

## **NORTHERN IRELAND POLICING BOARD**

### **MINUTES OF A MEETING OF THE CORPORATE POLICY, PLANNING & PERFORMANCE COMMITTEE HELD ON 16 OCTOBER 2008 AT 9:00AM IN WATERSIDE TOWER, BELFAST**

#### **PRESENT:**

#### **MEMBERS:**

Professor Sir Desmond Rea (Chairman)  
Mr Barry Gilligan (Vice Chairman)  
(1) Mr Tom Buchanan  
(2) Mr Alex Maskey  
(3) Mr Daithí McKay  
(4) Ms Mary McKee  
(5) Mrs Dolores Kelly  
(3) Mrs Rosaleen Moore  
Mr Brian Rea  
Mr Jimmy Spratt

#### **POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:**

(6) Sir Hugh Orde (Chief Constable)  
(6) Mr Paul Leighton (Deputy Chief Constable)  
(6) Mr Duncan McCausland (ACC Criminal Justice)

#### **NIPB HUMAN RIGHTS ADVISOR IN ATTENDANCE:**

(7) Ms Jane Gordon

#### **OFFICIALS IN ATTENDANCE:**

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

- (1) Item number 6 to close
- (2) Item numbers 1 to 6
- (3) Part Item number 2, 6 to close
- (4) Item number 4.4 to close
- (5) Item number 2 and 5.1 to close
- (6) Item number 2 only
- (7) Item numbers 1 to 5
- (8) Except Item number 6.2

## **1. APOLOGIES**

Apologies were received on behalf of Mr Basil McCrea and Mr Trevor Ringland.  
NOTED.

## **2. DISCUSSION WITH THE CHIEF CONSTABLE AND NIPB HUMAN RIGHTS ADVISOR REGARDING HEALTH AND SAFETY EXECUTIVE REPORT ON POLICE OPERATION ON 12 JULY 2005 AND BOARD ARDOYNE REPORTS**

The Chairman welcomed the Chief Constable, Deputy Chief Constable and ACC McCausland to the meeting. He informed the Committee that Mr Keir Starmer had sent his apologies as he was currently out of the country.

The Chairman referred Members to correspondence circulated prior to the meeting from the Board's Human Rights Advisors and the Health and Safety Executive of Northern Ireland (HSENI) in relation to the police operation at Ardoyne in July 2005.

The Chairman reminded the Committee of the circumstances surrounding the preparation of the Policing Board's reports and the HSENI report. He invited the Chief Constable and the Human Rights Advisor to comment on apparent differences between the reports.

The Chief Constable highlighted the differing remits of the 2 reports, commented on the context of the 2 reports and emphasised that recommendations arising from the HSENI report, produced in 2008, had been implemented within days of the policing operation taking place in 2005.

The Human Rights Advisor highlighted the different and distinct remits of the 2 reports; that the HSENI report did not make any comment about the Board's report; or refer to the Board's advisors; that the HSENI report did not suggest that AEPs should have been used at any stage before they were actually used; and that no analysis had been made of the nature, type or timing of injuries sustained by officers. The Human Rights Advisor stated that she could find no reason to amend the findings contained in the Board's report.

Members discussed:-

- the merit in the HSENI report being placed in the public domain given that it referred to events in 2008;
- the timing and nature of the injuries sustained by officers during the operation;
- the lessons learned from the police operation on 12 July 2005;
- the apparent delay in publication of the HSENI report; and
- the appropriate authorisation that would be required to place the HSENI report in the public domain.

It was:

**AGREED:**

That the Chairman should write to the Police Federation for Northern Ireland and to the HSENI to advise that:-

- the Committee had received further advice from the Human Rights Advisors in light of the HSENI report;
- the Committee had questioned the Chief Constable, Deputy Chief Constable and ACC McCausland at the meeting;
- to enclose a copy of the Human Rights Advisors further advice in confidence;
- the Federation should discuss with the PSNI, findings of both reports;
- the Federation should discuss with HSENI, issues around publication of the HSENI report. Should this report be published, the Board will publish the further advice of its Human Rights Advisors also.

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

**3. MINUTES OF THE CORPORATE POLICY, PLANNING AND PERFORMANCE COMMITTEE MEETING HELD ON 18 SEPTEMBER 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 18 September 2008 should be agreed.

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

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

The Chairman referred Members to a letter received from the PSNI regarding the extension of the Security Industry Authority remit to Northern Ireland. NOTED.

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

The Committee considered a letter from the Chief Constable advising that it remained the PSNI position that the McVicker report should not be released into the public domain. NOTED.

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

The Committee considered a letter from the Chief Constable regarding the current implementation status of recommendations detailed in the CJINI report on Scientific Support Services in PSNI. NOTED.

