

NORTHERN IRELAND POLICING BOARD

MINUTES OF A MEETING OF THE CORPORATE POLICY, PLANNING & PERFORMANCE COMMITTEE HELD ON 18 SEPTEMBER 2008 AT 2:00PM IN WATERSIDE TOWER, BELFAST

PRESENT:

MEMBERS:

- Professor Sir Desmond Rea (Chairman)
- (1) Mr Barry Gilligan (Vice Chairman)
- (2) Mr Alex Maskey
Mr Daithí McKay
- (3) Ms Mary McKee
Mrs Rosaleen Moore
- (4) Mr Ian Paisley Jnr
Mr Brian Rea
Mr Trevor Ringland
Mr Jimmy Spratt

CHILD EXPLOITATION AND ONLINE PROTECTION CENTRE IN ATTENDANCE:

- (5) Mr Jim Gamble, Chief Executive

POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:

- (6) Mr Drew Harris (ACC Crime Operations)
- (6) D/Chief Superintendent Mark McDowell
- (6) D/Chief Superintendent Derek Williamson
- (6) 3 PSNI representatives

OFFICIALS IN ATTENDANCE:

- Dr Debbie Donnelly (A/Chief Executive)
- (7) Mr Sam Hagen (Director of Corporate Services)
- (8) Mr David Wilson (Director of Planning)
Mr Peter Gilleece (Director of Policy)
3 Board Officials

- (1) Item number 3.2 to close
- (2) Item numbers 3.3 to 10
- (3) Item number 3.10 to close
- (4) Item numbers 11 and 12 only
- (5) Item number 11 only
- (6) Item number 12 only
- (7) Except Item number 12
- (8) Except item numbers 11 and 12

1. APOLOGIES

Apologies were received on behalf of Mr Basil McCrea. NOTED.

The Chairman welcomed Mr Jimmy Spratt to his first Corporate Policy, Planning and Performance Committee meeting.

2. MINUTES OF THE CORPORATE POLICY, PLANNING AND PERFORMANCE COMMITTEE MEETING HELD ON 19 JUNE 2008

The Committee considered the draft minutes of the previous meeting.

It was:-

AGREED:

That the draft minutes of the Corporate Policy, Planning and Performance Committee meeting held on 19 June 2008 should be agreed.

3. MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD ON 19 JUNE 2008

3.1 National Policing Board (Item 3.1 Of Minutes Refers)

The Committee was advised that a holding reply had been received from the Northern Ireland Office dated 27 July 2008 regarding a possible nomination to the National Policing Board from Northern Ireland. When a substantive response is received it will be brought to the Committee. NOTED.

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

The Committee considered the content of an e-mail received from the Equality Commission for Northern Ireland regarding 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. The e-mail stated that the Commission did not believe that the policy would run contrary to the advice in the equality codes. NOTED.

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

There were no further developments since the previous meeting. When a briefing paper is received from the PSNI it will be brought to a future Committee meeting. NOTED.

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

The Committee considered a letter of response from the Chief Constable detailing the actions being taken by PSNI to address the recommendations contained in the HMIC Report on Performance Management in PSNI. NOTED.

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

The Committee considered a letter of response from the Chief Constable to the Criminal Justice Inspection Northern Ireland (CJINI) Report on the Belfast Harbour Police. NOTED.

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

The Chairman drew the attention to a paper which highlighted the positive responses received from the Minister for Finance and Personnel and the Minister for Health, Social Services and Public Safety regarding the Committee's request that decisions and business case approvals in respect of the Public Services Training College at Desertcreat be made as expeditiously as possible. NOTED.

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

Officials updated the Committee about the finalisation of the arrangements for the interim research allowance for political Members. All political Members were reminded of the need for the appropriate returns to be forwarded to the Board to enable the scheme to be 'signed off'. NOTED.

3.8 Shortfall Of Detectives In Crime Operations (Item 5.3 Of Minutes Refers)

The Committee considered a paper that provided an update on the current shortfall in detectives within PSNI Crime Operations. NOTED.

