

NORTHERN IRELAND POLICING BOARD

MINUTES OF A MEETING OF THE NORTHERN IRELAND POLICING BOARD HELD ON THURSDAY, 4 SEPTEMBER 2008 AT 9:30AM IN WATERSIDE TOWER, BELFAST

PRESENT:

MEMBERS:

Professor Sir Desmond Rea (Chairman)

Mr Barry Gilligan (Vice Chairman)

Ms Martina Anderson

Mr Tom Buchanan

(1) Mr Leslie Cree

(2) Mrs Dolores Kelly

Mr Alex Maskey

Mr Basil McCrea

(3) Ms Mary McKee

(4) Mrs Rosaleen Moore

(5) Mr Gearóid Ó hEára

Mr Ian Paisley Jnr

Mr Brian Rea

Mr Trevor Ringland

Mr David Rose

Mr Suneil Sharma

Mr Jimmy Spratt

(6) Mr Peter Weir

POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:

(7) Sir Hugh Orde (Chief Constable)

(7) Mr Paul Leighton (Deputy Chief Constable)

(7) Mr Alistair Finlay (ACC Crime Support)

(7) Mrs Judith Gillespie (ACC Rural Region)

(7) Mr Drew Harris (ACC Crime Operations)

(7) Mr Duncan McCausland (ACC Urban
Region)

(7) Mr Joe Stewart (Director of Human
Resources)

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

(7) Chief Superintendent Ken Eccles,
Operations Support Department

(7) Chief Superintendent Brian Maguire,
Criminal Justice Department

(7) 3 PSNI Personnel

- NORTHERN IRELAND OFFICE IN ATTENDANCE:** (8) Mr Paul Goggins, Minister of State
(8) Mr Michael Cameron
(8) Mr Ronnie Armour
(8) Mr Billy Stevenson
(8) Mr Ken Mack
- HER MAJESTY’S REVENUE AND CUSTOMS IN ATTENDANCE:** (8) Ms Beth Smith
Mr John Whiting
- SERIOUS AND ORGANISED CRIME AGENCY IN ATTENDANCE:** (8) Mr Bob Lauder
- HUMAN RIGHTS ADVISOR IN ATTENDANCE:** (9) Ms Jane Gordon
- OFFICIALS IN ATTENDANCE:** Dr Debbie Donnelly (A/Chief Executive)
Mr Sam Hagen (Director of Corporate Services)
Mr David Jackson (Director of Community Engagement)
Mr David Wilson (Director of Planning)
Mr Peter Gilleece (Director of Policy)
3 Board Officials
- (1) Item number 3.5 to close
(2) Item number 3.1 to close
(3) Except Item numbers 5, 11, 13, 15 & 16
(4) Except Item number 12
(5) Item numbers 1 to 5 and 14
(6) Item number 3.4 to close
(7) Item number 14 only
(8) Item numbers 12 and 14
(9) Item number 10 only

1. APOLOGIES, ETC

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

On behalf of all Members, the Chairman welcomed Mr Jimmy Spratt to his first meeting of the Board.

2. MINUTES OF MEETINGS OF THE POLICING BOARD

2.1 Minutes Of The Policing Board Meeting Held On 3 July 2008

The Board considered the draft minutes of the previous meeting.

It was:-

RESOLVED:

That the draft minutes of the Policing Board meeting held on 3 July 2008 be approved.

2.2 Minutes Of The Policing Board Meeting In Public Held On 3 July 2008

The Board considered the draft minutes of the previous meeting.

It was:-

RESOLVED:

That the draft minutes of the Policing Board meeting in public held on 3 July 2008 be approved.

3. MATTERS ARISING FROM THE MINUTES OF THE MEETINGS

3.1 Northern Ireland Policing Board Languages Policy (Items 3.1 Of Minutes Refers)

The Board considered a paper, deferred from the July 2008 meeting, containing a draft of the Board's Minority Languages Policy. The Vice Chairman reminded Members of

the meeting held in June 2008 at which a number of amendments had been considered.

