

**NORTHERN IRELAND POLICING BOARD**

**MINUTES OF THE MEETING OF THE NORTHERN IRELAND POLICING BOARD  
HELD ON THURSDAY 4 MAY 2023 AT 9.30AM IN JAMES HOUSE, THE  
GASWORKS, BELFAST.**

**PRESENT:**

Ms Deirdre Toner (Chair)  
Mr Edgar Jardine (Vice-Chair)  
Dr Janet Gray  
Mr Mukesh Sharma  
(1) Mr Trevor Clarke MLA  
Dr Kate Lavery  
Mr Les Allamby  
Mr Brendan Mullan  
Mr Gerry Kelly MLA  
Mrs Linda Dillon MLA  
Mr John Blair MLA  
Mr Peter Osborne  
Mr Frank McManus  
Mr Mark H Durkan MLA

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

(2) Mr Simon Byrne, Chief Constable  
(2) Mr Mark Hamilton, Deputy Chief Constable  
(2) Ms Pamela McCreedy, Chief Operating Officer  
(2) Mr Bobby Singleton, Assistant Chief Constable  
(2) Mr Mark McEwan, Assistant Chief Constable  
(2) Mr Mark McNaughten, Assistant Chief Officer,  
Corporate Services  
(2) Mr Ryan Henderson, Chief Superintendent  
(2) Mr Bobby Parkhill, Strategic Communications  
& Engagement

**NORTHERN IRELAND  
POLICING BOARD  
OFFICIALS IN  
ATTENDANCE:**

Mrs Sinead Simpson, Chief Executive  
Mr Adrian McNamee, Director of Performance  
Ms Jenny Passmore, Director of Partnership  
Mr Sam Hagen, Senior Director of Resources  
Three Board Officials

**NIPB HUMAN RIGHTS  
ADVISOR:**

(3) Mr John Wadham

- (1) **From 9.40am on**
- (2) **Item 9 only**
- (3) **Out for item 7.3 only**

## **1. APOLOGIES**

Apologies were received from Mr Mike Nesbitt MLA, Ms Liz Kimmins MLA, Ms Joanne Bunting MLA, Mr Maurice Bradley MLA and Ms Nuala McAllister MLA.

The Chair advised that due to the upcoming local council elections and purdah there will be no public session with the PSNI today.

## **2. CONFLICTS OF INTEREST**

Mr John Wadham, the Board's Human Rights Advisor, declared a conflict in respect of agenda item 7.3 and as noted below, withdrew from the meeting for the duration of the item. Members noted this conflict.

## **3. DRAFT MINUTES OF THE BOARD MEETING HELD ON:**

### **3.1 Thursday 6 April 2023**

It was **RESOLVED:-**

- That the minutes of the Board meeting held on 6 April 2023 be approved.

## **4. BOARD ACTION LOG**

Updates as detailed within the Action Log from the Board meetings held on 2 February 2023 and 6 April 2023 were noted in addition to the following verbal

updates provided by the Chief Executive in respect of the Action Points from the meeting on 6 April 2023:

- Action Point 2 - a response has been received following a request for clarity on several queries relating to the new Chief Officer Development Programme and Members were provided with a brief update.
- Action Point 4 – correspondence has been issued inviting the Chief Constable and Mr Jon Boucther to a future meeting to provide an update on Operation Kenova and a response is awaited.
- Action Point 6 – The Internal Audit Memorandum of Understanding has been received and this action will be closed and the matter will be progressed by the Audit and Risk Assurance Committee.
- Action Point 7 – An update was provided on the Chief Constable and Deputy Chief Constable’s contracts of employment and this action will be closed.
- Action Point 8 – Further consideration is being given to the Chief Constables performance objectives following Member feedback, and will be brought back to the Board to ratify at a future meeting.
- Action Point 9 – Members noted that in due course and following review, PSNI will share advice previously obtained in respect of the Chief Constable’s dual responsibilities as sub accounting officer and how these are balanced with his statutory duties under the Police (NI) Act 2000.

In respect of Action Point 2 from the meeting on 2 February 2023 the Chief Executive advised that the Deputy Chief Constable will provide a verbal update on Op Yurta and lessons learned at today’s private session and will follow up with a written response to the Board.

## **5. CHAIRPERSON'S BUSINESS**

### **5.1 Chair's Report**

The Board noted a Report from the Chair which advised Members of:

- The Chair's engagements carried out during the period 6 April 2023 to 3 May 2023.
- A full list of correspondence issued and received by the Chair from 3 April 2023 to 27 April 2023.