It was:-

RECOMMENDED:

That the Board should invite the Chief Constable to provide Members with a report on the overarching work of Crime Operations Department, particularly as it relates to the Blakey, Crompton and Stevens Reports.

The shortfall in detectives was further discussed at item 12.

3.9 2009 Conference Of Police Commissioners Of Australia And South West Pacific (Item 5.4 Of Minutes Refers)

The A/Chief Executive advised that following the previous Committee meeting, a number of Members had enquired whether the Conference of Police Commissioners of Australia and the South West Pacific was open to police authority members to attend. Subsequent inquiries had indicated that the Conference attendance was limited to chiefs of police. NOTED.

3.10 Report On The Independent External Review – Omagh Bombing Investigations (Item 7 Of Minutes Refers)

The Committee considered a letter received from the Chief Constable in relation to the Independent Review into the Omagh Bombing. NOTED.

A copy of a recent newspaper article concerning the BBC Panorama programme ‘Omagh – What The Police Were Never Told’ was tabled. A Member indicated that he was considering putting a question to the Chief Constable at the next Board meeting in relation to the content of the programme. NOTED.

3.11 Second Follow-Up Report On The Criminal Justice Inspection Northern Ireland (CJINI) Report On Scientific Support Services In PSNI (Item 8 Of Minutes Refers)

The Committee considered the PSNI response to the outstanding recommendations detailed in the second follow-up report by CJINI on Scientific Support Services in PSNI. Officials reminded Members that the completion dates on the recommendations were all within the current quarterly period. NOTED.

It was:-

AGREED:

That the Committee would seek a final position from PSNI on implementation of the CJINI Report within 3 months.

4. CHAIRMAN’S BUSINESS

4.1 Engagements

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

- British Irish Association 2008 Conference – Oxford – 5 – 7 September 2008;
- Police Federation for Northern Ireland Annual Conference – Belfast – 17 September 2008.

NOTED.

4.2 Publications

There were no matters arising.

4.3 Correspondence

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

- letter from HM Inspector of Constabulary to Chief Constable dated 27 August 2008 regarding HMIC Programmed Inspection Activity: Phase 2 Results;
- letter from Dr Michael Maguire dated 3 September 2008 regarding his appointment as Chief Inspector of CJINI;
- letter from the Minister of State dated 4 September 2008 regarding future arrangements for CSPs and DPPs;
- letter of thanks dated 8 September 2008 from the former Chief Executive, Mr Trevor Reaney.

NOTED.

4.4 News Release

The Chairman highlighted the following news releases:-

- Police Allowance Cut Put On Hold – NIO – 15 September 2008.

- Intelligence Services Commissioner Review Into Intelligence Surrounding the Omagh Bombing – Cabinet Office – 17 September 2008.

NOTED.

4.5 Policing Board Strategy Event

It was:-

AGREED:

That the Strategy Event that was postponed on 4 September 2008 should be rearranged for 5.00pm on 2 October 2008, in Waterside Tower.

4.6 Health And Safety Executive Northern Ireland Report

The Chairman referred to a speech made by the Chairman of the Police Federation at a conference on 17 September 2008, in which reference was made to a report prepared by the Health and Safety Executive Northern Ireland (HSENI) following a complaint received from the Police Federation for Northern Ireland (PFNI) on 19 July 2005. The Report related to the health and safety of police officers policing public disorder at Ardoyne on 12 July 2005.

The Chairman read a statement, a copy of which is attached at Appendix A, in which he stated that he had had been informed by a Member of the Board in early July 2008 of the existence of the HSENI Report. He had asked the Chief Constable to confirm the existence of the Report and the latter had done so. The Chairman asked the Chief Constable if he could have a copy of the report and was supplied with the same on, what he understood was a private and confidential basis. The Chairman said he later discovered that a letter had been sent to the Board by the Federation in May 2008 about the Report but not enclosing a copy; this letter had not reached him at the time. In subsequent discussions with the Federation it was confirmed to him that they saw the report as 'restricted'.

On reading the HSENI Report the Chairman discovered that in an important aspect there was a potential conflict between both reports.

