

NORTHERN IRELAND POLICING BOARD

MINUTES OF A MEETING OF THE CORPORATE POLICY, PLANNING & PERFORMANCE COMMITTEE HELD ON 19 JUNE 2008 AT 2:00PM IN WATERSIDE TOWER, BELFAST

PRESENT:

MEMBERS:

Professor Sir Desmond Rea (Chairman)

Mr Barry Gilligan (Vice Chairman)

(1) Ms Martina Anderson

Mrs Dolores Kelly

Mr Alex Maskey

(2) Mr Basil McCrea

(3) Ms Mary McKee

Mrs Rosaleen Moore

(1) Mr Gearoid O'hEara

(4) Mr Ian Paisley Jnr

Mr Brian Rea

(5) Mr David Rose

Mr Trevor Ringland

(6) Mr Suneil Sharma

(7) Mr Peter Weir

SERIOUS AND ORGANISED CRIME AGENCY IN ATTENDANCE:

(8) Mr Bob Lauder (Deputy Director Enforcement)

(8) Mr Mike Little (Head of Investigations, Scotland and NI)

(8) Ms Salena Gamble (Senior Press Officer)

(8) Mr Phil Aiken (Head of Civil Recovery and Tax NI)

(8) Mr John Fenton (Branch Commander, Enforcement)

SPECIALIST ADVISOR IN ATTENDANCE:

(9) Mr Mark Reber

POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:

(10) Sir Hugh Orde (Chief Constable)

(10) Mr Roy Toner (ACC Operational Support)

(10) Ms Liz Young (Head of Media & Public Relations)

(10) A/Chief Superintendent Ken Eccles

(10) Chief Inspector

(10) Independent Advisor

POLICING BOARD HUMAN RIGHTS ADVISOR IN ATTENDANCE:

(10) Ms Jane Gordon

- OFFICIALS IN ATTENDANCE:**
- (11) Mr Trevor Reaney (Chief Executive)
 - (12) Dr Debbie Donnelly (Deputy Chief Executive)
 - (13) Mr David Jackson (Director of Community Engagement)
 - (14) Mr Sam Hagen (Director of Corporate Services)
 - (13) Mr David Wilson (Director of Planning)
 - (15) Mr Peter Gilleece (Director of Policy)
 - (15) 3 Board Officials

- (1) Item numbers 12 to 14
- (2) Item numbers 1 to 7, 12 to 14 & 19
- (3) Item numbers 1 to 6 & 19
- (4) Item numbers 1 to 6, 12 to 14 & 19
- (5) Part item number 12, 13 & 14
- (6) Item numbers 13 & 14
- (7) Item numbers 4.4 & 5, 7 to 11, 13 to 18
- (8) Item number 12 only
- (9) Item number 13 only
- (10) Part item number 14 only
- (11) Except item 19.1 & 19.2
- (12) Item number 3.3 to close, except 19
- (13) Item numbers 1 to 6
- (14) Item numbers 1 to 6 & 9
- (15) Except item 19

1. APOLOGIES

Apologies were received on behalf of Mr Daithí McKay. NOTED.

2. MINUTES OF THE CORPORATE POLICY, PLANNING AND PERFORMANCE COMMITTEE MEETING HELD ON 15 MAY 2008

The Committee considered the draft minutes of the previous meeting.

It was:-

AGREED:

To amend item 11, paragraph 2 by replacing the word “following” by the words “prior to”.

Subject to this amendment, it was:-

AGREED:

That the draft minutes of the Corporate Policy, Planning and Performance Committee meeting held on 15 May 2008 should be agreed.

3. MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD ON 15 MAY 2008

3.1 National Policing Board (Item 3.3 Of Minutes Refers)

The Chairman referred Members to a letter received from the Minister of State for Northern Ireland regarding possible nomination to the National Policing Board. The Minister had indicated he was content to write to the Home Office Minister to request Northern Ireland representation at the National Policing Board. NOTED.

3.2 Assistant Chief Constable Recruitment Procedures (Item 3.4 Of Minutes Refers)

The Committee was updated about a shortlisting meeting of the appointment panel considering the recruitment of an Assistant Chief Constable, which had been held earlier in the day. Interviews had been arranged for 25 June 2008. NOTED.

3.3 Role Of The Policing Board In Strategic Issues Raised Through District Policing Partnerships (Item 3.5 Of Minutes Refers)

The Committee was advised that the meeting arranged for 18 June 2008 between the Board Chairman and 2 representatives of Belfast District Policing Partnership (DPP) had been postponed at the request of one of the DPP members. NOTED.