It was:-

RESOLVED:

To approve the Board's draft Minority Languages Policy.

It was:-

AGREED:

That officials should monitor costs associated with the operation of the Minority Languages Policy.

3.2 Future Of District Policing Partnerships And Community Safety Partnerships (Items 3.2 Of Minutes Refers)

The Chairman informed the Board that the issue of the review of the future arrangements for District Policing Partnerships (DPPs) and Community Safety Partnerships (CSPs) was included in the agenda for discussion with the Minister of State, who was due to join the meeting at a later stage.

This issue was further discussed at items 6 and 12.

The Board was updated on 2 DPP briefings on the work of PSNI Crime Support Department and the Historical Enquiry Team held on 27 August 2008 in Cookstown and on 2 September 2008 in Belfast. NOTED.

It was:-

AGREED:

That the Historical Enquiry Team should be invited to a future meeting to update the Human Rights and Professional Standards Committee on its work.

3.3 Meeting With The Lord Chief Justice (Items 3.4 Of Minutes Refers)

The Board considered an information paper received from the Lord Chief Justice. The paper related to a meeting held between Board Members and the Lord Chief Justice on 18 June 2008. Members discussed the relationship between the Public Prosecution Service (PPS) and the PSNI and the relationship between the Crown Prosecution Service (CPS) and the police service in England and Wales. During discussion, Members expressed concern that the Board was not represented on the Criminal Justice Board.

It was:-

AGREED:

- That the Human Rights and Professional Standards Committee should further consider the information paper received from the Lord Chief Justice; the relationship between the PPS and PSNI; and obtain further information regarding the processes to reduce delays in the criminal justice system in Northern Ireland and in England, Scotland and Wales;
- That the arrangement of a further “roundtable” meeting, including representatives from the PPS and PSNI should be considered by the Community Engagement Committee.

The Chair of the Human Rights and Professional Standards Committee informed the Board that the relationship between public prosecutions services and police services was an issue that may be appropriate for a thematic report by the Committee.

3.4 Provision Of Human Rights Advice (Item 3.6 Of Minutes Refers)

This matter was considered under item 8.

3.5 Invitation For Board Members To Visit Forensic Science Of Northern Ireland (Item 3.8 Of Minutes Refers)

The Chairman advised that a visit to the Forensic Science Northern Ireland facilities at Seapark, Carrickfergus had been arranged for 15 October 2008 at 2:30pm. Any Member interested in attending was asked to contact Secretariat. NOTED.

3.6 Proposal For Community Engagement Public Meetings (Item 3.9 Of Minutes Refers)

The Director of Community Engagement updated Members on the arrangements for the first Policing Board Community Engagement public meeting, arranged for 18 September 2008 at 7:30pm in the King's Hall Conference Centre, Belfast. NOTED.

3.7 Strategic Issues (Item 3.10 Of Minutes Refers)

Following discussion at the previous Board meeting, a briefing regarding the rank structure within the PSNI had been arranged for the Human Resources Committee meeting on 9 October 2008. All Members of the Board were invited to attend this part of the Committee meeting. NOTED.

A special meeting for all Board Members had also been arranged to discuss the key policing strategic issues for the way ahead. The meeting was scheduled for the evening of 4 September 2008¹. NOTED.

¹ Due to the 4 September Board meeting overrunning, it was agreed by Members that the meeting concerning Key Policing Strategic Issues should be postponed to a later date

3.8 Report On The Independent External Review – Omagh Bombing Investigation (Item 6.2 Of Minutes Refers)

The Board considered responses received from the Police Ombudsman and the Public Prosecution Service regarding the timescale for the publication of reports on their investigations relating to the Omagh Bombing Investigation. A further letter from the Chairman to the Police Ombudsman, dated 3 September 2008 was tabled for the information of Members. NOTED.

