisement;
- that the Chairman and Vice Chairman should seek clarification on the statement "*Against the wishes of Tony Blair and John Reid.....*".
- that the Board should publicly reiterate its complete confidence in the Chief Constable and all the senior officers appointed subsequently.

The Board considered a draft Board press statement concerning the issue.

Following lengthy discussion, the majority of Members agreed the content of the press statement.

Mr Attwood asked that it be recorded that he dissented in respect of part of the wording of the statement.

It was:-

AGREED:

That the news release should be issued.

15. DATE OF NEXT MEETING

As agreed earlier in the meeting, the next Board meeting (private session only) was arranged for 22 March 2007 at 2:00pm.

(Meeting closed 5:50pm).

Secretariat

February 2007

Chairman