

NORTHERN IRELAND POLICING BOARD

MINUTES OF A MEETING OF THE NORTHERN IRELAND POLICING BOARD HELD ON THURSDAY 1 DECEMBER 2016 AT 9:30 AM, WATERSIDE TOWER, BELFAST

PRESENT:

MEMBERS:

- Mrs Anne Connolly, Chairperson
- Mr Keith Buchanan
- Ms Joanne Bunting
- Prof Brice Dickson
- (1) Dr Stephen Farry
- Mr Ryan Feeney
- (2) Mrs Brenda Hale
- (3) Mr Ross Hussey
- Mr Gerry Kelly
- Ms Jennifer McCann
- (4) Mr Raymond McCartney
- Mr Nelson McCausland
- (4) Mr Daniel McCrossan
- Ms Roisin McGlone
- Dr Paul Nolan
- Mrs Wendy Osborne
- (4) Ms Deirdre Toner

POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:

- (5) Mr George Hamilton, Chief Constable
- (5) Mr Drew Harris, Deputy Chief Constable
- (5) Mr Mark Hamilton, ACC Legacy and Justice Department
- (5) Mr Will Kerr, ACC Crime Operations
- (5) Mr Stephen Martin, ACC District Policing Command
- (5) Mr Mark McNaughten, T/Director of Finance & Support Services & Human Resources
- (5) Ms Liz Young, Head of Corporate Communications
- (5) Ms Jude Helliker, Head of Human Resources
- (5) Superintendent Andrew Freeburn, Command Secretariat
- (5) One PSNI Staff Member

OFFICIALS IN ATTENDANCE:

- Mrs Amanda Stewart, Chief Executive
- Mrs Paula Gow, T/Director of Partnership
- Ms Jenny Passmore, T/Director of Policy
- Mr David Wilson, Director of Support Services
- 3 Board Officials

- (1) Item numbers 1 – 12 and item number 17
- (2) Item numbers 1 – 3
- (3) Item numbers 1 – 8.2 and part item number 17
- (4) Item numbers 1 – 8.2 and item number 17
- (5) Item number 17

1 APOLOGIES, ETC

Apologies were received from Ms Deborah Watters, Vice-Chairperson and Ms Catherine Pollock.

The Chairperson welcomed Mr Daniel McCrossan to his first meeting of the Board.

The Chairperson thanked Ms Jennifer McCann for her work on the Board and wished her every success in her new post.

The Chairperson asked Members to declare any conflicts of interest arising from the agenda. No conflicts of interests were declared.

2 DRAFT MINUTES OF THE MEETINGS OF THE POLICING BOARD

2.1 Draft minutes of Policing Board Meeting held on 6 October

2016

The Board considered the draft minutes of the Board meeting held on 6 October 2016.

It was:-

RESOLVED:

That the draft minutes of the Policing Board meeting held on 6 October 2016 be approved.

2.2 Draft minutes of Policing Board Meeting held on 20 October 2016

The Board considered the draft minutes of the Board meeting held on 20 October 2016.

It was:-

RESOLVED:

That the draft minutes of the Policing Board meeting held on 20 October 2016 be approved.

2.3 Draft minutes of Policing Board Meeting held on 27 October 2016

The Board considered the draft minutes of the Board meeting held on 27 October 2016.

It was:-

RESOLVED:

That the draft minutes of the Policing Board meeting held on 27 October 2016 be approved.

2.4 Draft minutes of Policing Board Meeting held on 10 November 2016

The Board considered the draft minutes of the Board meeting held on 10 November 2016.

It was:-

RESOLVED:

That the draft minutes of the Policing Board meeting held on 10 November 2016 be approved.

3 MATTERS ARISING FROM THE MINUTES OF THE MEETING

3.1 Meeting held on 6 October 2016

3.1.1 Police Ombudsman's Report relating to murders in Loughinisland (Item 3.1 of minutes refers)

The Board noted a paper which included correspondence from the Deputy Chief Constable and the Police Ombudsman in relation to the Police Ombudsman's report into the murders in Loughinisland on 18 June 1994. The correspondence was in response to requests for clarification on a number of issues arising from the Police Ombudsman's report. NOTED.

