

NORTHERN IRELAND POLICING BOARD

MINUTES OF A MEETING OF THE CORPORATE POLICY, PLANNING & PERFORMANCE COMMITTEE HELD ON 17 OCTOBER 2007 AT 2:00PM IN WATERSIDE TOWER, BELFAST

PRESENT:

MEMBERS:

Professor Sir Desmond Rea (Chairman)
Rt Hon Jeffrey Donaldson (Vice Chairman)

Mr Barry Gilligan

(1) Mrs Dolores Kelly

(3) Mr Alex Maskey

(2) Mr Daithí McKay

Mrs Rosaleen Moore

(3) Mr Trevor Ringland

POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:

(4) Mr Paul Leighton (Deputy Chief Constable)

(4) C/Superintendent Ian Cameron, Operational Support

OFFICIALS IN ATTENDANCE:

Mr Trevor Reaney (Chief Executive)

(5) Dr Debbie Donnelly (Deputy Chief Executive)

(6) Mr David Wilson (Director of Planning)

(5) Mr Peter Gilleece (Director of Policy)

(5) 3 Board Officials

- (1) Item number 4.3 to close
- (2) Part item number 7 to close
- (3) Except item number 17
- (4) Item number 17 only
- (5) Except item number 5.3
- (6) Except item numbers 5.3 and 17

1. APOLOGIES

Apologies were received on behalf of Mr Basil McCrea, Ms Mary McKee and Mr Brian Rea. NOTED.

2. MINUTES OF A CORPORATE POLICY, PLANNING AND PERFORMANCE COMMITTEE MEETING HELD ON 20 SEPTEMBER 2007

The Committee considered the draft minutes of the previous meeting.

It was:-

AGREED:

To amend the draft minutes as follows:-

- item 2, page 3, paragraph 4, bullet point 3, to replace the word “seconded” with the words “in liaison”;
- item 5.5, page 6, first paragraph, after the phrase “...had a speaking engagement” to insert the words “on behalf of the Board”.

Subject to these amendments, it was:-

AGREED:

That the draft minutes of the Corporate Policy, Planning and Performance Committee meeting held on 20 September 2007 should be agreed.

3. MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD ON 20 SEPTEMBER 2007

3.1 Transfer Of National Security (Item 2 Of Minutes Refers)

The Chairman reminded Members of correspondence issued by the Chief Executive to all Board Members on 12 October 2007, concerning the situation regarding the transfer of primacy for national security intelligence. He advised Members that the Chairman and Vice Chairman of the Board had been briefed on progress with regard to the transfer of national security and had agreed with the NIO and the Chief Constable, that

the progress report would be kept confidential until the Corporate Policy, Planning and Performance Committee meeting on 17 October 2007. However, as there had been media comment in relation to the matter, a copy of the signed Memorandum of Understanding between the PSNI and the Security Services and a copy of a letter from the Board's Human Rights Advisors confirming that they were satisfied with the content of the Memorandum of Understanding and associated Service Level Agreements, had been forwarded to all Board Members in advance of the meeting. NOTED.

3.2 Devolution Of Policing And Justice Matters (Item 4.2 Of Minutes Refers)

The Chairman informed the Committee that he had received a letter dated 3 October 2007 from the Chairperson of the Assembly and Executive Review Committee, thanking the Board for the recent evidence given to the Inquiry into the Devolution of Policing and Justice Matters. A copy of the Chairman's opening remarks had been forwarded to all Board Members. NOTED.

3.3 OPONI Report – Rosemary Nelson (Item 5.4 Of Minutes Refers)

The Chief Executive informed the Committee that the Office of the Police Ombudsman is considering the Board's request for a copy of the full OPONI investigation report into allegations made by the Committee for the Administration of Justice about how specific aspects of Mrs Rosemary Nelson's personal security were handled by the RUC. NOTED.

3.4 Format Of Board Minutes (Item 6.2 Of Minutes Refers)

This issue was dealt with under item 14.

3.5 Research Support For Political Members (Item 8 Of Minutes Refers)

The Chief Executive confirmed that the leaders of the 4 political parties within the Board had signed a letter encouraging the Secretary of State to further consider the issue of research support for political Members of the Board. He advised that the letter had been forwarded to the Secretary of State and a reply was awaited. NOTED.