The Chairman indicated that he was aware that meetings were taking place between the Chief Constable and the PFNI since the report referred to July 2005 he had indicated that he was content that the parties deal with the matters raised in the Report, in the first instance.

The Chairman made recommendations on how the matter might be taken forward:-

- that an item should be placed on the agenda of the next Corporate Policy, Planning and Performance Committee meeting of consideration of the HSENI report against the background of the unanimous acceptance by the Board in December 2005 of the Human Right's Advisor's Report;
- that invitations be extended to the Chief Constable and the Human Rights Advisors to attend the meeting; and
- that all Board Members should be invited to the meeting.

Copies of the HSENI Report and the Report of the Board's Human Rights Advisors on the policing of the Ardoyne Parades 12 July 2005 and the Whiterock Parade 10 September 2005 were tabled.

Members referred to the comments made by the Chairman of the Police Federation regarding the injuries to and the human rights of officers policing the disorder at Ardoyne; the requirement for the human rights of officers to be taken into consideration in planning such operations; reference made in the Board's Report in respect of how the human rights of officers had been accounted for; and the role of the Board in holding the Chief Constable to account.

It was:

AGREED:

- that an item should be placed on the agenda of the next Corporate Policy, Planning and Performance Committee meeting of consideration of the HSENI report against the background of the unanimous acceptance by the Board in December 2005 of the Human Right's Advisor's Report;
- that invitations be extended to the Chief Constable and the Human Rights Advisors to attend the meeting;
- that all Board Members should be invited to the meeting;
- the HSENI Report should be circulated to all Board Members.

4.7 Judicial Review - TASER

The Chairman referred Members to a transcript of a media report concerning a Judicial Review Hearing on 12 September 2008 relating to TASER. The Board's representative at the Judicial Review had advised that the reporter's comments were incorrect. The Crown Solicitor's Office had also advised that there was no reference whatsoever to any failure of the Board to do its duty, as had been reported. The case involved a challenge to the PSNI only. Board officials had spoken to the reporter concerned and issued written correction of his comments. The reporter had accepted he was mistaken. NOTED.

4.8 Dungannon And South Tyrone

The Chairman informed the Committee that a meeting of the Dungannon and South Tyrone DPP scheduled for Coalisland on 17 September 2008 had been cancelled due to a bomb alert. NOTED.

4.9 Report Into Police And Criminal Justice Northern Ireland: The Cost Of Policing The Past

The Committee considered a paper that highlighted the summary of conclusions and recommendations made by the Northern Ireland Affairs Committee in its recently

published report into Policing and Criminal Justice in Northern Ireland. NOTED.

It was:

RESOLVED:

The Board would write to NIAC to advise they had considered the report and noted its contents.

Any further response to the Northern Ireland Affairs Committee's Report should be taken forward on a party political or individual basis.

5. CHIEF EXECUTIVE'S BUSINESS

5.1 Senior Management Arrangements

The A/Chief Executive updated the Committee on the internal senior management arrangements that had been put in place until the vacant Chief Executive post was filled. NOTED.

5.2 Complaint Against The Chief Constable

The A/Chief Executive informed the Committee about a complaint against the Chief Constable that was currently the subject of an ongoing investigation by the Police Ombudsman for Northern Ireland. NOTED.

5.3 Conferences / Seminars

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

- Facing the Future - Equality and Policing in the 21st Conference – Oxford – 2 – 3 October 2008;

- Policing Diversity Training Network - Conference – Gateshead, Newcastle – 10 – 12 October 2008;
- Protecting Those Who Serve - Preventing Violent & Abusive Attacks – London – 3 November 2008.

NOTED.

6. MEMBERS' TIME/AVAILABILITY

The Committee considered a paper containing proposals to address the increasing pressures on Members' time /availability.