Following discussion it was:-

AGREED:

- That a letter should be sent to the Deputy Chief Constable seeking PSNI's views in relation to the comments made in the letter from the Police Ombudsman relating to turning intelligence material into evidential opportunities against members of the public, the outstanding recommendations of the Serious Crime Review and the scope for investigative failings to lead to new lines of enquiry.
- That an update should be sought from the Deputy Chief Constable in 3 months in relation to the forensic review of the Loughinisland investigation, whether any progress has been made in investigating the connected cases and, if not, the timeframe for doing so and communication with the families.

3.1.2 Role of Board's Human Rights Advisor (Item 5.1 of minutes refers)

The Chief Executive advised the Board:-

- That arrangements would be made for the Board's Human Rights Advisor to brief the Board in the New Year on her role and responsibilities.
- That consideration was being given to the role of the Human Rights Advisor in relation to Operation Kenova. An update would be brought to the next Board meeting.
- That details regarding PSNI security vetting levels would be issued to Members.

NOTED.

3.2 Meeting held on 20 October 2016

3.2.1 Accountability Arrangements for Maritime Enforcement Powers (Item 3 of minutes refers)

Officials advised the Board that the proposed Maritime Enforcement powers, had been moved in a Legislative Consent Motion (LCM) by the Northern Ireland Assembly on 30 November 2016.

The issue relating to hot pursuit had been excluded and the would be brought back to the Board for consideration at a later date.

3.3 Meeting held on 10 November 2016

3.3.1 Police College Review (Item 2 of minutes refers)

This matter was dealt with at item number 11.

4 CHIEF CONSTABLE'S REPORT

4.1 Questions arising from the Chief Constable's Report

The Board noted a monthly report from the Chief Constable to the Board.

NOTED.

During discussion the Board agreed issues to be raised orally with PSNI later in the meeting.

4.2 Responses to Committee and Members questions

The Board noted written responses from PSNI to questions raised by Committees and Individual Members. NOTED.

4.3 Current and Emerging Issues

The Board noted a paper which provided a summary of some of the key policing issues which have featured in the media since the last Board meeting in public. NOTED.

5 CHAIRPERSON'S BUSINESS

5 Chairperson's Report

The Chairperson presented a report to the Board which advised Members of:-

- The Chairperson's engagements during the period 7 October – 30 November 2016.
- A letter dated 18 October 2016 from the Justice Minister regarding the appointment of an Independent Assessor of PSNI recruitment vetting.
- A letter of thanks dated 8 November 2016 from the Deputy Commissioner, Metropolitan Police to the Chief Constable for support on Operation Carvier.
- A letter dated 18 November 2016 from ACC Operational Support Department regarding the National Armed Uplift programme.
- A letter dated 21 November 2016 from the Justice Minister regarding future HMIC Inspections and costs.
- A letter of sympathy to the family of Constable Lowe.
- A letter to the new leader of the Alliance Party.
- Letters of thanks to the contributors at the 15th Anniversary

Seminar/Conference.

It was:-

AGREED:

That a response should be sent to the letter dated 21 November 2016 from the Justice Minister reflecting the Board's views that funding for HMIC Inspections should not be taken from the PSNI budget.

The Chairperson briefed the Board on a working lunch meeting which had been held with the Irish Policing Authority on 2 November 2016.

The Chairperson advised the Board about positive feedback which had been received regarding the 15th Anniversary Seminar / Reception and Conference which had been held on 2 and 3 November 2016.

5.1 Minutes of Chair's Advisory Group held on 9 November 2016

The Board noted the minutes of the Chair's Advisory Group meeting held on 9 November 2016. NOTED.

The Chairperson advised the Board about a legal action regarding the ACC bonus which was scheduled to be heard on 5 December 2016.

It was:-

AGREED:

That the Board should continue to defend the ACC Bonus Legal Challenge.

The Chairperson advised the Board about six public complaints which had been made in respect of comments which had been made by the Chief Constable on social media. The matter had been discussed by the Chair's Advisory Group and it was the view of the Group that the comments did not meet the threshold for misconduct and it was agreed that:-

- A letter should be issued to the Chief Constable advising of the outcome of the complaints.
- The policy and procedures for handling complaints against Senior Officers should be reviewed with human resources input/advice.
- The PSNI should be asked to provide a copy of the policy on the use of social media and associated commentary.