3.6 Policing Board Languages Policy (Item 10 Of Minutes Refers)

The Chief Executive confirmed that work was ongoing to prepare a paper for the November 2007 Board meeting concerning the Board's revised policy relating to "carrying out the work of the Board in languages other than English". NOTED.

3.7 Publication Of Papers For Board Meetings On The Board Website (Item 11 Of Minutes Refers)

This issue was dealt with under item 15.

3.8 Northern Ireland Audit Office Report On The Northern Ireland Road Safety Strategy (Item 13 Of Minutes Refers)

This issue was dealt with under item 16.1.

3.9 Criminal Justice Inspection Northern Ireland Follow-Up Review Reports (Item 14 Of Minutes Refers)

This issue was dealt with under item 9.

3.10 Policing Plan Performance Monitoring – CORE Project (Item 15 Of Minutes Refers)

The Deputy Chief Executive informed Members that PSNI had been invited to attend the November 2007 Committee meeting to provide an update on the PSNI CORE project plan and its implementation. NOTED.

3.11 16th Report Of The Independent Monitoring Commission (Item 5.6 Of Minutes Refers)

A Member referred to the circulation to all Board Members of copies of the 16th Report of the Independent Monitoring Commission and that as yet, a copy had not been received. Officials undertook to pursue the matter and ensure that all Board Members were supplied with a copy of the Report. NOTED.

4. CHAIRMAN'S BUSINESS

4.1 Engagements

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

- briefing with Macedonian Delegation – Belfast – 10 October 2007;
- meeting with the Strategic Review of Parading Panel on 8 October 2007;
- meeting with religious and community representatives concerning anti social behaviour – Belfast – 15 October 2007.

The Committee considered issues raised at the meeting on 15 October and the role of DPPs in facilitating discussion on local community issues concerning policing. The Chair of the Community Engagement Committee advised that the Committee planned to consider these issues at its next monthly meeting and that where appropriate, would initiate further action. The Chair thanked Members and staff for facilitating the meeting at short notice. NOTED.

4.2 Publications

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

- Review of Policing – Interim Report – Sir Ronnie Flanagan – September 2007;
- House of Commons Committee of Public Accounts – Assets Recovery Agency – 50th Report of Session 2006/07.

The Chairman drew the attention of Members to the House of Commons Public Accounts Committee (PAC) report concerning the Asset Recovery Agency (ARA). He highlighted PAC criticism of the ARA's performance in a number of key areas.

Members discussed the future merger of the ARA into the Serious and Organised Crime Agency (SOCA). A Member advised the Committee that the Northern Ireland Affairs Select Committee was considering this matter and suggested that the Board might wish to await the outcome of the Select Committee's deliberations prior to further discussion on the matter.

A Member enquired about whether there was any delay within the Public Prosecution Service in progressing the work of ARA cases and officials undertook to pursue the matter and inform the Member concerned accordingly.

4.3 Correspondence

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

- letter dated 17 September 2007 from the Northern Ireland Office regarding the Government's draft legislative programme for Westminster Bills;

4.4 News Releases

The Chairman highlighted the following news releases:-

- Anti Social Behaviour Campaign Launched – PSNI – 16 October 2007;
- Cross border criminals will be put out of business – Organised Crime Task Force – 16 October 2007.

4.5 Retirement Of Police Ombudsman

A Member referred to the forthcoming retirement of the Police Ombudsman and suggested that the Board should recognise the work that she had undertaken since her appointment.

It was:-

AGREED:

That the Board should mark the retirement of the Police Ombudsman in the same way as it had marked the retirement of the outgoing Oversight Commissioner.

5. CHIEF EXECUTIVE'S BUSINESS

5.1 Training And Briefing Session For Members

The Chief Executive advised the Committee that the training and briefing session for Members scheduled for 10 October 2007 had been postponed due to the lack of availability of Members. He sought a future date that would be more suitable for attendance.

It was:-

AGREED:

That officials should make arrangements for a briefing session in early January 2008.

5.2 RUC GC Foundation

The Chief Executive advised the Committee that following a selection process, the Secretary of State had appointed Mr Trevor Ringland as a Trustee to the RUC George Cross Foundation for a period of 5 years. NOTED.

