

NORTHERN IRELAND POLICING BOARD

MINUTES OF A MEETING OF THE CORPORATE POLICY, PLANNING & PERFORMANCE COMMITTEE HELD ON 22 NOVEMBER 2006 AT 10:00AM IN WATERSIDE TOWER, BELFAST

PRESENT:

MEMBERS:

Professor Sir Desmond Rea (Chairman)
Mr Barry Gilligan (Vice Chairman)
Mr Alex Attwood
(1) Mr Fred Cobain
Mr Brendan Duddy
Mr Willie Hay
(2) Mrs Pauline McCabe
Mrs Rosaleen Moore
Mr Ian Paisley Jnr
Mr Brian Rea

PSNI IN ATTENDANCE:

(4) Mr Paul Leighton (Deputy Chief Constable)
(3) Mr Roy Toner (ACC Operational Support)
(4) Mr David Best (Director of Finance & Support Services)
(4) Head of Procurement
(3) C/Superintendent, CORE Project
(3) Inspector, CORE Project

PROCUREMENT REVIEW GROUP (PRG) IN ATTENDANCE:

(4) Mr Denis Licence (Chairman of PRG)
(4) 1 Representative, Deloitte
(4) 2 Representatives, National Audit Office
(4) 1 Representative, NIO Procurement Unit

OFFICIALS IN ATTENDANCE:

(5) Mr Trevor Reaney (Chief Executive)
Dr Debbie Donnelly (Deputy Chief Executive)
(6) Mr David Jackson (Director of Community Engagement)
Mr Sam Hagen (Director of Corporate Services)
(6) Mr David Wilson (Director of Planning)
Mrs Sinead Simpson (Director of Policy)
5 Officials

- (1) Part item number 3.2 to 14
- (2) Part item number 3.2 to close
- (3) Item number 15 only
- (4) Item number 16 only
- (5) Except item numbers 15 & 16
- (6) Except item number 16

1. APOLOGIES, ETC

Apologies were received on behalf of Mr Trevor Ringland. NOTED.

2. MINUTES OF A CORPORATE POLICY, PLANNING AND PERFORMANCE COMMITTEE MEETING HELD ON 19 OCTOBER 2006

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 October 2006 should be agreed.

3. MATTERS ARISING FROM THE MINUTES OF THE MEETING

3.1 Community Based Restorative Justice (CBRJ) (Item 3.1 Of Minutes Refers)

The Director of Community Engagement confirmed that, in connection with the provision of the Board's response to the Northern Ireland Affairs Committee (NIAC) consideration of the Draft Protocol on Community Based Restorative Justice, a draft Board response had been forwarded to each member of the Board's Working Group for consideration. Amendments/comments had been requested by 27 November 2006.

Members of the Working Group present at the meeting, indicated that it was unlikely there would be substantive changes to the draft received and that they were content for the Chairman and Vice Chairman to sign off the final response to NIAC.

The Director of Community Engagement briefly updated the Committee on his attendance at a conference on Restorative Justice, in Dublin, on 18 November 2006.
NOTED.

3.2 New Police College (Item 3.2 Of Minutes Refers)

The Committee discussed the NIO decision to commission Mr Robin Field-Smith, HMIC to assist in the validation of proposals for the new Police College. A number of Members expressed concern that the validation role of the HMIC appeared to be more extensive than the Board's representatives on the Project Board had anticipated; that it appeared that HMIC was working to a different timeframe which could give rise to further delay; and that there had not been sufficient consultation with the Board by NIO in commissioning the HMIC.

The Committee discussed the provision of additional funding above the £90 million already provided by Government, and expressed concern that a formal response had not been received from the Minister to date.

Members discussed speculation about the provision of funding for the college from the Government in the Republic of Ireland.

It was:

AGREED:

That the Chairman should make an informal approach to the Irish Deputy Prime Minister and Minister of Justice to clarify the Irish Government's position regarding possible funding for the new Police College.

3.3 PSNI Human Resources Project Team (Item 3.3 Of Minutes Refers)

The Deputy Chief Executive informed the Committee that further clarity was being sought from PSNI regarding the role of the Board's staff in the PSNI Human Resources Project Team for the Police Civilian Staff Re-Orientation Programme. NOTED.

3.4 St Andrew's Agreement (Items 4.5 Of Minutes Refers)

The Committee considered a paper that summarised the key elements for the Board of the Northern Ireland (St Andrew's Agreement) Bill 2006.