It was:-

AGREED:

That representatives from all DPPs should be invited to attend a briefing in relation to policing legacy issues.

3.4 Recruitment And Selection Policy (Item 3.7 Of Minutes Refers)

Officials advised that the Equality Commission had not yet responded in writing concerning the Board's Recruitment and Selection policy. However, an initial verbal response from the Commission had indicated that it was envisaged that there would be no particular problems with the Board's proposal to allow for trawling of the Civil Service to assist in filling vacancies at Staff Officer level and above, in addition to external recruitment. NOTED.

3.5 West Belfast Community Safety Forum (Item 4.5 Of Minutes Refers)

Officials briefed Members regarding developments since the last Board meeting concerning proposals for a Community Safety Forum in West Belfast, and highlighted that the Forum would be steered jointly by Belfast District Policing Partnership (DPP) and Community Safety Partnership (CSP).

A Member requested that Terms of Reference and protocols for the Forum be circulated to all Board Members when they are drafted. Officials undertook to circulate such drafts through the Community Engagement Committee when they were received by the Board.

3.6 Planned Extension Of The Remit Of The Security Industry Authority To Northern Ireland (Item 5.1 Of Minutes Refers)

ACC Criminal Justice had been asked to provide a briefing paper for the Committee to further inform Members about the planned extension of the remit of the Security Industry Authority (SIA) to Northern Ireland. When the paper is received it will be brought to a future Committee meeting. NOTED.

3.7 Her Majesty's Inspectorate Of Constabulary (HMIC) Report On Performance Management In PSNI (Item 8 Of Minutes Refers)

The Chief Constable had been asked to detail the actions he was undertaking to address 8 areas for improvement identified in the HMIC report on Performance Management in PSNI. The substantive reply would be brought to a future Committee meeting. NOTED.

3.8 Publication Of Policing Board Annual Report 2007/08 (Item 11 Of Minutes Refers)

The Chairman advised the Committee that the text of the Policing Board Annual Report and Accounts for the period 1 April 2007 – 31 March 2008 had now been signed off and would now be laid in the House of Commons. NOTED.

3.9 HMIC / CJINI Report - Roads Policing (Item 12 Of Minutes Refers)

The Chairman advised that the joint HMIC / Criminal Justice Inspection Northern Ireland (CJINI) report "Roads Policing" was published on 18 June 2008. Copies of the report had just been received by the Board and would be issued to all Members. The report will be included on the agenda of the next Corporate Policy, Planning and Performance Committee meeting for detailed consideration. NOTED.

In response to a number of questions from Members, the Chairman advised that the Board had received notice of publication of the report on 17 June 2008, and reminded Members that the Committee had received a confidential, advance briefing on the content of the report on 16 April 2008.

Members discussed the sharing of information and publication dates by policing oversight bodies and the advantages of the Board being in a position to comment immediately following the publication of a report by another oversight organisation.

3.10 CJINI Report – Belfast Harbour Police (Item 13 Of Minutes Refers)

Officials advised that the Chief Constable had been asked for comment on the recommendations relating to the PSNI contained in the CJINI report on the Belfast Harbour Police. When a substantive response is received, it will be brought to a future Committee meeting. NOTED.

3.11 Desertcreat College Steering Group (Item 5.3 Of Minutes Refers)

In response to a question from a Member, the Vice Chairman updated Members on the current position regarding the building of the public services training college at Desertcreat. Members discussed budgetary planning for the college by the PSNI, Fire and Rescue Service and Northern Ireland Prison Service.

It was:-

AGREED:

That the Board should write to the Ministers in the Department of Health, Social Services and Public Safety, and the Department of Finance and Personnel, to seek an update on budgetary planning for the college within those departments.

3.12 Interim Scheme For A Research Allowance To Support Political Members Of The Board (Item 9 Of Minutes Refers)

In response to a question from a Member, the Chief Executive updated Members regarding proposals for an interim research allowance for political Members of the Board. The Chief Executive advised, that following Board approval of the proposals, that work was proceeding with officials in the Assembly to finalise a Service Level Agreement and other practical arrangements. Members would be advised when the arrangements were in place. NOTED.

4. CHAIRMAN'S BUSINESS

4.1 Engagements

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

- meeting with Pro-Consul, NI British Consulate General, New York and Political Counsellor British Embassy, Washington – Belfast – 10 June 2008;
- Queen's University Belfast – School of Law Dinner – 17 June 2008;
- meeting with Lord Chief Justice – Belfast – 18 June 2008.