5.3 Report On Chief Officers' Remuneration

A confidential note on this matter is attached at Appendix 'A'.

6. NORTHERN IRELAND POLICING BOARD STRATEGIC ISSUES

The Committee considered a paper which provided a consolidated draft list of strategic issues identified by Members at the Board's Away Day on 30 August 2007. Members suggested a number of amendments and officials undertook to amend the list for consideration at the Policing Plan Strategy Event to be held on 18 October 2007.

**7. NORTHERN IRELAND POLICING BOARD DRAFT CORPORATE PLAN
2008 – 2011**

The Committee considered a first draft of the Policing Board Corporate Plan 2008 – 2011. The draft was based on discussions held by Members on 30 August 2007 and included comments made by organisations involved in the first stage of consultation on the Plan.

The Committee considered each page of the document.

During discussion, it was suggested:-

- that the corporate vision should include the word “representative”;
- partnership working – the Board should determine strategic partnerships;
- further clarification would be required on the delivery of policing with the community;
- further consideration was required concerning the future role of community safety partnerships;
- further consideration was required regarding DPP effectiveness monitoring.

Officials undertook to reflect the above points in a revised draft document for issue to appropriate stakeholders for consultation. A second draft of the Corporate Plan will be brought to the Committee in December 2007, encompassing feedback from the pre-consultation exercise. NOTED.

8. NORTHERN IRELAND POLICING BOARD ANNUAL BUSINESS PLAN 2007 – 2008 – INTERIM PROGRESS REPORT

The Committee considered a paper which provided Members with a 6 month progress report against the Board’s Business Plan for 2007/08. The Committee considered progress towards the achievement of each of the targets contained in the Plan.

Arising from discussion:-

It was:

RESOLVED:

- with regard to the monitoring of the PSNI Policing with the Community Strategy, that the reporting period should be reduced from 6 months to 3 months for 2008/09;

- with regard to the Board's target, to complete 90% of injury on duty and medical retirement pension applications, that 90% completion should be amended, due to an increasing number of cases requiring sight of a full general practitioner's file and the increasing number of specialist reports being required;
- with regard to the target concerning progression of the Board's decisions on Police Officers Part-Time/Police Community Support Officers, that the progress towards achievement should be changed from "amber" to "red" and that further information should be requested from the PSNI regarding the impact that the downsizing of the Full-Time Reserve would have on Neighbourhood Policing Teams.

9. CRIMINAL JUSTICE INSPECTION NORTHERN IRELAND – FOLLOW UP REVIEW OF THE INSPECTION REPORT ON THE OFFICE OF THE POLICE OMBUDSMAN FOR NORTHERN IRELAND

The Committee considered a paper which highlighted a recommendation contained in the Criminal Justice Inspection Northern Ireland (CJINI) report on the Police Ombudsman's Office (OPONI), published in October 2007, which had provided an assessment of progress against 13 major recommendations and 14 minor recommendations contained in an Inspection Report published in December 2005.

One of the minor recommendations recorded as "not achieved" related to meetings between the OPONI and the Board.

The Chairman drew the attention of Members to the Memorandum of Understanding that was developed in 2006 which provided the framework for meetings between the Board and OPONI, which set out that at least 2 meetings per year should be held between the OPONI and the full Board.

The Chairman drew attention to the lack of consultation by the CJINI with the Board in preparing the follow-up report or issuing a news release regarding the recommendations.

It was:-

AGREED:

- that the Board should write to the Chief Inspector of Criminal Justice Inspector for Northern Ireland drawing attention to the Memorandum of Understanding;
- that the Board should review the Memorandum of Understanding with the new Ombudsman when he takes up post.

10. PSNI MANAGEMENT OF SEX OFFENDERS AND PARTICIPATION WITHIN THE MULTI-AGENCY SEX OFFENDERS RISK ASSESSMENT AND MANAGEMENT COMMITTEE

The Board considered a paper which provided an update on relevant issues covering the period 1 April 2007 to 30 September 2007 arising from the PSNI Management of Sex Offenders and the PSNI participation within the Multi Agency Sex Offenders Risk Assessment and Management Committee (MASRAM). NOTED.

