

NORTHERN IRELAND POLICING BOARD

MINUTES OF A MEETING OF THE NORTHERN IRELAND POLICING BOARD HELD ON THURSDAY, 7 MAY 2009 AT 9:30AM IN WATERSIDE TOWER, BELFAST

PRESENT:

MEMBERS:

- Professor Sir Desmond Rea (Chairman)
- Mr Barry Gilligan (Vice Chairman)
- Mrs Dolores Kelly
- (1) Mr Alex Maskey
- Mr Basil McCrea
- Mr Daithí McKay
- (2) Ms Mary McKee
- Mrs Rosaleen Moore
- (3) Mr Gearóid Ó hEára
- (4) Mr Ian Paisley Jnr
- Mr Brian Rea
- Mr Trevor Ringland
- (5) Mr David Rose
- (4) Mr Suneil Sharma
- (4) Mr Jimmy Spratt
- Mr Peter Weir

POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:

- (6) Sir Hugh Orde (Chief Constable)
- (6) Mr Paul Leighton (Deputy Chief Constable)
- (6) Mr Alistair Finlay (ACC Urban Region)
- (6) Mr Drew Harris (ACC Crime Operations)
- (6) Mr Duncan McCausland (ACC Criminal
Justice)
- (6) Mr Joe Stewart (Director of Human
Resources)
- (6) Ms Gail McGreevy, Media & PR
- (6) 2 PSNI Personnel, Command Secretariat

HER MAJESTY'S A/CHIEF INSPECTOR OF CONSTABULARY IN ATTENDANCE:

- (7) Mr Denis O'Connor (HMA/CIC)

**OFFICIALS IN
ATTENDANCE:**

Mr Adrian Donaldson (Chief Executive)
Dr Debbie Donnelly (D/Chief Executive)
Mr David Jackson (Director of Community
Engagement)
Mr Sam Hagen (Director of Corporate
Services)
Mr Peter Gilleece (Director of Policy)
Mr David Wilson (Director of Planning)
3 Board Officials

- (1) Except item number 11
- (2) Item number 4 to close
- (3) Item numbers 1 to 6 and 11
- (4) Part item number 4 to close
- (5) Item numbers 7 to 10 and 12 to 15
- (6) Item number 11 only
- (7) Item number 9 only

1. APOLOGIES, ETC

Apologies were received on behalf of Ms Martina Anderson, Mr Tom Buchanan and Mr Leslie Cree. NOTED.

2. MINUTES OF MEETINGS OF THE POLICING BOARD

2.1 Minutes Of The Policing Board Meeting Held On 2 April 2009

The Board considered the draft minutes of the previous meeting.

It was:-

RESOLVED:

That the draft minutes of the Policing Board meeting held on 2 April 2009 be approved.

2.2 Minutes Of The Policing Board Meeting In Public Held On 2 April 2009

The Board considered the draft minutes of the previous meeting.

It was:-

RESOLVED:

That the draft minutes of the Policing Board meeting in public held on 2 April 2009 be approved.

3. MATTERS ARISING FROM THE MINUTES OF THE MEETINGS

3.1 Recruitment Of Deputy Chief Constable (Item 3.3 Of Minutes Refers)

Officials updated the Board on the appointment process to recruit a new Deputy Chief Constable. Interviews had been arranged for 27 May 2009. NOTED.

4. CHAIRPERSON'S BUSINESS

4.1 Engagements

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

- Briefing Jamaican and Turkish Police Oversight Officials – Belfast – 28 April 2009;
- APA Breakfast Reception – London – 8 April 2009.

NOTED.

4.2 Publications

The Chairman highlighted the following publications that had been received:-

- Children's Rights: Rhetoric of Reality – A Review of Children's Rights in Northern Ireland 2007/08 – February 2009;
- A Review of Transition to Community Arrangements for Life Sentence Prisoners in Northern Ireland – CJINI – March 2009.

NOTED.

4.3 Correspondence

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

- letter from the Minister of State dated 7 April 2009 regarding the Board launch of the Thematic Report on Domestic Abuse.

It was:-

AGREED:

That the Board should write to the Minister to express concern in respect of funding for issues raised in the Board's Thematic Report on Domestic Abuse.

- Letter from Director of Public Prosecution Service dated 9 April 2009 regarding meeting with the Director of Public Prosecutions in England and Wales and draft response;

It was:-

AGREED:

That officials should revise the draft letter of response to take account of the views expressed by Members during discussion.