3.9 Report On Monitoring Of The Outstanding Patten Recommendations (Item 6.3 Of Minutes Refers)

The Chief Constable had been asked for his response to the report from Mr Mark Reber regarding the implementation of the outstanding Patten recommendations and a reply was awaited. When a response is received from the Chief Constable, it will be brought to the Corporate Policy, Planning and Performance Committee for consideration. NOTED.

3.10 District Policing Partnerships - Effectiveness (Item 8.1.3 Of Minutes Refers)

The Director of Community Engagement informed the Board that following further discussion with the Member regarding his request for statistical information, it had been agreed that the thrust of the information was related to measuring the outputs of DPPs and that this would be ascertained in review work that was ongoing. NOTED.

Members discussed the overall effectiveness of DPPs and the limitations and constraints within which DPPs operated. Members discussed the role of DPP managers, future structures in light of the Review of Public Administration and the relationship between councils and DPPs. The Chair of the Community Engagement Committee outlined the future work that was being planned to improve the effectiveness of DPPs. NOTED.

3.11 Omnibus Survey Questions (Item 16 Of Minutes Refers)

Officials were continuing to consider how best to research the policing needs of working class communities and would bring a paper to a future Corporate Policy, Planning and Performance Committee for consideration. NOTED.

4. CHAIRMAN'S BUSINESS

4.1 Engagements

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

- University of Ulster Summer Graduation 2008 – Jordanstown – 3 July 2008;
- The Omagh Bombing 10th Anniversary Commemorative Ceremony and Dedication of Memorial – Omagh – 15 August 2008;
- informal reception for ACC Peter Sheridan – Newforge – 28 August 2008;
- meeting with Robert Whalley, Independent Reviewer of the Justice and Security (NI) Act 2007 – Belfast – 28 August 2008.

NOTED.

4.2 Publications

The Chairman informed Members that the following publications had been received:-

- Northern Ireland Judicial Appointments Ombudsman Annual Report – 1 April 2007 – 31 March 2008;
- Annual Report 2006 – 2007 – Stranmillis University College, Belfast – June 2008;
- Annual Report and Accounts 2007 – 2008 – Youth Justice Agency – July 2008;

- Agenda NI – July/August 2008;
- Making Connections – BBC Northern Ireland Annual Review 2007/2008;
- Belfast Harbour Commissioners Annual Report and Accounts 2007;
- Northern Ireland Prison Service Annual Report and Accounts – 2007/2008;
- West Midlands Police – 2007 – 2008 Report;
- West Midlands Police Authority – 2007 – 2008 Report;
- Public Prosecution Service for Northern Ireland – Annual Report 2007 – 2008;
- CJINI Report on Roads Policing – June 2008;
- CJINI Report on Approved Premises – July 2008;
- Rehabilitation and Retraining Trust – Annual Report – 2007 – 2008.
- NISOSMC – Managing the Risk Annual Report 2007 – 2008;
- 19th Report of the Independent Monitoring Commission – September 2008.

NOTED.

4.3 Correspondence

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

- letter from Chief Inspector of Criminal Justice in Northern Ireland dated 8 July 2008 regarding presentation at Board Meeting on 3 July 2008;
- letter from Lord Mayor of Belfast dated 8 July 2008 regarding message of support from the Board;
- letter from Chief Constable dated 8 July 2008 regarding changes to the portfolios of some members of the PSNI Senior Management Team;
- letter from the Thomas Devlin Fund dated 30 July 2008 regarding the Thomas Devlin Fund Annual Gala Dinner and Second Bursary Award Ceremony on 4 October 2008;
- letter from Chairman to Chief Constable dated 14 August 2008 regarding effective policing during the 12 July 2008 period;

- letters of congratulations from Chairman to Mr Daniel Rooney and Mr John Fitzpatrick dated 14 August 2008 regarding their awards in the Queen's Birthday Honours List;
- letter from Chairman to DPP Member dated 19 August 2008 following attack on her home;
- letter from Deputy Chief Constable dated 22 August 2008 regarding attack on 3 police officers in Lisnaskea.