11. FINDINGS FROM THE 2006 – 2007 PSNI/NIPB QUALITY OF SERVICE SURVEY

The Committee considered a paper regarding the results from the 2006/07 Quality of Service Survey with victims of violent crime, vehicle crime, domestic burglary, racist incidents and road traffic collision casualties. The survey is jointly conducted by the Board's Statistics and Research Branch and the PSNI Central Statistics Unit.

The Committee considered the key findings of the survey which monitored victim/user satisfaction with a quality of service provided by the police in relation to first contact, police actions to deal with the incident, police follow-up, treatment by police staff and overall service.

It was:-

RESOLVED:

To publish the results of the surveys on the Board's website.

**12. COMMITTEE MONITORING OF OUTSTANDING PATTEN
RECOMMENDATIONS**

The Committee considered a proposed process for Committee oversight and monitoring of the implementation of outstanding recommendations made by the Independent Commission on Policing for Northern Ireland (Patten Report).

The Committee was reminded of the discussion which took place with the Oversight Commissioner regarding his legacy document of May 2007.

It was:-

AGREED:

That the Committee should monitor:-

- recommendation 37 – openness of the police service;
- recommendation 65 – objective of a routinely unarmed police service;
- recommendation 94 – one DCU per district council;
- recommendation 97 – reorganisation of police headquarters.

With regard to the following recommendations, it was:-

RESOLVED:

- recommendation 37 –The Committee should monitor the effectiveness of the PSNI Communications Strategy twice yearly;

- recommendation 65 – the Board should review this recommendation on an annual basis from May 2007, by way of a verbal report to the Corporate Policy, Planning and Performance Committee;
- recommendation 97 – the Board should receive a report twice yearly on the implementation of the CORE project. (It was noted that a verbal report will be made at the November 2007 meeting of the Committee).

13. POLICING APPEALS TRIBUNAL – EXTENSION OF TIME PERIOD FOR RECEIPT OF APPEAL

The Committee considered a paper which sought approval to an extension of the 28 day time limit for receipt of the statement of grounds of appeal and supporting documents from the Appellant in a police appeals tribunal case.

It was:-

RESOLVED:

That under regulation 7(1) of the PSNI (Appeals) Regulations 2000, the Board should extend the period referred to in Regulation 6(3) by 10 days, effective from 18 October 2007.

14. FORMAT OF MINUTES OF MEETINGS OF THE BOARD AND COMMITTEES

The Chief Executive referred Members to a paper which set out the current practice in relation to the format of minutes prepared for meetings of the Board and its Committees. He outlined the current practice in relation to the preparation of the minutes which was summarised as follows:-

- that the record of the Board meeting in public be a verbatim record made from an audio recording of the meeting;
- that the Secretariat will ensure that in drafting minutes that the essence of discussion on substantive items of business is captured;

- that lead officials reviewing minutes drafted by the Secretariat should ensure that the essence of discussion on substantive items of business is fully reflected in the minutes, this is particularly relevant on major or contentious issues;
- that minutes of Committees which record a recommendation from the Committee to the Board should contain sufficient information for the Board to adopt the recommendation. The minute on a Committee's recommendation may be supported by an appendix or supplementary paper;
- that Members consider the content of draft minutes and raise any points of accuracy or clarity before minutes are agreed for signature; and
- that where a Member or political grouping, wishes their view or position on a matter to be recorded, they should request that this be done at the time of discussion. It will then be attributed to the Member or political grouping concerned in the minute of the meeting. NOTED.

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

The Committee considered a paper concerning the publication of papers for Board meetings on the Board website.

Officials outlined the background to decisions taken by the Committee in May 2006, November 2006 and September 2007 regarding the publication of papers.

The Committee was reminded, that currently agendas for meetings and the minutes of Board and Committee meetings are published on the Board website. Having considered how to best publish "Board papers", officials had encountered the following problems:-

- clearing references, quotes and information supplied by third parties;
- writing papers for release rather than for Members' information and decision;
- the implications for the level of detail supplied to Members.

The Committee was advised that the current requirements of Freedom of Information (FOI) legislation stipulated that information should be generally released unless a specific exemption (contained in the FOI Act) applies. To implement the Board decision of November 2006, to publish “covering papers”, would require all Board papers to be screened for FOI exemption compliance. Officials considered that a consequence of implementing this decision would be that Members would be given less detail in the Board papers. In light of this, officials asked the Committee to reconsider the previous decision.