During discussion about this meeting, it was:-

AGREED:

- that the Human Rights and Professional Standards Committee should further consider the issue of PSNI file preparation for the Public Prosecution Service (PPS), particularly "proportionality" of file content;
- that a question should be prepared for the next Board meeting relating to the quality of evidence prepared for court hearings, the effectiveness of its presentation at court and the effectiveness of police training in this area of work.
- launch of Organised Crime Task Force Annual Report and Threat Assessment – Belfast – 19 June 2008.

NOTED.

4.2 Publications

The following publication had been received:-

- Corporate and Business Plan 0809 – Youth Justice Agency – May 2008.

NOTED.

4.3 Correspondence

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

- letter of thanks from Duncan Morrow dated 19 May 2008 regarding Chairman's contribution to Community Relations Council Policy Conference;
- letter of thanks from Nigel Dodds dated 4 June 2008 regarding letter of congratulations on election as the new Deputy Leader of the DUP;
- letter from ACC Roy Toner dated 5 June 2008 regarding Project Horizon – Making a difference at the operational front;
- letter from Dr Bill Lockhart, Chief Executive, Youth Justice Agency dated 10 June 2008 regarding publication entitled "Breaking the Cycle";
- letter of thanks from Professor Ellen Douglas-Cowie dated 10 June 2008 regarding Chairman's contribution to the Mitchell Conference on 22 & 23 May 2008.

NOTED.

4.4 News Release

The Chairman highlighted the following new release:-

- Northern Ireland Affairs Committee – Policing and Criminal Justice in Northern Ireland Evidence Session – 13 May 2008. NOTED.

The Chairman also drew attention to an article in the Irish News dated 16 June 2008 headed, "Parades Commission to rule on city march as negotiations fail". NOTED.

The Chairman referred to a PSNI news release regarding details of a landmine found outside Rosslea in County Fermanagh and advised of his intention to write to the 2 police officers who suffered minor injuries when part of the device exploded. Board Members noted that there was currently a protocol in place to facilitate comment for the Chairman of the Board following a serious incident.

The Committee discussed whether the political Members of the Board could develop a protocol to respond to such incidents immediately following the event. Members also discussed the possible implications of an incident in which officers were killed or were seriously injured.

It was:-

AGREED:

That consideration be given to the development of a protocol regarding the Board's response immediately following serious incidents, in addition to that which is already in place for the Chairman as Board spokesperson.

5. CHIEF EXECUTIVE'S BUSINESS

5.1 Review Of Approach To Board Meetings In Public

The Chief Executive advised the Committee that the pilot period for the revised approach to Board meetings in public concluded at the June 2008 meeting. He sought Members views on the pilot.

It was:-

AGREED:

That the pilot period for the revised approach to Board meetings in public be extended to October 2008.

Members discussed the arrangements at Police Authority meetings in Great Britain and suggested that where models of good practice were identified in other Authorities, that these should be considered by the Board.

5.2 Post Implementation Review Of District Restructuring

The Chief Executive referred Members to a letter received from ACC Operational Support concerning the conduct of a Post Implementation Review of the DCU Work Stream of the CORE project. As part of the Policing Plan, the ACC is required to report to the Board by October 2008. For reasons, detailed in the letter, the ACC proposed to report to the Board in December 2008 on the interim findings and by March 2009 with a final report.

It was:-

AGREED:

To approve the proposal from PSNI that the Post Implementation Review interim findings be reported to the Board in December 2008.

5.3 Shortfall Of Detectives In Crime Operations

The Chief Executive referred Members to a letter received from ACC Crime Operations concerning the current position and agreed actions in relation to a shortfall in detectives in Crime Operations Department.

Following discussion, it was:-

AGREED:

That the Board should write to the Chief Constable to obtain further information regarding the position on the lateral entry of detectives to PSNI.

5.4 Chief Constable Invitation To 2009 Conference Of Police Commissioners Of Australasia And South West Pacific

The Chief Executive referred Members to a letter received from the Commissioner of Police of Northern Territory, Australia seeking the Board's support for the attendance of

the Chief Constable at the 2009 Conference of Police Commissioners of Australasia and the South West Pacific.

It was:-

RESOLVED:

That the Board should support the Chief Constable in accepting the invitation from the Police Commissioners to attend the 2009 Conference of Police Commissioners of Australasia and the South West Pacific arranged for 26 – 29 April 2009.

5.5 Board Staffing And Recruitment Update

The Chief Executive updated Members on current Board staffing and recruitment issues. NOTED.

5.6 Cinema Adverts

The Chief Executive drew the attention of Members to the launch of 4 cinema advertisements targeting the prevention of crime and the promotion of a safer community in the Movie House cinema, Coleraine on 27 June 2008. NOTED.