- Letter from Assistant Chief Constable, Criminal Justice dated 10 April 2009 regarding legal opinion in relation to vetting of contractors.

It was:-

AGREED:

That this letter should be referred to Corporate Policy, Planning and Performance Committee.

- Letter from Vice President of PERF dated 14 April 2009 regarding meeting in Washington;
- letter from Chief Constable of Wiltshire Police dated 16 April 2009 regarding Board's Thematic Report on Domestic Abuse;
- letter from Chair of Healing Through Remembering Sub Group dated 17 April 2009 regarding Day of Private Reflection on 21 June 2009;
- letter from Chief Constable dated 17 April 2009 regarding the murder of Constable Stephen Carroll on 9 March 2009;
- letter from Assistant Chief Constable Criminal Justice dated 24 April 2009 regarding the introduction of the PSNI Substance Misuse Policy;
- letter from Chief Inspector Criminal Justice in Northern Ireland dated 27 April 2009 regarding the Draft CJINI Work Programme 2009 – 2012;
- letter from Lt Colonel – Joint Engineer Group dated 22 April 2009;
- letter from British/Irish Rights Watch dated 23 April 2009 regarding the Northern Ireland Policing Plan 2009 – 2012;
- letter from Lord Chief Justice dated 1 May 2009 regarding a recent criminal trial.

NOTED.

4.4 News Releases

There were no matters arising.

NOTED.

4.5 PSNI Estate Strategy

The Chairman referred Members to a letter dated 27 April 2009 from the Deputy Chief Constable regarding the Draft 2008 PSNI Estate Strategy. He advised that the PSNI had requested that the special Board meeting to consider the Draft 2008 Estate Strategy, which had been deferred from February 2009, now be arranged for the autumn. A Member expressed concern at the proposed further deferment of the meeting.

Members discussed current Treasury policy regarding the return of funding from sales of property, the need for the strategy to include definitive alternative community policing options and a possible visit by Members to areas where it was proposed that stations should be closed. Given the time elapse from the original date for the meeting, a number of Members emphasised the expectation that the PSNI would present an integrated, comprehensive and well reasoned Strategy.

It was:-

AGREED:

The PSNI should be requested to attend a special Board meeting on 6 August 2009 to discuss the Draft 2008 PSNI Estate Strategy.

Members discussed the need for PSNI to improve consultation with District Policing Partnerships before changing the opening hours or services provided at local stations.

5. CHIEF EXECUTIVE'S BUSINESS

5.1 Members Attendances At Meetings And Events During The Period 31 May 2007 – 31 March 2009 And Members' Expenses 1 April 2008 – 31 March 2009

The Board considered a schedule giving details of Members' attendances at Board and Committee meetings and other events. A Member indicated that the schedule did not accurately reflect his position concerning attendance at Committee meetings.

The Board considered a table which gave details of travel and subsistence relating to Members for the year 2008/09. A number of Members suggested that the information should be presented in a different format.

It was:-

AGREED:

That the Corporate Policy, Planning and Performance Committee should further consider the schedules before publication.

5.2 Additional Finance Received For The PSNI

The Chairman gave details of a letter received from the Minister of State dated 25 April 2009 regarding additional finance which had been received for the PSNI in respect of policing for the current security situation.

It was:-

AGREED:

That a breakdown of the additional financial provision should be provided to all Members.

5.3 Appointment Of A New Chief Constable For The PSNI

The Chief Executive referred Members to a copy of a letter, tabled at the meeting, from Sir Hugh Orde advising that he had been elected President of the Association of Chief Police Officers of England, Wales and Northern Ireland and that it was his intention to resign as Chief Constable of the Police Service of Northern Ireland on 31 August 2009. NOTED.

The Board considered a paper which set out the appointment requirements for the Chief Constable's post.

The Board considered advice from the Advisor to HMCIC concerning the qualifications/experience to be used as requirements for the post. This comprised:-

- (a) attendance on the Strategic Command Course, or a course which is deemed by the Advisor of HMCIC to be of equivalent standing. (The equivalence of the course would be made by the Board's Selection Panel on the advice of the Advisor);
- (b) senior management level experience of not less than 2 years (as at the close of applications) within a police service in the rank of Chief Constable or Deputy Chief Constable, or equivalent.

It was highlighted to the Board that should Members agree to the above recommendations, it would be necessary to obtain a waiver from the Secretary of State in respect of (b). The waiver would be in respect of the requirement to have served for a minimum of 2 years in another force at Assistant Chief Constable level, as applications would be restricted to Chief Constables and Deputy Chief Constables who would all have served as Assistant Chief Constables.