As requested at the previous meeting, the Committee was given details of the visits to the Board’s website and FOI requests received to date in relation to Board minutes and agendas.

It was:-

RECOMMENDED:

That the Board change its decision of November 2006; that Board agendas and minutes should continue to be published on the Board website, with requests for further information on details of Board papers being responded to on an individual basis, using Freedom of Information principles, rather than published on the website.

16. INFORMATION PAPERS

16.1 Northern Ireland Audit Office Report On The Northern Ireland Road Safety Strategy

The Committee considered a summary of the main issues relating to a Northern Ireland Audit Office Report on the Northern Ireland Road Safety Strategy, together with a response from ACC Operational Support regarding the report.

The summary highlighted 4 recommendations directly attributed to PSNI. The Committee discussed the need for equivalent legislation for Northern Ireland in respect of the issuing of fixed penalty notices by the PSNI and the ongoing CJINI cross-border study on road safety.

It was:-

AGREED:

- to write to the Comptroller and Auditor General to advise that the recommendations had been noted and progress would be monitored by the Board;
- that the letter should highlight concerns around the notification and involvement of the Board in future inspections involving PSNI;
- that the letter to the Comptroller and Auditor General should be copied to ACC Operational Support.

16.2 Update On The Review Of High Risk Sex Offender Cases

This matter was dealt with under item 10.

16.3 Shortfall In Detectives In Crime Operations Department

The Committee considered a letter from ACC Crime Operations regarding a shortfall in detectives in Crime Operations Department and the current position in respect of the recruitment of experienced detectives.

It was:-

AGREED:

That the Human Resources Committee should be requested to consider inviting ACC Crime Operations to a future meeting to discuss the issue.

17. BRIEFING BY PSNI REGARDING THE REPORT BY THE POLICE OMBUDSMAN ON THE CIRCUMSTANCES SURROUNDING THE FATAL SHOOTING OF NEIL MCCONVILLE

The Committee considered the content of a paper regarding the Police Ombudsman's Report which had been published on 4 October 2007 on the circumstances surrounding the fatal shooting by the PSNI of Neil McConville on 29 April 2003.

NOTED.

The Chairman welcomed Mr Paul Leighton, Deputy Chief Constable and Chief Superintendent Ian Cameron to the meeting.

The Deputy Chief Constable briefed Members on the PSNI response to each of the recommendations contained in the report by the Police Ombudsman.

Members discussed the issues arising from the briefing by the Deputy Chief Constable, including:-

- the timescale for the introduction of Armed Response Vehicles by the PSNI;
- the modification of the 'automatic mode' on firearms;
- the retirement of police officers prior to the completion of disciplinary investigations;
- the retraining of officers who continued to serve in PSNI following the shooting of Mr McConville;
- the application of policy directives, general orders and other instructions by all PSNI Departments.

In response to questions from Members the Committee received assurances from the PSNI representatives:-

- regarding the Ombudsman's concerns in relation to the overall planning and management of the operation and the release of Police Officers prior to the completion of the disciplinary investigations.

- that all Officers involved in such operations were now fully trained in the required procedures and are aware of responsibilities under the Code of Ethics;
- that the Board's Human Rights Advisors had fully reviewed the procedure by which Officers who were under serious criminal or disciplinary investigation could leave the PSNI and that the new arrangements now in operation would be kept under close review.

The Chairman thanked the PSNI for their contribution and they left the meeting.

18. MATTERS TO BE RAISED WITH THE CHIEF CONSTABLE AT THE NEXT BOARD MEEEEING

There were no matters arising.

19. COMMUNICATION ISSUES

It was:-

AGREED:

That a news release should be issued in respect of:-

- the Committee's meeting with the Deputy Chief Constable on the findings of the OPONI investigation of the discharge of the police firearm which resulted in the death of Mr Neil McConville on 29 April 2003;
- the findings from the 2006-07 PSNI/NIPB Quality of Service Survey

20. ANY OTHER BUSINESS

There were no matters arising.

21. DATE OF NEXT MEETING

The date of the next meeting was agreed for Thursday, 15 November 2007 at 2:00pm in Waterside Tower, Belfast.

(Meeting closed 5:00pm).

Secretariat
October 2007

Chairman