**4.4 Members' Time/Availability (Item 6 Of Minutes Refers)**

The Chairman reminded the Committee that it had been resolved at the October 2008 Board meeting that the number of Board meetings held in each year should be further considered and resolved by the Committee.

Members discussed the proposal to reduce the number of Board meetings from 10 to 8.

It was:-

**RESOLVED:**

That the target of 10 meetings should not be reduced to the statutory requirement of 8 and that 2 public engagement meetings should also be arranged during the year.

**4.5 Criminal Justice Inspection Northern Ireland And Her Majesty's Inspectorate Of Constabulary (HMIC) Report On Roads Policing (Item 7 Of Minutes Refers)**

The Director of Planning informed Members that a response had just been received from the PSNI concerning the CJINI/HMIC on Roads Policing and that a paper summarising the response would be brought to the next Committee meeting. NOTED.

#### **4.6 Progress Of Patten Recommendations And Future Monitoring Arrangements (Item 8 Of Minutes Refers)**

The Director of Policy informed Members that a paper concerning the monitoring arrangements for assessing the progress of the implementation of Patten recommendations was being prepared for the next Committee meeting. NOTED.

### **5. CHAIRMAN'S BUSINESS**

#### **5.1 Engagements**

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

- Meeting with Mr D Watkins, Consultant to the Police Rehabilitation and Retraining Trust – Belfast – 19 September 2008;
- Meeting with PSNI to discuss the latest inspection report by the Office of the Surveillance Commissioner – Belfast – 8 October 2008.
- Reception in recognition of the RUC GC Part Time Reserve – Hillsborough – 11 October 2008 (the Vice Chairman also attended this event);
- Dedication of a Memorial Window in the Cathedral Church of St Anne to mark the sacrifices and achievements of the RUC GC – Belfast – 12 October 2008;
- Visit to Craigavon DPP and CSP – Craigavon – 14 October 2008.

The Chairman indicated his intention to write to the Minister of State concerning issues raised during the Craigavon visit and that the letter would be copied to the Chair and Vice Chair of the Community Engagement Committee.

NOTED.

#### **5.2 Publications**

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

- Secretary of State's 4<sup>th</sup> Report under section 11 (1) of the Northern Ireland (Monitoring Commission etc) Act 2003;
- CJINI Report – Anti Social Behaviour Orders – October 2008.

NOTED.

### **5.3 Correspondence**

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

- Letter from Minister of State – Extension of civil recovery powers to the Public Prosecution Service – 14 September 2008;
- Letter from Mr B McGuigan, D/Chief Inspector, CJINI – Programme of Inspections – 29 September 2008.

NOTED.

### **5.4 News Releases**

The Chairman highlighted the following news releases:-

- Goggins Announces End of Secondment Arrangements with the PSNI – NIO – 30 September 2008;
- Officers' Attitudes To Police Complaints System is Improving – Survey – Office of the Police Ombudsman – 1 October 2008;
- New Public Protection Arrangements Introduced – NIO – 6 October 2008;
- Public Engagement Meeting A Success – Northern Ireland Policing Board – 6 October 2008;
- 4<sup>th</sup> Annual Report on the Operation of the IMC – NIO – 7 October 2008;
- 3 Year Police Pay Deal Struck – Home Office – 15 October 2008.

NOTED.

## **5.5 PSNI Rank Ratios**

The Chairman drew Members' attention to a briefing received by the Human Resources Committee from PSNI on 9 October 2008 regarding the work currently being undertaken in the area of rank ratios within PSNI. The Chairman advised that a note summarising the main points arising during discussion would be circulated to all Board Members. NOTED.

## **6. CHIEF EXECUTIVE'S BUSINESS**

### **6.1 Review Of The Process For Developing The Policing Plan**

The Acting Chief Executive informed the Committee about recent correspondence received from the Chief Constable concerning the future process for developing the Policing Plan.

The Acting Chief Executive advised that while the Policing Plan timetable for 2008/09 would remain unaffected, there was a need for a fundamental review of the process early in 2009/10 to take account of the devolution of policing and justice and the Green Paper on policing.

The Acting Chief Executive advised that an invitation would be extended to the Chief Constable of Leicestershire, Mr Matt Baggott to attend a Corporate Policy, Planning and Performance Committee meeting, to which all Board Members would be invited, in early 2009 to discuss developments in performance management within Leicestershire. She also reminded Members that the Board planned to hold a joint PSNI/NIPB strategy event in April or May 2009 in order to fundamentally review the policing plan process. NOTED.

### **6.2 PSNI Personnel Issue**

The Committee considered a confidential paper. A confidential note of the discussion is attached at Appendix 'A'.

## **7. NORTHERN IRELAND OFFICE COMMUNITY SAFETY STRATEGY**

The Chairman referred Members to a paper regarding proposals received from the Northern Ireland Office on a new community safety strategy for Northern Ireland. The Chairman reminded Members that the Community Engagement Committee would consider the issues in more detail once the document was formally launched for public consultation.