6. MEMBERS' TIME/AVAILABILITY

The Committee considered a paper which outlined proposals arising from meetings held with Members in April 2008 regarding their time/availability pressures.

Consideration of the paper had been deferred from the May 2008 meeting of the Committee. Members discussed the findings of a recent internal audit report on Committee structures, and a number of ideas and possible actions drafted by officials, together with the main points arising from meetings held on 14 and 16 April 2008 with Members. Proposals discussed included:-

- a reduction in the number of Committee meetings;
- further delegation to Committees and officials;
- the current DPP system that links Members with DPPs;
- a reduction in the number of formal presentations to Committees;
- reappraising the current format for Board meetings;
- further developing the “lead/champion” Member concept;
- a reduction in the number of PowerPoint presentations;
- meetings/informal events with ACCs and District Commanders.

It was:-

AGREED:

That a further paper should be brought to the Committee in September 2007 with definitive recommendations.

7. REPORT ON THE INDEPENDENT EXTERNAL REVIEW – OMAGH BOMBING INVESTIGATIONS

The Chairman referred Members to a confidential paper in relation to the report on the Independent External Review of the Omagh bomb investigations. He reminded Members that the Independent Advisors appointed to carry out the review had presented their report to the Board at its meeting on 5 June 2008, and it had been agreed to defer further consideration of the report to the Board meeting to be held on 3 July 2008 and that the Committee should also give further consideration to the report.

The Committee considered each of the report comments, set out under each of the Terms of Reference and a draft Board position suggested for discussion purposes. Following discussion of the draft Board position in respect of each of the 5 Terms of Reference, it was:-

AGREED:

That further consideration of the Board's position in respect of each of the Terms of Reference was required at a Board meeting and that the paper would be included on the next Board agenda.

Arising from the discussion, it was:-

AGREED:

That officials should ascertain the current position regarding the release of the McVicker Report to Board Members.

8. SECOND FOLLOW-UP REPORT ON THE CRIMINAL JUSTICE INSPECTION NORTHERN IRELAND (CJINI) REPORT ON SCIENTIFIC SUPPORT SERVICES IN PSNI

The Chairman drew the attention of Members to the second follow-up report on Scientific Support Services in PSNI, which was published by CJINI on 30 May 2008.
NOTED.

It was:-

AGREED:

That officials should ask PSNI to provide a response detailing the actions being undertaken to address the remaining outstanding recommendations, i.e. recommendations 3, 5, 9, 10, 12, 18, 19, 20, 23 and 24.

9. LINKS PROJECT: INDUSTRIAL RELATIONS FRAMEWORK CONSULTATIVE GROUP

The Committee considered a paper regarding a proposal aimed at providing a forum for consideration of strategic issues, as part of the overall Industrial Relations Framework for police support staff, following the break in the PSNI links with the Northern Ireland Civil Service, which is due to come into effect on 1 October 2008.

Officials reminded Members of the briefings that had taken place at the Committee and at the Human Resources Committee regarding the progress towards implementing the LINKS project. Officials updated the Committee on the work of the Tripartite Working Group which was taking forward the LINKS project. Officials advised that the PSNI was currently consulting on the detail of the internal Industrial Relations Framework and Members were given a copy of the Framework. Members recognised the value of such a consultative forum, but wished to ensure that the Board were not directly involved in the negotiating and industrial relations process. NOTED.

It was:-

RECOMMENDED:

That the Board give approval to consult on the Consultative Forum, as detailed in the paper.

10. RECRUITMENT OF CHIEF EXECUTIVE

The Committee considered a draft job description for the post of Chief Executive. The Chairman requested that if any Member wished to comment further on the job description, that he should be advised by 25 June 2008.

It was:-

RESOLVED:

To approve the job description for the Policing Board Chief Executive, subject to any comments received from Members.

Given the impending holiday season, it was currently intended to advertise the post in September 2008. NOTED

11. INFORMATION PAPERS

11.1 Measuring The Performance Of Committees 2007 - 2008

The Committee considered a paper which provided an assessment of the performance of each Committee during 2007/08, judged against the 4 criteria agreed by the Board in October 2006. NOTED.

12. BRIEFING REGARDING THE WORK OF THE SERIOUS AND ORGANISED CRIME AGENCY

The Chairman welcomed Mr Bob Lauder, Regional Director and other representatives from the Serious and Organised Crime Agency (SOCA) to the meeting. The Regional Director briefed the Committee on the work of the agency. A copy of the slides used during his presentation is attached at Appendix 'A'.