NOTED.

4.4 News Releases

The Chairman highlighted the following news releases:-

- new group to crack down on fuel fraud – Organised Crime Task Force – 7 July 2008;
- Complaints Against Police Drop 10%: Police Ombudsman's Annual Report – Police Ombudsman for Northern Ireland – 9 July 2008.

NOTED.

5. CHIEF EXECUTIVE'S BUSINESS

5.1 Members' Attendance At Meetings And Events During The Period 31 May 2007 – 30 June 2008 And Members' Expenses 1 April – 30 June 2008

The Acting Chief Executive referred Members to a draft schedule of attendances and expenses and requested that, if Members had any amendments they advise Secretariat by 12 September 2008. NOTED.

The Acting Chief Executive informed the Board that Ms Martina Anderson had indicated that she had stepped down as a Member of the Community Engagement Committee. NOTED.

5.2 Conferences / Seminars

The Acting Chief Executive informed the Board about the following conferences and asked that any Member interested in attending contact the Secretariat:-

- APA Annual Conference – Gateshead – 11 and 12 November 2008;
- Public Engagement in Local Government Conference – London – 6 November 2008;
- Safer and Stronger Communities Conference - London - 19 November 2008.

5.3 Desertcreat College - Update

The Acting Chief Executive updated Members regarding progress in the development of the Public Services Training College at Desertcreat. NOTED.

6. COMMUNITY ENGAGEMENT COMMITTEE MEETING

6.1 Minutes Of The Meeting Of The Community Engagement Committee Held On 28 August 2008

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

6.1.1 Future Arrangements For DPP And CSP Functions

The Committee considered a proposition paper produced by the NIO concerning future arrangements for DPP and CSP functions. The Committee had expressed concern about the arrangements put forward in the proposition paper and the matter would be raised with the Minister of State later in the meeting.

6.1.2 Revised Community Engagement Strategy

The Committee had considered and approved a revised Community Engagement Strategy. The Chair of the Committee sought approval to the revised strategy.

It was:-

RESOLVED:

To approve the revised Community Engagement Strategy.

The Chair of the Committee provided an update on the arrangements for the Board's first public engagement meeting on 18 September 2008.

6.1.4 Proposal To Fund Event

The Committee had considered a proposal from a Member for the Board to make a donation towards a forthcoming event involving young people. The Committee had decided that there was insufficient information and grounds for the Board to support the event.

The Board Member who made the proposal involved gave further information about the event. Following discussion, it was:-

RESOLVED:

That from the perspective of the Policing Board's remit, there were insufficient grounds to provide financial support to the proposed event.

7. HUMAN RESOURCES COMMITTEE MEETING

7.1 Minutes Of The Meeting Of The Human Resources Committee Meeting Held On 10 July 2008

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

7.1.1 Police Pensions – Selected Medical Practitioner Statistics (Item 3.2 Of Minutes Refers)

7.1.2 PSNI Management Of Sickness Absence (Item 7 Of Minutes Refers)

7.1.3 Briefing By Independent Validator And The PSNI Regarding The Human Resources Planning Strategy (Item 8 Of Minutes Refers)

7.1.4 Implementation Of Monitoring Arrangements For The Strategic Monitoring Framework Of The Human Resources Function Of PSNI (Item 9 Of Minutes Refers)

It was:-

RESOLVED:

To adopt the minutes of the meeting of the Human Resources Committee held on 10 July 2008.

7.2 Senior Police National Assessment Centre (Item 4.1 Of Minutes Refers)

The Acting Chief Executive informed the Board that, subject to Board approval, the Chairman had agreed to represent the Board at the Senior Police National Assessment Centre.