The Board agreed with the views of the Chair's Advisory Group.

5.2 Secondment of a Senior PSNI Officer

The Board considered a request for the secondment of a Senior PSNI Officer.

An official sensitive note on this matter is attached at Appendix "A".

5.3 Policing Board Committee Membership

The Board:-

AGREED:

To the appointment of Mr Daniel McCrossan to the Partnership, Performance and Special Purposes Committees.

6 CHIEF EXECUTIVE'S REPORT

The Chief Executive updated Members on performance against the Board's corporate and business plans, finance, human resources and other significant issues within the Board.

The Chief Executive referred to recent publicity in the media regarding the allocation of funds from the Police Property Fund and advised the Board that she was agreeing Terms of Reference for an internal Advisory audit of the governance arrangements in place for the allocation of such funds and the report would be presented to the Audit and Risk

Management Committee in due course.

7 AUDIT AND RISK MANAGEMENT COMMITTEE

7.1 Draft Minutes of the Audit and Risk Management Committee held on 29 September 2016

The Chairperson of the Committee referred Members to the minutes and advised the Board that a verbal briefing on the meeting had been given at the Board meeting on 6 October 2016. NOTED.

8 PARTNERSHIP COMMITTEE

8.1 Draft Minutes of the Partnership Committee held on 17 November 2016

Ms Wendy Osborne referred Members to the minutes of the meeting held on 17 November 2016 and highlighted the following matters considered by the Committee:-

8.1.1 Research Proposals (Item 5.5 of minutes refers)

8.1.2 Consideration of the removal of a PCSP Independent Member (Item 5.7 of minutes refers)

This matter was dealt with at item number 8.2.

8.1.3 PSNI Briefing on Policing with the Community (Item 6.1 of minutes refers)

8.2 Consideration of a removal of a PCSP Member (Derry and Strabane)

Mr Raymond McCartney declared a conflict of interest in this case.

Members considered a paper which outlined details of a recommendation from the Partnership Committee for the Board to consider the removal of an Independent Member from Derry and Strabane PCSP and to decide if the

Member's circumstances are such as may require consideration of their removal from office.

Members noted that a formal complaint had been made by a Member of the public regarding comments which had been made on social media by the Independent PCSP Member. NOTED.

In line with the Board's policy the Independent PCSP Member had been advised that the complaint against him had been received and referred to the Board for consideration of his removal from the PCSP and inviting the Member to provide any relevant information relating to his circumstances which he believes the Board should be aware of prior to making a decision. A response was awaited.

Following discussion it was:-

AGREED:

- To defer the case to a future meeting of the Board pending receipt of a response from the PCSP Member.
- That a reminder should be sent to PCSP Members in respect of the Code of Conduct and use of and commentary posted on social media.

8.3 Board Research Proposals – Local Policing Arrangements – PCSP Effectiveness

The Board considered a paper which provided Members with further information regarding proposed Research Projects which had been approved by the Partnership Committee on 17 November 2016.

Members discussed the proposed Research Projects and it was:-

AGREED:

That a paper should be brought to the next meeting of the

Partnership Committee regarding further detail on the proposals for PSNI Local Policing Arrangements and PCSP Effectiveness.

8.4 Policing with the Community

The Board considered a paper which requested Members to consider and agree to a definition of Policing with the Community (PWC) for issue to PSNI following a briefing to the Partnership Committee in November 2016.

It was:-

AGREED:

That a paper should be brought to the next meeting of the Partnership Committee regarding the definition of PWC.