The Deputy Chief Executive outlined the main implications for the Board arising from the Northern Ireland (St Andrew's Agreement) Bill which was currently progressing through the Parliamentary stages at Westminster. The Deputy Chief Executive highlighted:-

- The new responsibilities placed on the Board regarding the reconstitution of District Policing Partnerships (DPPs).
 - The Board's responsibility to ensure that DPPs meet the "political condition".
 - The arrangements for the appointment of political members to DPPs.
 - The appointment of independent members to DPPs.
 - The arrangements concerning Belfast Sub-Groups.
- The reconstitution of the Policing Board.
- Transitional arrangements concerning:
 - Appointment of DPPs.
 - The Belfast Sub-Groups.
 - Appointments to the Policing Board.
- Resource implications for the Board.

The Committee discussed the implications of the Bill for the DPPs and the Board.

Members expressed strong concerns about the implications for some DPP members who had served the community with commitment and courage. The consensus view was that any reconstitution of the DPPs should be on as minimal a basis as possible, rather than the anticipated reconstitution of most DPPs. Members also expressed concern at the lack of consultation between Government and the Board concerning the most appropriate process to ensure that the membership of DPPs reflected the balance of each local community.

It was:-

RESOLVED:

That the Board should issue a news release expressing the Committee's concerns, highlighting the implications of the legislation for some DPP members, acknowledging the contribution made by DPPs to date, and expressing Members' belief that reconstitution should have been on as minimal a basis as possible to ensure full community and political representation on each DPP, rather than in effect to require the full reconstitution of most DPPs.

The Committee discussed the provision in the legislation concerning the "Declaration Against Terrorism" introduced for independent members of DPPs and the amendment in the Bill to the "Disqualification" section, including provision for the disqualification of independent members on the grounds of criminal convictions. Members discussed the disparity between the appointment requirements in this regard for independent members and political members of DPPs.

The Committee requested officials to prepare a draft matrix in respect of the application of the provisions of the Bill to DPPs.

It was:-

RECOMMENDED:

That the Board should consider the implications of the 'disqualification' aspects of the Bill in respect of DPPs at its next meeting.

A Member referred to the recommendation by the Committee at its previous meeting to offer briefings to Sinn Fein on the work of the Board and DPPs. The Member sought information on how this matter had been taken forward. The Chairman advised that he had written to Sinn Fein and the other main political parties offering briefings and to date there had been no response from Sinn Fein. NOTED.

4. CHAIRMAN'S BUSINESS

4.1 Engagements

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

- Police Reform Seminar – London – 2 November 2006.
- PSNI/RUCGC Senior Officers Club's Autumn Dinner – Belfast – 3 November 2006.
- Meeting with delegation from Iraq – Belfast – 7 November 2006.
- Visit to Newry & Mourne District Command Unit – 7 November 2006.
- Informal Quarterly Meeting with Police Ombudsman – 21 November 2006.

NOTED.

4.1.1 PCSO Briefings

The Chairperson of the Board's Police Community Support Officer Working Group updated the Committee on the PCSO briefings that had been held in Coleraine, Cookstown, Armagh and Templepatrick on 13 and 14 November 2006. NOTED.

The Chairman thanked the Chairperson of the Working Group and the Board's staff involved in arranging the briefings.

4.1.2 Meeting With Chief Constable

The Chairman of the Board and Chairman of the Human Resources Committee updated Members about a meeting that they and the Vice Chairman of the Human Resources Committee had held with the Chief Constable and Deputy Chief Constable concerning the impact on the PSNI Training, Education and Development Strategy (TED), of the successive changes in leadership at the College. The Human Resources Committee will be provided with a full briefing at its next meeting. NOTED.

4.1.3 Future Engagements

The Chairman informed Members about the forthcoming engagement:-

- A meeting with John King and Rotha Johnston, Non Executive Members of the Northern Ireland Office, Departmental Board.

4.2 Publications

The Chairman advised that the following publications had been placed in the library:-

- Report of the Garda Síochána Inspectorate on the Garda Síochána Senior Management Structure – October 2006.
- Report under section 60A of the Police (NI) Act 1998 – Police Searches of Domestic Residences – Police Ombudsman – October 2006.

- Corporate Plan – Year 4 Review and Update 2006 – 2007 – Belfast City Council – October 2006.
- Public Service Review – Home Office.

NOTED.

The Chairman highlighted the following correspondence that he had received:-

- Letter from ACC Gillespie dated 31 October 2006 regarding the PSNI plan for delivering a community policing service in the Coalisland area.

NOTED.

4.4 News Releases

The following news releases were drawn to the attention of Members:-

- Provisional Recommendations for New Council Boundaries – Office of the Local Government Boundaries Commissioner – November 2006.
- More Than Half of the House Searches Result in a “Positive Find” – Police Ombudsman – November 2006.
- Chief Constable gives presentation of work of Historical Enquiries Team to Sub Committee on Barron Report – PSNI – November 2006.

NOTED.