It was:-

RESOLVED:

That the Chairman should be nominated as the Board's representative as an Executive Director at the Senior Police National Assessment Centre.

8. HUMAN RIGHTS AND PROFESSIONAL STANDARDS COMMITTEE MEETING

8.1 Minutes Of The Meeting Of The Human Rights And Professional Standards Committee Meeting Held On 27 August 2008

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

8.1.1 Briefing By The Deputy Chief Constable And Head Of PSNI Professional Standards Department On PSNI Professional Standards

8.1.2 Human Rights Annual Report 2008 (Item 6.2 Of Minutes Refers)

The Chair of the Committee invited all Members to attend the Committee meeting on 10 September 2008 for the presentation of the Human Rights Annual Report 2008.

It was:-

RESOLVED:

To adopt the minutes of the meeting of the Human Rights and Professional Standards Committee held on 27 August 2008.

8.2 Provision Of Human Rights Advice

The Board considered a confidential paper on the future provision of human rights advice to the Board during 2008/09. A confidential note of the discussion is attached at Appendix 'A'.

9. RESOURCES AND IMPROVEMENT COMMITTEE MEETING

9.1 Minutes Of The Meeting Of The Resources And Improvement Committee Held On 15 August 2008

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

9.1.1 NIPB In-Year August Monitoring Round Submission (Item 7 Of Minutes Refers)

9.1.2 PSNI Annual Financial Statement 2007/08 (Item 9 Of Minutes Refers)

9.1.3 Draft PSNI Estate Strategy 2008 (Item 17 Of Minutes Refers)

The Chair of the Committee advised that the Committee was unable to recommend to the Board approval of the draft PSNI Estate Strategy and made 3 recommendations to the Board which required approval:-

- that further consideration should be given to:-
 - the comprehensive plan for station reviews including alternative policing arrangements;
 - the potential impact on the Strategy caused by the need for DCU boundaries to be co-terminus with new district council boundaries in

line with the Independent Commission on Policing (Patten) report and legislation;

- the NIO Treasury policy on the retention of surplus sale receipts;
- that those elements of the strategy already covered in the PSNI Financial Plan for 2008/09 should proceed. Those elements were the new build/major works plan, forward maintenance plan, minor works programme and the Patten 53 programme (appearance softening);
- that the Board convene a meeting in November 2008 to consider approval of the draft PSNI Estate Strategy 2008 and to consider any station closure templates submitted to the Board by that time.

Following discussion, it was:-

AGREED:

That a special Board meeting should be held to consider the Draft PSNI Estate Strategy 2008 and any station closure templates submitted to the Board by that time.

Subject to an amendment to the wording of the second bullet point on page 7, item 12 replacing the words, "*early redemption fees*" with "*additional related*", it was:-

RESOLVED:

To adopt the minutes of the meeting of the Resources and Improvement Committee held on 15 August 2008.

10. TASER

The Chairman welcomed the Board's Human Rights Advisor to the meeting.

The Chairman reminded Members that as the Board's Human Rights Advisor had not yet been able to 'sign off' on Policy and Guidance and Refresher Training in respect of TASER and further clarity was required concerning the completion of the EQIA, the substantive debate scheduled for this meeting would not now take place until the October 2008 meeting. NOTED.

The Board considered a paper which provided an update on the outstanding issues in relation to the PSNI's human rights compliance and the completion of an Equality Impact Assessment (EQIA) in relation to the proposed introduction of TASER. In addition, a further paper was tabled which provided an update on the Board's officials understanding of the current position on the EQIA for TASER. The Board's Human Rights Advisor presented a confidential report on the PSNI's proposed introduction of TASER. NOTED.

Members discussed the papers and sought and received further information from the Human Rights Advisor concerning the report and associated matters.