Discussion ensued on the Advisor to HMCIC's recommendations with respect to restricting the pool of applicants to serving chief constables and deputy chief constables with a minimum of 2 years experience at this rank. Members noted the Advisor to HMCIC's comment that in England and Wales it was custom and practice to limit the

pool of applicants to deputy chief constables and above. Members were of the view that given the political, operational and change management pressures on the post, that applications should be similarly restricted to existing deputy chief constables and above.

It was:-

RESOLVED:

- to adopt the advice received from the Advisor to HMCIC in respect of (a) and (b) above;
- that the Board should request a waiver from the Secretary of State in respect of (b).

The Board considered the appointment of a Selection Panel.

It was:-

RESOLVED:

That the Selection Panel should comprise:-

- the Chairperson of the Board (with effect from 1 June 2009);
- the Vice Chairperson of the Board (with effect from 1 June 2009);
- one representative from each political party on the Board;
- one female independent Member.

It was subsequently:-

AGREED:

- that the female independent Member on the Selection Panel should be Mrs Rosaleen Moore;

- that each political party should advise the Chief Executive of their representative as quickly as possible, to enable a Selection Panel meeting to be arranged;
- that the Selection Panel should proceed to fill the post as expeditiously as is sensible bearing in mind the imminent approach of the holiday season.

The Board was advised that the Chief Constable post might have to be gapped for a number of months between the departure of the current Chief Constable and the arrival of a new appointee. Members considered the following 2 alternatives in this event:-

- (a) to seek the temporary services of an experienced, recently retired Chief Constable, who would be interviewed by the Board's Selection Panel prior to any offer being made; or
- (b) to allow the newly appointed Deputy Chief Constable to act-up as the Chief Constable.

The Chief Executive advised that current legislation required the Deputy Chief Constable to act up in the event of the Chief Constable post being vacant and the legislation would have to be 'set aside' to implement (a) above. This would require further investigation.

It was:-

AGREED:

That the Selection Panel should make recommendation to the Board regarding cover for the post of Chief Constable during any gap period.

5.4 Fixed Term Secondment – Assistant Chief Constable Operational Support

The Board considered a letter dated 24 April 2009 from the Deputy Chief Constable regarding a request from ACC Roy Toner for a secondment to the National Policing Improvement Agency (NPIA) for a period of approximately 22 months duration, from 1 June 2009 and ending no later than 30 March 2011.

The Board discussed the financial implications of the secondment.

It was:-

RESOLVED:

- to approve the secondment of Assistant Chief Constable Roy Toner to the National Policing Improvement Agency for a period of approximately 22 months duration, ending no later than 30 March 2011;
- to seek further information from the Chief Constable on the reassignment of the responsibilities currently assigned to Assistant Chief Constable Operational Support.

Mr Jimmy Spratt asked that his opposition to the Board's decision to approve the secondment be recorded.

5.5 Annual Election Of Committees And Chairpersons And Vice Chairpersons Of Committees

The Board considered a paper in relation to the annual appointment of Committees and elections of Chairpersons and Vice Chairpersons of Committees by the Board. It was:-

AGREED:

- to defer the annual appointment of Committees and the elections of Chairpersons and Vice Chairpersons of Committees to a later date;

- to suspend Standing Orders 20(f), 20(g), 20(m) and 20(n) to facilitate the deferral;
- that the Corporate Policy, Planning and Performance Committee should make recommendation to the Board in relation to the appointment of Committees and elections of Chairpersons and Vice Chairpersons.

5.6 Conferences And Seminars

The Chief Executive informed Members about the following conferences:-

- Tackling extremism and radicalisation within and across communities – “Not Just a Downtown Approach” – London – 3 July 2009;
- ACPO – APA 2009 Summer Conference and International Policing Exhibition – Manchester – 7 – 9 July 2009;
- Conference on Police Governance and Accountability: Developments, Challenges and Outlook – Limerick – 3 and 4 December 2009 – Call for Papers.

Any Member requiring further information was asked to contact the Secretariat.

5.7 Northern Ireland Affairs Committee – Oral Evidence Sessions

The Chief Executive advised the Board about the Northern Ireland Affairs Committee’s (NIAC) announcements regarding Oral Evidence Sessions in relation to:-

- an investigation into the feasibility of implementing the proposals of the Consultative Group on the Past in Northern Ireland;
- an investigation focusing on the sharing of intelligence relating to the Omagh bombing and lessons learned in the intervening 10 years.