9 PERFORMANCE COMMITTEE

9.1 Minutes of the Performance Committee held on 13 October 2016

The Chairperson of the Committee referred Members to the minutes of the meeting held on 13 October and highlighted the following matters considered by the Committee:-

9.1.1 Board's Continuous Improvement Project 2016/17 (Item 5.1 of minutes refers)

9.1.2 Police Performance Monitoring – Focus Reports (Item 5.3 of minutes refers)

9.1.3 Human Rights Advisor's Report (Item 6.1 of minutes refers)

9.1.4 PSNI Continuous Improvement Projects (Item 6.3 of minutes refers)

9.2 Draft Minutes of the Performance Committee held on 10 November 2016

The Chairperson of the Committee referred Members to the minutes of the meetings held on 10 November 2016 and highlighted the following matters considered by the Committee:-

9.2.1 HMIC Peel Effectiveness Inspection 2015/16 (Item 5.1 of minutes refers)

9.2.2 Briefing with the Independent Reviewer of Terrorism Legislation and the Independent Reviewer of Justice and Security (NI) Act 2007 (Item 6.1 of minutes refers)

9.2.3 Trends in Domestic Abuse Incidents and Crimes recorded by Police in Northern Ireland 2004/05 – 2015/16 (6.3 of minutes refers)

9.2.4 Briefing from PSNI on Tact Arrests, Charges and Conviction Rates (Item 6.7 of minutes refers)

10 RESOURCES COMMITTEE

10.1 Minutes of the Resources Committee held on 26 October 2016

The Chairperson of the Committee referred Members to the minutes of the meeting held on 27 October 2016 and highlighted the following matters considered by the Committee:-

10.1.1 HMIC Peel Inspection – Efficiency Theme (Item 3.4 of minutes refers)

10.1.2 PSNI Estate Strategy 2016 (Item 6.1 of minutes refers)

This matter was dealt with at item number 10.3.

10.1.3 NIPB submission to the Senior Salaries Review Body (Item 6.3 of minutes refers)

10.1.4 NIPB submission to the Police Remuneration Review Body

(Item 6.3 of minutes refers)

**10.1.5 Proposed acquisition of lands at Tennent Street PSNI Station
(Item 6.4 of minutes refers)**

This matter was dealt with at item number 10.4.

10.2 Draft Minutes of the Resources Committee held on 24 November 2016

The Chairperson of the Committee referred Members to the meeting held on 24 November 2016 and highlighted the following matters considered by the Committee:-

10.2.1 HMIC Peel Inspection – Efficiency Theme

10.2.2 PSNI Secondment Request

10.2.3 Deloitte Research into Barriers to Recruitment

The Chairperson advised the Board that the Deputy Chief Constable undertook to provide Members with a copy of the Deloitte report on the research regarding understanding barriers to Police Officer recruitment. The findings of the Deloitte research would be discussed with PSNI at the Resources Committee meeting on 22 December 2016 and all Members were invited to attend.

10.2.4 Meeting with the Police Federation for Northern Ireland Chair

10.2.5 Radar Northern Ireland Site

The Chairperson of the Resources Committee referred Members to a letter from PSNI regarding a bid through the Department of Justice (DOJ) for capital funding from the in year monitoring round to purchase

the site and building for the RADAR Centre. The Resources Committee recommended that the Board approves the acquisition of the RADAR NI site.

It was:-

RESOLVED:

To approve the acquisition of the RADAR NI site.

10.3 PSNI Estate Strategy 2016

The Board noted a paper regarding the PSNI Estate Strategy 2016 – 2019. NOTED.

The Chair of the Resources Committee advised the Board that the Resources Committee recommended that the Board approves the PSNI Estate Strategy 2016 – 2019.

It was:-

RESOLVED:

To approve the PSNI Estate Strategy 2016 – 2019.

10.4 Proposed acquisition of lands at Tennent Street PSNI Station

The Board noted a paper which had been received from PSNI which notified the Board of the intention to acquire lands adjacent to Tennent Street PSNI Station, Belfast for the purpose of secure car parking and increased security of the site. NOTED.

The Chair of the Resources Committee advised the Board that the Resources Committee recommended that the Board approves the acquisition of lands at Tennent Street PSNI Station.

It was:-

RESOLVED:

To approve the acquisition of lands at Tennent Street PSNI Station.

11 POLICE COLLEGE REVIEW

The Board considered a paper which included the following information which had been requested by Members at the Board meeting on 10 November 2016:-

- Information regarding the PSNI Foundation Course.
- Details of the training that Police Officers receive throughout their probationary period.
- Details of the content of the core Policing Principles Module.

Following discussion it was:-

RESOLVED:

To support Student Officer intakes and training recommencing in the New Year.