Following discussion, it was:-

RECOMMENDED:

- that the Board should:-
 - approve a reduction in the number of Committee meetings as proposed in the paper;
 - reduce the number of 'monthly' Board meetings from 10 to 8; along with the 2 public engagement meetings included in the annual schedule;
 - accept all the recommendations contained in the Internal Audit Report, with the exception of those relating to the delegated authority arrangements for Committees;
 - approve that each Committee should identify a small number of priority issues prior to the commencement of each financial year and that these issues should be the focus of the proactive work of the Committee during the year;
 - delegate to officials, rather than Board Members to meet with PSNI student officers to provide a briefing on the work of the Board and

DPPs (Members could continue to meet with students if available); and to ask the Human Resources Committee to consider further arrangements for Members to meet with probationer constables;

- revise the arrangements for the DPP 'buddy' system but that Members should meet with their DPP 'buddy' at least once per annum;
- ask each Committee to develop the Lead Member role for specific areas of committee work;
- consider further the volume of planned community engagement events/activities to ensure there is sufficient availability of Members to make events viable and all events requiring Members attendance are prioritised.

7. CRIMINAL JUSTICE INSPECTION NORTHERN IRELAND (CJINI) AND HER MAJESTY'S INSPECTORATE OF CONSTABULARY (HMIC) REPORT ON ROADS POLICING

The Committee considered a paper containing proposals on how the Board might oversee the implementation of recommendations contained in the joint CJINI/HMIC report relating to roads policing.

Following discussion, it was:-

AGREED:

- to write to the Chief Constable seeking a substantive response detailing how PSNI plan to address the recommendations made in the joint CJINI/HMIC Report; and
- to ask PSNI to attend a future meeting of the Committee to respond to the recommendations and outline how they plan to address the recommendations should this be required.

8. PROGRESS OF PATTEN RECOMMENDATIONS AND FUTURE MONITORING ARRANGEMENTS

The Committee considered a paper that set out proposals for taking forward the Board's monitoring of outstanding recommendations made by the Independent Commission on Policing for Northern Ireland (Patten Report).

Following discussion, it was:-

RESOLVED:

That an expert advisor should be appointed to consider the continued relevance of the performance indicators and devise a future monitoring framework. Within such a framework, existing Consultants working with the Board could be tasked with assessing the progress of the outstanding recommendations in their particular area of expertise.

It was:-

AGREED:

That officials should advise as to how the outputs from existing consultants, currently operating within the Board's functional areas, could be used to assist Committees in assessing the remaining recommendations.

9. JOINT PSNI/NIPB CHRISTMAS CAMPAIGN

The Committee considered a paper proposing that the Board part fund the 2008 Christmas anti-burglary advertising campaign. The Committee was advised that with savings realised from the removal of billboard advertising, the Board contribution for the Christmas Campaign had reduced to £35,000.

It was:-

RECOMMENDED:

That the Board should approve part funding of the campaign up to £35,000 to support the PSNI/Policing Board Christmas anti-burglary advertising campaign.

10. INFORMATION PAPERS

The Committee considered the following information papers:-

10.1 “Light Touch” Review Of Criminal Justice Inspection Northern Ireland (CJINI)

NOTED.

10.2 CORE Policing Plan

It was:-

AGREED:

To ask the PSNI for a written report updating the Committee on progress on the CORE Project.

10.3 Northern Ireland Sex Offender Strategic Management Committee (NISOSMC) Annual Report

NOTED.

10.4 PSNI Report On Promoting Community Safety

NOTED.

11. PRESENTATION BY CHIEF EXECUTIVE, CHILD EXPLOITATION AND ONLINE PROTECTION CENTRE

The Chairman welcomed Mr Jim Gamble, Chief Executive of the Child Protection and Online Protection (CEOP) Centre to the meeting.

Mr Gamble outlined the background to the formation of the CEOP Centre, its role and its position in the policing structure. He emphasised the multi-agency approach adopted by the Centre and gave examples of how business and other non-statutory agencies were assisting in progressing the work of CEOP.

In describing the types of child exploitation, particularly sexual abuse, that the CEOP had encountered Mr Gamble gave examples of the interaction that the Centre had with police and other agencies, nationally and internationally, to target, track and apprehend abusers. He also discussed the prevention aspect of the Centre's role in educating, encouraging and facilitating children in reporting on line contacts that did not appear to be genuine.