It was:-

AGREED:

- that the Corporate Policy, Planning and Performance Committee should consider the Board's response in relation to the NIAC investigation into the proposals of the Consultative Group on the Past in Northern Ireland;
- that the Human Rights and Professional Standards Committee should consider the Board's response to the NIAC investigation focusing on the sharing of intelligence relating to the Omagh bombing.

6. COMMUNITY ENGAGEMENT COMMITTEE MEETING

6.1 Minutes Of The Meeting Of The Community Engagement Committee Held On 26 March 2009

6.1.1 Community Engagement Public Meetings And Engagement With Loyalist and Republican Communities (Item 12 Of Minutes Refers)

A Member referred to the methodology being undertaken to outreach to republican and loyalist communities and suggested that a more innovative strategy could be adopted. Members referred to the ongoing remit of District Policing Partnerships (DPPs) and the role that DPPs would undertake to complement the strategy being adopted by the Board.

It was:-

RESOLVED:

To adopt the minutes of the meeting of the Community Engagement Committee held on 26 March 2009.

6.2 Minutes Of The Meeting Of The Community Engagement Committee Held On 23 April 2009

A Member of the Committee highlighted the following matters:-

6.2.1 Ministerial Review Of Community Safety Partnerships And District Policing Partnerships (Item 2 of Minutes Refers)

6.2.2 CJINI Policing With The Community Inspection Report (Item 3 Of Minutes Refers)

6.2.3 Irish Language Communities (Item 4.1 Of Minutes Refers)

It was:-

RESOLVED:

To adopt the minutes of the meeting of the Community Engagement Committee held on 23 April 2009.

Members were reminded that the PSNI and Board jointly sponsor the 'Policing with the Community' Awards. The next awards ceremony had been arranged for 18 May 2009 in Newcastle, all Members were invited to attend. NOTED.

6.3 Consideration Of The Removal From Office Of A DPP Member

The Board considered a paper in relation to the removal from office of an independent member from Antrim DPP. The matter had been considered by the Community Engagement Committee at its meeting on 24 March 2009 and the Committee had recommended that the independent member should be removed from office in the light of the member's attendance record.

It was:-

RESOLVED:

To remove the independent member from office in Antrim DPP.

6.4 Response To Consultation On The Review Of Community Safety Partnerships (CSPs) And District Policing Partnerships (DPPs)

The Board considered a paper which provided an initial draft response to the Northern Ireland Office consultation document “Local Partnership Working On Policing And Community Safety – A Way Forward”.

Members were advised that the Community Engagement Committee had considered the consultation document and had agreed:-

- to recommend an initial response to the consultation on the principle of integrating the 2 partnerships and steps that could be taken immediately to more closely align DPP and CSP functions;
- to hold an event for DPPs on 13 May 2009 to seek their views on the consultation; all Board Members were invited to attend the event;
- to develop a further response to the consultation at the Committee meeting in May 2009 on the issues that emerge from integrating the partnerships.

The Board was also advised that the Community Engagement Committee would recommend a further response to the Board in June 2009.

Members discussed the initial draft response and made a number of recommendations with regard to encouraging the NIO to ensure that there was as wide a consultation process on the proposals as possible. Members also suggested that the tone of the response could be sharpened and emphasis given to the consistent approach taken by the Board with regard to the roles of DPPs and CSPs.

7. HUMAN RIGHTS AND PROFESSIONAL STANDARDS COMMITTEE MEETING

7.1 Minutes Of The Meeting Of The Human Rights And Professional Standards Committee Held On 8 April 2009

The Chairperson of the Committee highlighted the following matters considered by the Committee and outlined Committee discussions/recommendations:-

7.1.1 Children And Young People Thematic Enquiry (Item 6 Of Minutes Refers)

The Chairperson of the Committee advised that the Board's Children and Young People's Thematic Enquiry would be launched on 13 May 2009 in the local press.

7.1.2 Presentation by Deputy Chief Constable And Professional Standards Department (Item 9 Of Minutes Refers)

7.1.3 TASER Judicial Review (Item 10 Of Minutes Refers)

It was:-

RESOLVED:

To adopt the minutes of the meeting of the Human Rights and Professional Standards Committee held on 8 April 2009.