The Chair also highlighted the following engagements:

- Attendance at the Police Remuneration Review Body (PRRB) oral evidence session on the 19 April 2023 which provided the opportunity to put forward the case for PSNI Officers to have pay parity with other Officers across the UK. The Chair thanked Mr Frank McManus, in his capacity as new Vice-Chair of Resources Committee for participating in the session alongside the Chief Executive.
- A meeting with the Police Ombudsman for Northern Ireland on 19 April 2023 at which the handling of upcoming Police Ombudsman Regulation 20 reports was discussed.
- A meeting with the Secretary of State alongside the Vice-Chair on the 20 April 2023 to discuss the PSNI budget situation and funding gap.
- Attendance at the PSNI Problem Solving Conference on the 27 April 2023. The Chair expressed her gratitude to PSNI for delivering an engaging and worthwhile event.

In relation to correspondence, the Chair did not highlight any items on this occasion noting that the Chief Executive had covered several relevant items in the Action Log update at item 4.

## **5.2 Ratification of Above Delegated Authority Request approved by written procedure**

The Chair referenced a paper recently considered and agreed by Members by way of written procedure. She noted that this was a time sensitive decision in relation to a PSNI Above Delegated Authority request in respect of mutual aid payments to officers from England and Wales who provided assistance to PSNI over the period of time covering the recent visit of the US President and all commemorative events celebrating the 25th anniversary of the Good Friday Agreement (Operation Rondeletto).

The Chair requested a formal record be taken of Members consideration and agreement of the request and it was subsequently **AGREED** by Members to:

- **RATIFY** the written procedure decision to approve the PSNI Above Delegated Authority request as outlined.

The Chair also registered the Board's thanks to Assistant Chief Constable Chris Todd for his hard work and dedication to successfully deliver Operation Rondeletto and Members agreed that correspondence in that regard be issued to the Chief Constable. **(AP1)**

## **5.3 Correspondence to Resources Committee Members from MP**

The Chair highlighted correspondence received from an MP, addressed individually to all Board Members, relating to Members' role in the consideration of Police Pensions and Injury on Duty case work. The Chief Executive will

discuss further with the Chair of Resources Committee and the matter will be added to the agenda for discussion at the Committee in May. Members noted that a holding reply to the MP has already been issued. **(AP2)**

#### **5.4 Police Remuneration Review Body (PRRB) Request**

The Chair advised that following the PRRB oral evidence session, further correspondence has been received from them requesting NIPB put forward a proposal for a pay award/pay range for PSNI officers in 2023/24. The Chair noted that this matter has been referred to the Resources Committee for consideration at the May meeting, following which a recommendation will be brought to the June Board for approval. **(AP3)**

#### **5.5 RUC GC Nominee**

The Chair advised that, as NIPB Board Chair, she has been asked to make a personal nomination to the RUC GC foundation as the current nominee, Ms Joanne Bunting MLA is stepping down due to a range of other commitments.

She advised that correspondence will issue to all Members in due course requesting expressions of interest in the role, following which she will make a personal decision in respect of the chosen nominee. The Chair advised that the role of trustee is a voluntary one, that the Foundation is made up of volunteers and noted a time commitment required in terms of taking forward workstreams with the Chair of the Foundation, and the other trustees.

The Chair put on record her thanks to Joanne for her valuable contribution to the Foundation over the past two years and correspondence to Ms Bunting MLA in that regard will be issued. **(AP4)**

## 6. CHIEF EXECUTIVE'S REPORT

The Board **NOTED** an extensive report from the Chief Executive which provided an update on various items of business. The Chief Executive's verbal overview included but was not limited to:

- Updates regarding ongoing legal cases included in relation to the potential breach of anonymity case in the Human Rights Annual Report and, the current position regarding the Judicial Review (JR) brought following the Board's decision on the disposal of the former PSNI station at Castlederg.
- An update on NIPB finances including the anticipated year-end position and plans in place to facilitate a potential 4.75% cut in the budget for 2023-24 should it be required. Members noted that this matter will be considered further at the May Resources Committee meeting.
- A number of issues relating to PCSPs including, audit issues which will be progressed via ARAC, a series of regional engagement events to promote the forthcoming recruitment of PCSP Independent Members, amendments to the Code of Practice for the Appointment of Independent PCSP Members which is being progressed by Partnership Committee, and the unmet pressures for the PCSP reconstitution exercise. Members were content for the Chief Executive to write to DoJ seeking clarification on whether this cost pressure will be met in light of current budget pressures, and noted that the exercise could not commence until funding certainty was achieved.