Mr Gamble highlighted a number of successful operations that had been undertaken and gave Members an insight into the intelligence and technical expertise required in tracking offenders. He also outlined the work ongoing to deter potential predators.

In the discussion that followed Members sought and received further information about:-

- the educational role of the Centre, and it's initiatives concerning youth panels, educational videos, etc;
- the scale of online abuse within Northern Ireland;
- interaction between PSNI with CEOP;
- the grooming of children on line;
- international police liaison/co-operation with CEOP, particularly in parts of Asia;
- the need to raise awareness of the problem.

Following the discussion the Chairman thanked Mr Gamble for his contribution and he left the meeting.

12. BRIEFING BY PSNI REGARDING CRIME OPERATIONS

The Chairman welcomed ACC Crime Operations and his colleagues to the meeting.

The PSNI representatives gave the Committee a confidential briefing on the structures and roles of C2 and C3 Branch within Crime Operations Department.

The briefing included information about the ongoing work of Major Investigation Teams; the Rape Crime Unit, and Investigation Support Teams. The PSNI representatives outlined the role of Strategic Intelligence Branch, Ports Policing and Authorising Officers and other aspects of the work of C3.

In the discussion that followed, Members sought and received further information about:

- liaison between PSNI and the Public Prosecution Service in preparing criminal cases;
- how policing with the community was factored into the work of Crime Operations Department;
- percentage clearance rates
- crime patterns;
- measures being undertaken to combat the shortage of experienced detectives.

The Chairman thanked the PSNI representatives for their contribution and they left the meeting.

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

There were no matters arising.

14. COMMUNICATION ISSUES

There were no matters arising.

15. ANY OTHER BUSINESS

There were no matters arising.

16. DATE OF NEXT MEETING

The date of the next Corporate Policy, Planning and Performance Committee was scheduled for Thursday, 16 October 2008, in Waterside Tower, Belfast.

It was:

AGREED:

That the time of the meeting should be change from 2.00pm to 9.00am.

(Meeting closed 5.45pm).

Secretariat

September 2008

Chairman

STATEMENT

Health & Safety Executive Report into Rioting in Ardoyne on 12th July 2005

Position of the Chairman of the Northern Ireland Policing Board

I wish to clarify my position with respect to the Health and Safety Executive Report into the riots in Ardoyne on 12 July 2005.

I became aware of the existence of the Report in July this year. I contacted the Chief Constable and requested a copy of the Report. The Chief Constable agreed to provide me with a copy of the Report on a "Private and Confidential" basis. I held the Report on that basis, and it was not distributed any further.

NB: The Health & Safety Executive have advised that copies have only been distributed on a limited basis on the authority of the Chief Constable and the Chief Executive of the Health and Safety Executive. They are not intending to publish this Report; it is confidential, as is the case with any Health and Safety Executive Report in which an individual is named. The Report was carried out on the basis of a complaint received from the Police Federation in 2005.

I have been in contact with the Police Federation concerning this Report.

On 8 July 2008 I wrote to Terry Spence and advised that I had read the Report, and that I understood the Federation and the PSNI were discussing its content. I advised Mr Spence that there appeared to be contradictions between the HSE Report and the Board's Human Rights Advisors' Report, and queried whether the HSE had access to the latter. In this correspondence I also make reference to a letter addressed to me from Terry Spence dated 8 May 2008 which did not come to my attention until 8 July 2008.

I advised Mr Spence that I was inclined to leave consideration by the Board until the 2 parties, ie the PSNI and the Federation, deemed it necessary for the Board to become involved.

When I became aware that this Report was to be raised at the Police Federation Conference, I contacted the Chief Constable and requested permission to copy and distribute the Report to Members. I also provided Jane Gordon with a copy.

Proposal

It is the case that the Board accepted the Report prepared by our Human Rights Advisors into the riots in Ardoyne in July 2005. I would therefore like to give Keir Starmer and Jane Gordon the opportunity to consider the Health and Safety Executive Report, and respond to it.

I propose therefore to invite Keir Starmer, Jane Gordon and the Chief Constable to the Corporate Policy, Planning and Performance Committee meeting of 16 October 2008.