The Regional Director outlined the accountability structure relating to the agency, its role, priorities and structure. He described the nature of SOCA's role in Northern Ireland and its future plans. Issues raised during subsequent discussion included:-

- the interface between SOCA and the Security Service and PSNI;
- SOCA accountability structures within Northern Ireland and the role of the Office of the Police Ombudsman of Northern Ireland in respect of PSNI staff working with SOCA;

- the impact of SOCA on Northern Ireland crime, particularly that of serious and organised crime gangs;
- the measurement of achievements by SOCA in Northern Ireland.

It was:-

AGREED:

- that the Board would request statistical information from SOCA in respect of its success in disrupting crime in Northern Ireland;
- that regular meetings should be held between the Board and SOCA representatives to receive further updates on progress and to share concerns.

The Chairman thanks the SOCA representatives for their contribution and they left the meeting.

13. BRIEFING OF REPORT ON PROGRESS OF PATTEN RECOMMENDATIONS AND FUTURE MONITORING REQUIREMENTS

Members were reminded that in December 2007, the Board had agreed that it should appoint Mr Mark Reber as a specialist resource to review the 32 outstanding Patten recommendations for which the Board had assumed responsibility in May 2007. The Board had asked Mr Reber to prepare an updated status report.

The Chairman referred Members to a paper which outlined the recommendations and status of completion.

The Chairman welcomed Mr Mark Reber to the meeting.

Mr Reber described his approach to assessing the recommendations. He briefly commented on each of the recommendations and his assessment.

Members discussed the terminology in respect of the assessment and the apparent lack of progress that had been made in respect of a number of recommendations that had previously been assessed by the Oversight Commissioner as “substantial”.

Following discussion, it was:-

AGREED:

That Mr Reber should be asked to report further on the progress achieved since May 2007 to date on the 32 recommendations and to comment on the progress that could reasonably be anticipated in respect of each of the recommendations.

14. TASER EQUALITY IMPACT ASSESSMENT

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

The PSNI representatives briefed the Committee on the TASER Equality Impact Assessment (EQIA) process. They outlined the draft EQIA findings, the potential policy decisions options and proposed action to mitigate identified adverse impacts. A copy of the slides used in the presentation is attached at Appendix ‘B’.

Members sought and received further information/clarification from the PSNI representatives on a number of issues, including:-

- the data reviewed during the EQIA process and whether all available information had been included;
- the PSNI proposals regarding mitigating action;
- the extent and nature of the medical evidence on the effects of TASER, particularly on children;
- the comments of the Committee Against Torture on the use of TASER in Portugal;
- referral to the Police Ombudsman (OPONI) of all incidents of use of TASER;

- the frequency of use of TASER in England, Wales and Scotland;
- training provided to officers in the use of TASER;
- the opportunity for use of TASER to prevent firearms being deployed;
- the adherence of the EQIA to Equality Commission standards.

The Chief Constable and other PSNI representatives left the meeting.

It was:-

AGREED:

- that a substantive debate in relation to the TASER EQIA was required and that the issue should be included in the agenda of the September 2008 Board meeting;
- in the interim period, all Members should be circulated with appropriate background information prior to the meeting;
- officials should seek a copy of the substantive report on the TASER EQIA.

15. MATTERS TO BE RAISED WITH THE CHIEF CONSTABLE AT THE NEXT BOARD MEETING

It was:-

AGREED:

That the Committee should put a question to the Chief Constable in relation to the effectiveness of police training regarding the preparation and presentation of evidence in court.

16. COMMUNICATION ISSUES

There were no matters arising.

17. ANY OTHER BUSINESS

17.1 Judicial Review

The Chief Executive informed Members that the Board had been advised that a former officer who had been required to resign from the PSNI following the decision of a Misconduct Panel and an appeal to a Police Appeals Tribunal, had applied for a judicial review of the decision. NOTED.

18. DATE OF NEXT MEETING

The date of the next meeting was scheduled for 17 July 2008. However, it was:-

AGREED:

That unless there was urgent business, the next Corporate Policy, Planning and Performance Committee meeting should be held on Thursday, 18 September 2008 at 2:00pm in Waterside Tower, Belfast.

19. CONFIDENTIAL REPORTS

19.1 Chief Executive's Performance And Development Objectives – Review of 2007/08

The Committee considered the following 5 confidential papers. A confidential note of the discussion is attached at Appendix 'C'.

19.2 Chief Executive's Performance And Development – Draft Objectives 2008/09

**19.3 Chief Constable – Performance And Development Objectives – Review Of
2007/08**

**19.4 Chief Constable – Performance And Development – Draft Objectives
2008/09**

19.5 Chief Officer Bonus Scheme 2008/09

(Meeting closed 8:00pm).

**Secretariat
June 2008**

Chairman