The Chief Executive also highlighted a number of points in relation to the work of Police Pension and Injury Benefits (PPIB) branch including:

- Ongoing challenges regarding the removal and relocation of large volumes of paper files related to the Board's relocation to James House, the priority to progress the McCloud reassessment cases and the impact

of this on the branch's other case load. Members noted that, following concerns raised by the Resources Committee, the Police Pension Board and ARAC, correspondence will be issued to the DoJ to highlight the risks associated with the implementation of McCloud.

- Correspondence issued to the DoJ in respect of issues raised by a recent judgment following a Judicial Review relating to the Injury on Duty (IOD) process, and,
- That the term of office of the Chair of the Police Pensions Board will end this year, and in its role as Scheme Manager, the Board will shortly commence a recruitment exercise for this role.

In relation to correspondence, the Chief Executive noted copy letter to the DoJ Permanent Secretary from the Chief Constable highlighting concerns regarding the likely impact of the implementation of the indicative budget 2023-24 on levels of resourcing and service delivery within PSNI.

Members raised a number of points with the Chief Executive including the impact of potential breach of anonymity case and any lessons learned, the approval process for PCSP action plans, the provision of a summary of Freedom of Information requests **(AP5)**, the impact of budget pressures on PCSP funding, the application and impact of potential percentage budget reductions for NIPB and PSNI in 2023-24, and, following a request to have access to PCSP action plans, it was agreed to explore the option of making these available for Members to view on Decision Time. **(AP6)**

## **7. BOARD BUSINESS**

### **7.1 NIPB Annual Business Plan 2023-2024**

Following agreement of the Board's new Corporate Plan 2023-25 at the March Board meeting, the Strategic Planning & Governance Manager presented a



paper and associated annexes seeking Members' views on and approval of proposed actions for inclusion in the NIPB Annual Business Plan 2023-24.

The following proposed actions for inclusion in the Annual Business Plan were highlighted:

- An action which has been carried forward from 2022-23 which relates to the procurement of supplier to develop the Joint Guidance for Selected Medical Practitioners and Independent Medical Referees, and,
- Two actions not previously included, one relating to the Board's advocacy for sufficient funding for policing and parity with GB police services in terms of pay, and the second in relation to the Board's role in facilitating and progressing Police Appeals Tribunals (PATs) which the Board has legislative responsibility for.

Following consideration and discussion, Members agreed small amendments to 2 of the proposed actions and that one additional action would be included in relation to the work of PCSPs.

Members also noted correspondence from the DoJ advising that, in the absence of a Minister, the Board's Corporate Plan 2023-2025 should remain in draft format but could however be published and implemented while awaiting the Minister's response. Board officials advised that it was therefore likely Ministerial approval of the Annual Business Plan as required by the Board's Management Statement and Financial Memorandum (MSFM) would also be delayed.

Following discussion and subject to Board officials making the amendments referenced above, Members **AGREED** to:

- **APPROVE** the actions to be included in the Annual Business Plan 2023-24, and,

- **APPROVE** the correspondence for issue to the DoJ seeking Ministerial approval when possible, of the NIPB Annual Business Plan 2023-24.  
**(AP7)**

## **7.2 Membership of the Association of Police & Crime Commissioners (APCC)**

The Director of Partnership presented a paper to Members outlining options for the Board's continued Associate Membership of the Association of Police & Crime Commissioners (APCC).

As background, in November 2021 the Chair of APCC invited the Board to join the Association with two Membership options available – full membership and Associate membership. The Board was a full Member of the Association in 2012 when it was newly formed, however, following the first year the Membership was discontinued.

In September 2022 the Board agreed to trial the Associate Membership for a period of three months from January 2023 to March 2023 and then review to make a decision regarding future membership. Following the trial period feedback was received from the NIPB Senior Leadership Team and, whilst some Officials found the information useful the majority have either found it not relevant or have not had the capacity to consider it. It was also noted that whilst information can be obtained from other sources including the College of Policing, access to a regular bank of information would be removed if the membership is ended.

Members were presented with three options to consider – retain the Membership going forward; retain the membership for the remainder of the year and share with Board Members who may find the information useful, and review again in December; or terminate the membership.

During discussion Members questioned the value for money offered by Associate Membership, whether it should continue until the end of the year, the benefit of receiving a large volume of information on a weekly basis, and the benefits of providing new Members time to consider the benefits of the information provided.