Members discussed the establishment of a Board Oversight Panel to oversee the implementation of the recommendations in the Police College Review Report.

It was:-

AGREED:

- That Members who were interested in serving on the Oversight Panel should advise the Board Chair.
- That the Terms of Reference for the Oversight Panel should be agreed at the December 2016 Resources Committee meeting.

12 CORPORATE PLAN CONSULTATION

The Board considered a paper which sought Members views on the key challenges and draft priorities to support a consultation for the development of the Board's Corporate Plan for 2017-2020.

During discussion Members suggested a few amendments to the consultation document and it was:-

AGREED:

That the document on the priorities for the Corporate Plan should be issued for consultation subject to the amendments being made.

13 INFORMATION PAPERS

The Board noted the following papers:-

13.1 Schedule of Events – December 2016

13.2 Chief Constable's Written submission to the House of Lords EU
Committee Inquiry into Brexit

13.3 Board Effectiveness A Good Practice Guide

13.4 Public Statement by Police Ombudsman on the circumstances
surrounding the death of Mr John Hemsworth on 1 January
1998

NOTED.

14 COMMUNICATION ISSUES

The Board noted details of communication issues relating to the recommencement of PSNI recruitment and the PSNI Estate Strategy. NOTED.

Officials reminded the Board that a visit would take place to the Rowan Centre on 15 December 2016 at 4.00pm. Members asked to be provided with a map outlining directions to the Centre.

15 ANY OTHER BUSINESS

No other business was conducted.

16 DATE OF NEXT MEETING

The date of the next meeting was arranged for 2 February 2017.

17 PRIVATE SESSION WITH THE CHIEF CONSTABLE

The Chairperson welcomed the Chief Constable and the Service Executive Team to the meeting and invited questions from Members to the Chief Constable.

In response to a Member's question the PSNI updated the Board on the ongoing investigation into claims made by Dublin lawyer Kevin Conway regarding his participation in IRA activities. Members were advised of the steps being taken by the PSNI and also the stage at an investigation needs to be at before a european arrest warrant can be issued.

In a follow up question to a written response provided to the Board, a Member requested the PSNI comment on the possibility of setting specific targets in relation to the gender and community background representativeness within the PSNI. In response the PSNI discussed this as a possibility and that the issue of gender and community representativeness was being progressed by the Resources Committee.

In response to a question from a Member regarding the use of arrest powers under

terrorism legislation (TACT) and the Police and Criminal Evidence Act (PACE), the PSNI discussed the more extensive powers available under TACT but highlighted the more stringent safeguards for the individual. The PSNI acknowledged the low charge rate under TACT but asked Members to note that, owing to the specific nature of charges which can be made under TACT, an individual may be charged with offences under PACE following a TACT arrest.

In a follow up question to a written response provided to the Board, a Member requested the PSNI comment further on the costs associated with the problems at the Police College, Garnerville specifically in relation to cost offsetting. The PSNI expanded on the figures provided including information on easements as a result of the suspension of the intake of student officers during the period of the review.

In response to a Members question regarding PSNI Officer numbers the PSNI discussed with the Board the original Patten recommendation of 7500 officers and the more recent Resilience Review which established an optimum figure of 6963 Officers. The PSNI also discussed with Members the recent HMIC Inspection report which recommended a more bespoke workforce model which should not be fettered by the 6963 number and the ongoing Priority Based Resourcing Project currently taking place within the PSNI.

In response to a Member's question regarding the protocols for the use of Body Worn Video, the PSNI committed to working with the Board in this area and discussed circumstances under which an officer should or should not have their body worn camera switched on.

In a follow up question to a written response provided to the Board regarding the armoured Vauxhall Insignia vehicles, a Member asked the PSNI to respond to media comments regarding injury on duty claims submitted by officers who have reported the vehicle as causing injury. The PSNI discussed with the Board the number of reports received, the necessary compromise between comfort and protection and the vehicles' capacity to withstand a sustained gun attack during which officers lives were saved.

The meeting moved into public session. A verbatim recording of the Board meeting in public is available on the Board's facebook page at www.facebook.com/policingboard.

(Meeting closed at 4.55pm)

**Board Support
December 2016**

_____ **Chairperson**