Members discussed the content of the draft NIO consultation document.

While recognising that the draft document was for consultation, Members expressed reservations about the overall position taken by Government regarding the role of Community Safety Partnerships (CSPs) and concern about a number of specific issues including:-

- proposals outlined that cut across the work currently being undertaken within the Ministerial Review Group on the future for DPPs and CSPs;
- a perceived diminution in the role of the Policing Board in overseeing policing services.

It was:-

### **AGREED:**

That the Chairman should write to the Minister highlighting the Board's views, following more detailed consideration of the consultation document by the Community Engagement Committee.

## **8. NORTHERN IRELAND POLICING BOARD STRATEGIC ISSUES**

The Chairman referred Members to a paper which listed strategic issues facing the Board during the incoming year. Members were asked to consider the prioritisation of some 21 issues.

Following discussion, it was:-

**AGREED:**

That priority should be given to:-

- co-terminosity of DCUs with District Councils;
- oversight of outstanding Patten recommendations;
- policing with the community/neighbourhood policing;
- the PSNI IS Strategy, particularly call handling;
- the PSNI Human Resources Strategy, particularly the review of staffing at headquarters and the introduction of PCSOs;
- the devolution of policing and justice;
- the PSNI Budget; and

That officials should prepare a priority list for considerations at the NIPB/PSNI strategy event on 22 October 2008.

**9. APPOINTMENT OF SENIOR OFFICERS TO THE POLICE SERVICE OF NORTHERN IRELAND**

The Committee considered a paper regarding an amendment to Annex 'A' Regulation 11(1) of the Police Service of Northern Ireland Regulations 2005, in respect of the appointment of the next Chief Constable only.

Following consideration of the 2005 Regulations, the Board had written to the Secretary of State seeking an amendment that would remove the requirement for a candidate for the post of Chief Constable to have served at least 2 years in another force at the rank of at least ACC. It was considered by the Board when the review took place, that the pool of possible candidates should be kept as open as possible and that PSNI Assistant Chief Constables were not seen to be disadvantaged. The proposal now received from the NIO to amend the 2005 Regulations took account of the views expressed by the Board in 2005.

The Chairman expressed a personal view that the Board should not settle for a lower level of experience and potential competence than other police forces elsewhere. He suggested that the Board should now not accept the amendment in the legislation to cover the next competition for the PSNI Chief Constable. Rather, the Board should recommend to the NIO that there should be a mandatory requirement for the person who holds the post of Chief Constable of the PSNI to have served at least 2 years in another police force (or relevant Authority at the rank of at least ACC).

It was:-

**RESOLVED:**

Under its delegated authority to advise the NIO of its decision that the Board did not support the temporary amendment to the Regulations in respect of the next Chief Constable competition and that it should be a mandatory requirement for the person who holds the post of Chief Constable of the PSNI, to have served at least 2 years in another police force (or relevant Authority) at the rank of at least ACC.

**10. INFORMATION PAPERS**

The Committee considered the following information papers:-

**10.1 Monthly Progress Report On The NIPB Corporate Business Plan**

NOTED.

**11. BRIEFING FROM THE PSNI REGARDING PSNI COMMUNICATIONS STRATEGY**

The verbal briefing on the PSNI Communications Strategy was deferred to a future Committee meeting.

A copy of the report (slide version) scheduled to be presented to the Committee is attached at Appendix 'B'.

## **12. MATTERS TO BE RAISED WITH THE CHIEF CONSTABLE AT THE NEXT BOARD MEETING**

There were no matters arising.

## **13. COMMUNICATION ISSUES**

There were no matters arising.

## **14. ANY OTHER BUSINESS**

### **14.1 Human Rights Advice**

The Chairman informed the Committee that the Board's Human Rights Advisor had indicated her intention to step down as Human Rights Advisor to the Board with effect from 31 October 2008. A paper was being prepared for the next meeting of the Human Rights and Professional Standards Committee setting out a number of recommendations to take account of the provision of human rights advice in the immediate and long term.

The Chairman indicated that he would invite her to a future meeting of the Board to acknowledge the work that she had undertaken on its behalf. NOTED.

### **14.2 Visit To Forensic Science Facility**

The Vice Chairman updated the Committee about a recent visit by Board Members to the Forensic Science facility at Seapark.

It was:-

**AGREED:**

That the Committee should receive a presentation on the work of Forensic Science Northern Ireland at a future Committee meeting in 2009.

**15. DATE OF NEXT MEETING**

The date of the next Corporate Policy, Planning and Performance Committee was scheduled for Thursday, 20 November 2008, at 2.00pm, in Waterside Tower, Belfast.

(Meeting closed 10:55am).

**Secretariat**

**October 2008**

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**Chairman**