Members were advised that the commitment to Associate Membership covers the period up to end of June 2023 and following discussion it was **AGREED** to:

- Provide Members with the information received from the Association of Police & Crime Commissioners on a weekly basis until the end of June 2023, following which Members views will be canvassed ahead of the July Board meeting. **(AP8)**

### **7.3 Human Rights Advisor – Contract Extension**

As noted above, the Board's Human Rights Advisor (HRA) declared a conflict in relation to this agenda item and withdrew from the meeting for the duration of this discussion.

The Director of Performance presented a paper asking Members to consider, and agree a further annual extension, up to July 2024, the contract for the Northern Ireland Policing Board Human Rights Advisor.

The Board's Human Rights Advisor was appointed in July 2019. The current contract is for an initial duration of 3 years until July 2022, with the option to extend the contract on an annual basis for up to a further 2 years until July 2024. The first extension of one year was granted by the Board in March 2022 and covered the period up to July 2023.

Members were advised that the work of the Human Rights Advisor throughout the previous year has met the performance levels required and the proposal

would be to extend the contract for a further one year, and thereafter the contract shall expire automatically.

The Director of Performance noted that the HRA had disclosed a potential change in personal circumstances which may take place during the proposed contractual period, however Members were advised that it is not anticipated that this will have any impact on his ability to deliver the required duties of the post or on budgeted costs for the position.

Members discussed the need to have continuity and expertise in this area and to ensure that a robust succession plan is in place prior to the contract ending in July 2024.

Following discussion Members **AGREED** to:

- Extend, subject to continued satisfactory performance, the contract of the Human Rights Advisor for a further one year up to July 2024, thereafter the contract shall expire automatically.

#### **7.4 Next steps from Board Development Days - March 2023**

The Chief Executive presented a paper asking Members to consider and agree proposed next steps following discussions at the Board development session in March 2023.

The Chief Executive summarised progress made on the issues raised from the July 2022 session which included changes to the Chief Constable's Monthly report, Biannual development days, holding Board and Committee meetings outside of Belfast, and restructuring the monthly public session. Members also noted updates provided on emerging themes from the March 2023 session which included the challenges outlined by PSNI, specific actions the Board could take in support of PSNI and a summary of Members' discussions

including on awareness of the role of the Board, the Board's advocacy role, the Policing Plan, and Board connection to Policing and Community Safety Partnerships (PCSPs).

The Chief Executive drew out several key points which included:

- Defining Advocacy and convening conversations around policing issues with other partners, stakeholders and the community in order to enhance awareness of the role of the Board, ie the concept of "conversations with a purpose" which could be progressed around issues, areas and measures identified in the Policing Plan 2020-2025.
- Other areas the Board may consider involvement with including Violence Against Women and Girls, PSNI Cultural Audit, the new service operating model, and opportunities arising from the Board's Human Rights monitoring work, and,
- The development of the Board's Engagement Strategy and how PCSPs can be supported and enabled to deliver in line with defined expectations.

During discussion Members made several observations on the paper. These included:

- A suggestion for further clarity regarding the structure for the "conversations with a purpose" concept,
- That the language used to describe the Board and PSNI as working in tandem for developing an Engagement Strategy be updated to reflect that engagement activities of both the Board and PSNI as complementing one another, and
- the meaning of "Advocacy" for the Board could be more generally defined and broadened out.

Members also discussed the role of the Partnership Committee and Joint Committee as they related to PCSPs, and a suggestion was made that “development days” could be more appropriately named Strategic Planning events as this reflects the work being undertaken by Members at these biannual events.

Following discussion Members:

- **NOTED** the overview of issues emerging from the development session and overview of issues emerging from the specific “budget challenges”, and
- **AGREED** proposed next steps and Officials will map these out and bring a paper to a future Board meeting. **(AP9)**

## **8. KEY ISSUES OF PUBLIC INTEREST**

The Board noted a paper which detailed recent issues of public interest which were relevant to the Board’s areas of work. Recent news stories of concern will be addressed when PSNI attend the meeting.

## **9. PRIVATE SESSION WITH THE CHIEF CONSTABLE INCLUDING CHIEF CONSTABLE’S ACCOUNTABILITY REPORT**

The Chair welcomed the Chief Constable, Deputy Chief Constable, Chief Operating Officer (COO) Pamela McCreedy, Assistant Chief Constable Mark McEwan, Assistant Chief Constable Bobby Singleton, Assistant Chief Officer Mark McNaughten, Chief Superintendent Ryan Henderson, and Bobby Parkhill, Strategic Communications & Engagement to the meeting.

