

NORTHERN IRELAND POLICING BOARD**MINUTES OF A MEETING OF THE PERFORMANCE COMMITTEE MEETING
HELD ON 27 NOVEMBER 2019 at 10.00, WATERSIDE TOWER****PRESENT:**

Mr Mervyn Storey, Chairperson
Prof. Brice Dickson, Vice Chairperson
Mr Keith Buchanan
Mr Tom Frawley
Mr Gerry Kelly
Mr Philip McGuigan
Dr Paul Nolan
Ms Debbie Watters

POLICE SERVICE OF	1	ACC Alan Todd
NORTHERN IRELAND IN	1	Chief Inspector Johnston McDowell
ATTENDANCE:	1	2 other PSNI Officers
	1	2 other PSNI Officials

OFFICIALS IN	Ms Jenny Passmore, Director of Performance
ATTENDANCE:	4 Board Officials

(1) Item number : 3.1

1 APOLOGIES

Apologies were received from Mrs Joanne Bunting, Mrs Dolores Kelly and Mr Alan Chambers.

The Committee agreed the agenda for the meeting.

The Chair asked Members to advise of any issues they wished to raise at Item 5 under “Any Other Business”. No issues were declared.

2 CONFLICTS OF INTEREST

No conflicts of interest were declared.

3.0 ITEMS FOR COMMITTEE BUSINESS

3.1 PSNI’s Use of Stop and Search Powers

Officials provided the Committee a summary of the ongoing issues regarding PSNI’s use of powers to stop and search and question. Members were reminded that various briefings and discussions had previously taken place at Performance Committees in March, April, May, October and November in relation to these powers and statistical analysis had been regularly provided by PSNI. The Committee had sought information from PSNI however there had asked for a briefing to consider a number of issues that required clarification.

The Committee was provided with a brief on the legislative powers used by PSNI and a comparative analysis of the national and local application of these powers. Members were further furnished with detailed information supported by evidence through reports and recommendations provided by Joanne Hannigan BL, Dr John Topping and David Seymour CB on key issues listed below:-

- PSNI policy and service-level directions;
- Supervision of powers;
- Body Worn Video;
- Record keeping and providing reasons;
- Children and Young People;
- Impact on public confidence;
- Monitoring of community background; and
- Assessing effectiveness / arrest rate.

Members **NOTED** the information provided in the brief to support their discussion with PSNI.

The Chair welcomed ACC Alan Todd, Chief Inspector Johnston McDowell, two PSNI's officers and two PSNI officials.

ACC Todd delivered a presentation focusing the following:-

- Policy and Service-level directions;
- Supervision of powers;
- PACE & Misuse of Drugs;
- Community Resolution Notices; and
- Children and Young People

ACC Todd highlighted that the primary purpose of stop and search powers is to enable officers to allay or confirm suspicions about individuals without exercising their power of arrest. He added that PSNI have maintained a balanced approach in the use of these powers for the wide range of significant problems police encounter including the recent trend of a rise in drug related crimes.

Members asked ACC Todd a number of questions in relation to PSNI's use of stop and search powers from information that they had available in both their briefing and ACC Todd's presentation.

ACC Todd emphasised that he believed that PSNI were using the powers at appropriate levels and that they have been steadily maintained rather than subject to substantial swings as seen in England and Wales.

It was recognised by ACC Todd and Members that the current draft Service Instruction for Stop and Search was still a work in progress and that further improvements were necessary in respect of supervision, record keeping, use of body worn video and legislation.

Members noted that PSNI have seen a marked improvement in use of BWV when using these powers following the issue of service instructions with an increase from 30% at the start of the year to 70% currently with the aim of increasing this further.

Members discussed the level of supervision of stop and searches by officers and considered the criteria used to monitor its use internally across the service and the appropriate level at which the supervision should be carried out.

The Committee discussed the impact of the use of stop and search powers on children and young people. It was emphasised that its use should be proportionate and recorded accurately. It was further noted that the focus should be on prevention rather than criminalising young people and that the quality of the engagement is important. The positive work carried out in partnership with the Youth Justice Agency was noted. ACC Todd advised Members that the Service-level instructions should be completed in draft form by the end of this financial year and that he would share this with the Board and Committee.

Explanations were provided regarding the statistics analysed in respect of PSNI's use of PACE powers in comparison to the Misuse of Drugs Act powers, with ACC Todd providing clarification that PACE was a large umbrella of powers and that the Misuse of Drugs may be recorded under the PACE stops.

The Committee raised the issue of the collection of an individual's community background, as per a previous recommendation contained within the Board's thematic review of stop and search. PSNI discussed the concerns they have encountered regarding compliance with GDPR in the collection of personal data. PSNI agreed to provide further lower level geo-mapping of PSNI stops and searches to assist with the identification of community background information. Some questions were raised on the geo-mapping and use of GPS that could give a further breakdown of localities within Districts for a more detailed picture of where these powers are being used. ACC Todd advised that this was something they could explore and if they have the capacity and it is feasible PSNI could provide this to the Committee.

The Chairperson thanked PSNI for their attendance and they left the meeting.

Following discussion,

It was:-

AGREED:-

To write to PSNI and request more information on the following points:-

- Assurance that the draft service level instruction is provided to the Board at the end of March 2020 and the Consultation process for its development;
- Geo-Mapping is provided to localised levels below District level;
- Information on the stop and search policy regarding supervision;
- The use of Stop and Search information cards for children and young people;
- A copy of the PACE forms used by officers;
- Policy on collecting personal information on Community Resolution Notices;
- An explanation for discrepancy in statistics provided in Dr John Topping's reports and those provided by PSNI; and
- Request a copy of Dr John Topping's third report when available.

4. COMMUNICATION ISSUES

Members were asked to consider if there were any communications issues arising from the meeting. No communications issued were raised.

5. ANY OTHER BUSINESS

There was no other business.

6. DATE OF NEXT MEETINGS

Members were reminded that the next Performance Committee meeting would take place on Tuesday 17 December 2019 at 1.30pm in Musgrave PSNI Station. This would include a demonstration of Body Worn Video and a visit to the PSNI Custody Suite.

The meeting closed 12.25pm.