5. CHIEF EXECUTIVE’S BUSINESS

5.1 PNB – Agreement Reached In The Chief Officers’ Committee

The Chief Executive drew the attention of Members to PNB Circular 05/11 which advised, that at the meeting of the Police Negotiating Board’s Chief Officers’ Committee

on 21 July 2006, agreement was reached on revised pay of Chief Officer ranks. The revised pay structure equated to a 3% increase for all officers, including Chief Officers. NOTED.

6. OMAGH BOMBING – RESPONSE TO OMAGH SUPPORT AND SELF HELP GROUP

The Chairman advised the Committee that work was ongoing in relation to a response to the Omagh Support and Self Help Group, in conjunction with the Senior Investigating Officer in the Omagh Bomb investigation. Discussions were also ongoing with HMIC about a review of the associated reports. A further update would be given at the December 2006 Board meeting. NOTED.

7. NIPB DRAFT COMMUNICATION STRATEGY

The Committee considered a paper which contained a draft Northern Ireland Policing Board Communication Strategy, which had been developed as part of the Board's strategic priorities.

Members discussed the draft strategy and recommended a number of amendments to the draft, including widening the number of spokespersons for the Board to include all Board Members. Officials undertook to reflect on the discussion and amend the draft policy document accordingly. An action plan would then be prepared.

Subject to the above amendments, it was:

RESOLVED:

To approve the NIPB Communication Strategy.

8. FIRST DRAFT PART 2 OF THE 2007/08 POLICING PLAN

The Committee considered a paper which contained the First Draft of Part 2 of the 2007/2008 Northern Ireland Policing Plan. The Committee considered each of the proposed targets contained in the draft document. NOTED.

Officials advised that the document would be further negotiated with PSNI and a second draft of the Plan brought to a special meeting on 7 December 2006. NOTED.

Following this meeting, a revised draft will be brought to the December Corporate Policy, Planning and Performance Committee for consideration.

9. 'DEALING WITH THE PAST' ISSUES

The Committee considered a discussion paper on the issue of "Dealing with the Past". NOTED.

10. PSNI POLICY ON THE RETENTION OF DNA SAMPLES AND FINGERPRINTS

The Committee considered a paper which set out PSNI policy for the retention of DNA samples and fingerprints on the Police National Computer. NOTED.

Officials informed the Committee that PSNI had been asked to comment on how its practice may interfere with Children Rights under the UN Convention on the Rights of the Child. PSNI had subsequently responded reaffirming the fact that they are following ACPO policy, including the discretion to authorise detention in exceptional circumstances, that the House of Lords' decision on the matter confirms compatibility with the European Convention on Human Rights; and highlighting the usefulness of this established technique in the detection of crime.

It was:-

AGREED:

That on the basis of the PSNI response; the advice of the Board's Human Rights Advisors; and taking account of the media coverage and the correspondence from NICCY and the Pat Finucane Centre, a draft statement should be prepared and brought to the Board for further consideration.

11. PUBLICATION OF PAPERS FOR BOARD MEETINGS ON THE BOARD WEBSITE

The Committee considered a paper regarding the publication of papers in respect of Board meetings on the Board's website.

It was:-

RESOLVED:

- That a Board paper constituted a "covering paper" and that appendices and attachments should not be published as a matter of course.
- That only significant policy papers relating to Board decisions be published.
- That the papers should be published at the same time as the minutes of the meeting to which they relate are being published.
- That the publication of Committee papers should be reviewed after the process for uploading Board papers to the website has had a period of time to become operational.

12. QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING BOARD MEETINGS

The Committee was due to consider a paper regarding a process to take questions from members of the public at Board meetings in public. The Chairman indicated that this item would be deferred to the next meeting of the Committee.

NOTED.

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

There were no matters arising.

14. INFORMATION PAPERS

The Committee noted the following information papers:-

14.1 CJINI Report – “Connecting Criminal Justice”

A letter from ACC Criminal Justice detailing how PSNI planned to progress the relevant recommendations contained in the Criminal Justice Inspection Northern Ireland (CJINI) report entitled “Connecting Criminal Justice”. NOTED.

14.2 Performance Monitoring Of Qualitative Targets In The 2006 – 2007 Northern Ireland Policing Plan

A paper which provided the Committee with interim progress reports from the PSNI in relation to qualitative targets in the 2006 – 07 Policing Plan. NOTED.

14.3 Tribunal Cases

A confidential paper outlining the current status in a number of Fair Employment Tribunal cases in which the Policing Board had been named as a respondent. NOTED.

14.4 Government Response To The Northern Ireland Affairs Committee (NIAC) Report On Organised Crime In Northern Ireland

The response by Government to the key recommendations and conclusions, of interest to the Board, contained in the Northern Ireland Affairs Committee Report on Organised Crime in Northern Ireland. NOTED.