Before inviting the Chief Constable to present his Accountability Report to the Board the Chair extended the Board's thanks and gratitude to the Chief Constable and his team, in particular Assistant Chief Constable Chris Todd, for ensuring the successful delivery of Operation Rondeletto as part of the Good Friday Agreement (GFA) anniversary events and the US Presidential visit.

The Chief Constable made introductory remarks on a number of topics including positive feedback received in respect of the protection and security provided at GFA events and the US Presidential visit as part of Operation Rondeletto, the initiation of Operation Inspire following the raising of the threat level, the stark financial/budgetary situation, and actions being taken to address ongoing concerns regarding the precarious financial situation, which includes a recent communication from the DoJ instructing that all discretionary spend where possible should be ceased and no commitments made to any new areas of spend.

Following the Chief Constable's preliminary comments the below matters were discussed with the PSNI SET:

**PSNI Budget** - The Chief Constable advised that PSNI continues to face significant financial challenges and noted the bleak and alarming financial outlook for this year (2023-24), which equates to an initial funding gap of £141m following an indicative budget allocation representing a further cut of 4.75%.

A 90-day review has been initiated to identify and assess further cost savings in the short term, however, medium to long term pressures will remain and additional cost reduction measures will need to be identified and assessed going forward.

Overall, it was noted that these changes will reduce further the ability of PSNI to operate as a proactive Police Service, and a more reactive Service will be the likely outcome of current and future financial challenges.

In respect of limiting discretionary spend where possible, the Chief Constable advised that only some of these liabilities can be deferred and for a certain period of time due to financial obligations in respect of contractual and non-pay costs which cannot be circumvented.

The Deputy Chief Constable also outlined the limits of reducing discretionary spend due to the needs of current and new investigations, responding effectively to emergency calls, ongoing costs associated with legacy, increasing challenges and workload in Neighbourhood Policing Teams, and the impact on serious crime investigations.

In addition to the above the PSNI Leadership team addressed a range of questions from Members including in relation to:

- Current policing costs of loyalist feud in Ards and North Down area
- Officer misconduct investigations
- Environmental allowance for Police Staff
- Update on recent incident in Lurgan
- Proceeds of Crime Act
- The sensationalised media coverage in relation to PSNI papers found at Mobuoy dump site and the need for accurate information to put into the public domain in order to reassure the public
- Non-recent allegations relating to Erne Integrated College
- Operation Kenova
- Security threat assessment and communication to Officers in respect of guidelines for carrying personal protective equipment.

Members also expressed their ongoing support for DCI John Caldwell as he continues his recovery and requested PSNI pass on their thoughts well wishes to he and his family.

## **9.1 Verbal Update on Lessons Learned Report from Op Yurta**



The Deputy Chief Constable provided Members with an update on the actions taken following recommendations received as part of the Op Yurta report and confirmed that a full written update will also be provided to the Board. **(AP10)**

Members **NOTED** the update provided.

The Chair thanked the Chief Constable, Deputy Chief Constable, Chief Operating Officer (COO) Pamela McCreedy, Assistant Chief Constable Mark McEwan, Assistant Chief Constable Bobby Singleton, Assistant Chief Officer Mark McNaughten, Chief Superintendent Ryan Henderson, and Bobby Parkhill, Strategic Communications & Engagement for their private briefing to the Board.

## **10. QUESTIONS FOR THE CHIEF CONSTABLE**

### **10.1 Issues Arising from Committees**

There were no issues arising from recent Committee meetings for the Board's attention.

### **10.2 Committee Written Questions and Responses**

There were no responses to Committee questions to note within this period.

### **10.3 Individual Members' Written Questions and Responses**

Members noted the responses received from the Chief Constable in relation to Members written questions and follow up responses to verbal questions from the previous Board meeting on 6 April 2023.

## **11. SCHEDULE OF MEETINGS**

Members **NOTED** the schedule of meetings and a change of date for the Audit and Risk Assurance Committee meeting in June 2023.

**12. COMMUNICATION ISSUES**

None raised.

**13. ANY OTHER BUSINESS**

None.

**14. DATE OF NEXT MEETING**

The next Board Meeting is scheduled for Thursday 1 June 2023 at 9.30am in James House.

The private meeting closed at 11am.

*This was followed by the private session with the Chief Constable and the PSNI Leadership Team from 11.10am to 12.50pm.*

**Strategic Planning & Governance**

**Date:** May 2023

**Chair**