8. INFORMATION PAPERS

8.1 Northern Ireland Human Rights Commission (NIHRC) Report On Visit To Antrim PSNI Station On 23 March 2009

9. BRIEFING BY HER MAJESTY'S ACTING CHIEF INSPECTOR OF CONSTABULARY (HMCIC)

The Chairman welcomed Mr Denis O'Connor, Her Majesty's Acting Chief Inspector of Constabulary (HMCIC) to the meeting.

HMCIC outlined the principal roles of the Inspectorate and discussed the following issues:-

- independence;
- public interest;
- informing the public.

He outlined the framework that was adopted for the Inspection of Police Authorities and highlighted the key questions as being:-

- how does the Police Authority ensure that both it and the force have the leadership, capacity and capability needed to deliver good quality service outcomes on behalf of the public?
- how effective is the Police Authority in scrutinising and ensuring the force delivers the priority services that matter to local people?
- how well does the Police Authority achieve results through community engagement, partnership and collaboration to deliver strategic priorities which reflect the views of the public?
- how effective is the Police Authority in ensuring a clear and sustained focus on Value for Money in order to secure a good deal for the public.

HMCIC updated Members on the early findings on the adoption of the Policing Pledge by police forces across England and Wales and commented on how the Inspectorate would measure success.

Members sought and received further information concerning:-

- the processes involved in the Inspection of Police Authorities;
- the definition of “the public interest”;
- police/community engagement when dealing with crowds of demonstrators/protestors.

The Chairman thanked Mr O’Connor for his contribution and he left the meeting.

10. COMMUNICATION ISSUES

There were no matters arising.

11. QUESTIONS FOR THE CHIEF CONSTABLE

The Chairman welcomed the Chief Constable and other PSNI representatives to the meeting.

The Chairman reminded Members that this meeting would be the final meeting for Deputy Chief Constable Paul Leighton with the Board before his retirement.

On behalf of the Board, the Chairman expressed his thanks to Mr Leighton for his contribution to policing in Northern Ireland.

The Board received further information in relation to:-

- the police investigation into the murder of Mr Geoff Kerr;
- criminal gangs targeting the homes of persons in possession of firearms;
- the approximate numerical strength of so-called dissident republican activists;
- the recent promotion process at Chief Inspector to Superintendent rank.

The Board then moved into public session and following the Board meeting in public the PSNI representatives left the meeting.

12. ANY OTHER BUSINESS

There were no matters arising.

13. DATE OF NEXT MEETING

The date of the next meeting with the Chief Constable was arranged for 11 June 2009 at Waterside Tower, Belfast.

14. ELECTION OF CHAIRPERSON OF THE BOARD

The Chief Executive assumed the Chair for the election of the Chairperson of the Board. The Chief Executive referred Members to a briefing paper which set out the relevant Board Standing Orders governing the election process and to a copy of the Terms of Appointment for the Chairperson. He reminded the meeting, that the Chairperson of the Board would be elected to serve for the next 2 years from 1 June 2009 to the scheduled monthly Board meeting in June 2011. NOTED.

The Chief Executive invited nominees for the post of Chairperson. Mr Trevor Ringland proposed that Mr Barry Gilligan be appointed Chairperson of the Policing Board. The proposal was seconded by Mrs Rosaleen Moore.

The Chief Executive invited other nominations. There were no other nominations.

A show of hands indicated there was unanimous support for the nominee. The Chief Executive declared that Mr Barry Gilligan was duly elected Chairperson of the Board for the next 2 year period. Mr Barry Gilligan took the Chair of the meeting.

Mr Gilligan, Board Member leadership and the Chief Executive, on behalf of Board staff, paid tribute to the dedication, skill, determination and patience displayed by Professor Sir Desmond Rea throughout his 7½ year period of Chairmanship.

15. ELECTION OF VICE CHAIRPERSON OF THE BOARD

The Chairperson referred Members to a briefing paper which set out the Board Standing Orders governing the election process for the Vice Chairperson of the Board. The Chairperson invited nominations for the post of Vice Chairperson.

Mr David Rose proposed that Mr Brian Rea be appointed as Vice Chairperson of the Policing Board. The proposal was seconded by Ms Mary McKee. The Chairperson invited other nominations. There were no other nominations.

There being no other nominations, the Chairperson declared that Mr Brian Rea was duly elected Vice Chairperson of the Board for the next 2 year period from 1 June 2009 to the scheduled monthly Board meeting in June 2011.

Mr Rea thanked Board Members for their support.

(Meeting closed 3:40pm).

Secretariat

May 2009

Chairman