15. PRESENTATION ON THE WORK OF PSNI PROJECT CORE TEAM

The Chairman welcomed ACC Operational Support Department and representatives from PSNI to the meeting.

He referred Members to the briefing note provided to the Committee by the ACC, which provided an update on the progress of the project to date. ACC Operational Support reminded Members of the background to the establishment of the CORE Project. He outlined the consultation and focus of proposals regarding:-

- District Command Units.
- Headquarters and Regions.
- Workforce modernisation, including the introduction of a 10 hour variable shift pattern.

The ACC outlined the key issues and challenges for the Project and reminded Members of the Project in the context of other PSNI strategies. The ACC detailed the critical success factors for the Project.

A copy of the slides used by PSNI during the presentation is attached at Annex "A".

Members discussed a number of issues arising from the presentation, including:-

- The viability of the anticipated 15% saving in annual costs of DCU command structures by 31 March 2009.
- Options for the geographical areas of the 2 Belfast DCUs.
- Planning to continue to decentralise the structure of PSNI.
- The emphasis within CORE on Policing with the Community.

- Progress on negotiations with the Staff Associations concerning a 10 hour variable shift pattern.

The Chairman thanked the PSNI representatives for their contribution and reminded Members that the Committee would receive a further update on progress in the New Year. The PSNI representatives left the meeting.

16. PRESENTATION ON THE ADMINISTRATIVE REVIEW OF PROCUREMENT WITHIN PSNI

The Chairman welcomed the Chairman of the Procurement Review Group, the Deputy Chief Constable and representatives from Deloitte, the National Audit Office, the NIO Procurement Unit and PSNI to the meeting. The Chairman reminded Members that Mr Gilligan and Mr Ringland represented the Board on the Procurement Review Group.

The Chairman of the Review Group briefly reminded Members of the background to the establishment of the Group which had been set up to provide a comprehensive independent review of the procurement procedures, processes and practices of the PSNI.

He outlined the Group's activity since its first meeting on 2 November 2005 and the role of the PSNI's Internal Auditors, Deloitte and the National Audit Office.

The representative from PSNI's Internal Auditors, Deloitte presented a summary of the key findings of the Working Group to date. The representative from Deloitte summarised the 15 recommendations made by the Group and the progress made in actioning each of the recommendations. Of the 15 recommendations, 12 had been implemented, 1 was partially implemented and 2 were ongoing.

The representative from the National Audit Office (NAO), identified the NAO's role in the review and endorsed the findings of the Internal Audit Review. The representative from NAO confirmed that they had reviewed the PSNI contracts with Deloitte and detailed the findings and recommendations arising from the review.

A copy of the slides used during the presentation are attached at Annex 'B'.

The Deputy Chief Constable outlined the key learning points for PSNI and commented on the actions taken by PSNI to date.

The Chairman of the Procurement Review Group outlined the action planned in future stages of the Review.

Members sought clarification and further information concerning:-

- The approach of PSNI to procurement, in comparison with other large public and private organisations.
- Current and previous frequency of the use of single tender action by PSNI.
- Auditing of the contract with Consensia.
- PSNI organisational integrity.
- Training provided to staff involved in the procurement process.
- The use of extensions to existing contracts.
- Co-ordination between the PSNI and the NIO Procurement Unit.

The Committee sought and were provided with some assurances that the identified gaps in the procurement arrangements had been rectified.

The PSNI confirmed that a copy of the report, (redacted to protect confidential commercial information), would be provided to the Board as soon as possible. The criminal investigation in respect of one case was ongoing and comment could not be made on that specific case by any of the representatives present. NOTED.

The Chairman thanked the representatives of PRG for their contributions and they left the meeting.

17. PRESS ISSUES

It was:-

AGREED:

That news releases should be issued in respect of:-

- The Committee's discussion on the implications of the St Andrew's Agreement Bill.
- The briefing on the independent review of procurement procedures in PSNI.

18. ANY OTHER BUSINESS

18.1 Findings From The 2005/06 PSNI/NIPB Quality Of Service Survey

Following a request from a Member for the results of question 22 from the 2005/06 Quality of Service Survey, the Committee noted a breakdown of respondents opinions of the police. NOTED.

19. DATE OF NEXT MEETING

The date of the next monthly was agreed as Tuesday, 19 December 2006 at 10:00am.

The Chairman reminded Members that a Committee meeting had been arranged for Tuesday, 28 November 2006 to discuss VFM Review of Police Numbers with HMIC. (This meeting was subsequently postponed to a later date).

(Meeting closed 3:30pm).

Secretariat

November 2006

Chairman