The main areas of discussion were:-

- the PSNI's decision to conduct a 6 month operational pilot of TASER in tandem with the completion of the EQIA;
- the current status of the EQIA;
- the Equality Commission advice to the PSNI;
- to query whether the PSNI had provided "strong justification" for the introduction of TASER;
- policy and guidance for the issue of TASERs to Armed Response Vehicles (ARVs);
- the process which the PSNI had adopted in conducting the pilot of TASER;
- the inclusion of training guidance relating to dual/multiple firings of TASER;
- information provided to hospitals regarding the treatment/aftercare in respect of TASER.

The Human Rights Advisor informed Members that she was due to meet with PSNI representatives during week commencing 8 September 2008 to clarify a number of issues and confirmed that a number of the issues discussed would be raised.

The Chairman thanked the Human Rights Advisor for her contribution and she left the meeting.

During subsequent discussion, Members expressed concern at the implementation/delivery by PSNI to date on a number of recommendations contained in the Patten report.

It was:-

AGREED:

That the Corporate Policy, Planning and Performance Committee should further consider the performance of PSNI regarding the implementation of the Patten recommendations and other key PSNI strategies.

11. INFORMATION PAPERS

11.1 Town Centre Evacuation

The Board considered correspondence from the Secretary of State regarding emergency planning provision and town centre evacuation procedures in Northern Ireland. NOTED.

12. BRIEFING BY MINISTER OF STATE ON THE WORK OF THE ORGANISED CRIME TASK FORCE AND DISCUSSION ON OTHER ISSUES

The Chairman welcomed the Minister of State and representatives from the Organised Crime Task Force (OCTF) to the meeting. The Minister of State provided a confidential briefing on the work of the OCTF. The Minister outlined the principle threats and commented on a number of successes achieved during the past year.

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

- the disposal of assets recovered from criminals and the funding of projects to assist the community from such monies;
- patterns of drugs use in Northern Ireland;
- disruption of cash in transit robberies;
- human trafficking, victim support and the return of victims to their country of origin;
- the targeting of criminals involved in “tiger” kidnaps;
- the UK Borders Agency and proposals for homeland and border policing;
- the need to continue to build confidence between the community and law enforcement agencies, particularly communities that had experienced a high level of crime.

During discussion, a Member raised the issue of the Northern Ireland Transitional Allowance for PSNI officers and the Minister advised that this remained work in progress.

Members also raised Board concerns about the content of an NIO proposition paper on the future arrangements for DPP and CSP functions. The Minister indicated that the discussion was at an early stage and he would endeavour to ensure that consensus could be found in relation to the final proposals for the future arrangements.

The Chairman thanked the Minister and his colleagues for their contribution and they left the meeting.

13. COMMUNICATION ISSUES

There were no matters arising.

14. QUESTIONS FOR THE CHIEF CONSTABLE

The Chairman referred Members to the questions listed for answer by the Chief Constable, a synopsis of the Chief Constable's report and a copy of the slide presentation to be given at the Board meeting in public by the PSNI entitled 'Policing with the Community.'

Members discussed a question relating to the first discharge of the TASER by PSNI in August 2008 in Londonderry. Discussion then followed on the PSNI decision to implement the TASER pilot in conjunction with the EQIA and the status of the EQIA. The Chairman reminded Members that a substantive debate in relation to the TASER EQIA was scheduled for the Board meeting in October 2008.

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

The Board received further information in relation to:-

- the source and substance of threats against traffic wardens in West Belfast;
- the circumstances surrounding the discharge of a TASER on 16 August 2008;
- the threat assessment in Northern Ireland.

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

15. ANY OTHER BUSINESS

There were no matters arising.

16. DATE OF NEXT MEETING

The date of the next meeting was arranged for 2 October 2008 at Waterside Tower, Belfast.

It was:-

AGREED:

That the subject for the presentation at the October 2008 Board meeting in public should be the second quarterly report of 2008/09 performance against the targets contained in the Policing Plan 2008/11.

(Meeting closed 5:50pm).

Secretariat

September 2008

Chairman