

NORTHERN IRELAND POLICING BOARD

MINUTES OF A MEETING OF THE CORPORATE POLICY, PLANNING & PERFORMANCE COMMITTEE HELD ON 19 JULY 2007 AT 12:00 NOON IN WATERSIDE TOWER, BELFAST

PRESENT:

MEMBERS:

Professor Sir Desmond Rea (Chairman)

Mr Barry Gilligan

(1) Mr Alex Maskey

Mr Basil McCrea

(2) Mr Daithí McKay

Mrs Rosaleen Moore

Mr Brian Rea

Mr David Simpson

(3) Mr Peter Weir

POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:

(4) ACC Peter Sheridan (Crime Operations Department)

(5) Ms Sinead McSweeney, Director of Media & Public Relations

(4) 1 representative, Crime Operations

(5) 1 representative, Press Office

NORTHERN IRELAND POLICING BOARD HUMAN RIGHTS ADVISOR IN ATTENDANCE:

(4) Mr Keir Starmer (Human Rights Advisor)

OFFICIALS IN ATTENDANCE:

(6) Mr Trevor Reaney (Chief Executive)

(7) Mr David Wilson (Director of Planning)

(8) Mrs Sinead Simpson (Director of Policy)

(1) 4 Board Officials

(9) 1 Board Official

- (1) Except item 15
- (2) Except items 15.4 to 15.6
- (3) Item numbers 2, 5 and 6 only
- (4) Item number 2 only
- (5) Item number 10 only
- (6) Except items 15.1 to 15.3
- (7) Item number 7 to 14 only
- (8) Except items 10 and 15
- (9) Item 15 only

1. APOLOGIES, ETC

Apologies were received on behalf of Rt Hon Jeffrey Donaldson (Vice Chairman), Mrs Dolores Kelly, Ms Mary McKee and Mr Trevor Ringland. NOTED.

The Chairman congratulated Mr Ringland, in his absence, on recently receiving the Arthur Ashe Courage Award presented by the US Media Company, ESPN for bringing together children from 2 interface schools in North Belfast through Basketball.

2. PRESENTATION BY PSNI REGARDING PSNI CRIME OPERATIONS AND THE PROGRESS IN RELATION TO THE TRANSFER OF NATIONAL SECURITY TO THE SECURITY SERVICES

2.1 Background Briefing On PSNI Crime Operations

The Chairman welcomed Mr Peter Sheridan, ACC Crime Operations and Mr Keir Starmer, the Board's Human Rights Advisor to the meeting.

The Chairman invited ACC Crime Operations to brief Members regarding Crime Operations Department and progress in relation to the transfer of lead responsibility for national security to the Security Service.

The ACC briefly outlined the history to the formation of Crime Operations Department following recommendations made in a number of reports concerning the use and sharing of intelligence for crime investigations. He identified the levels of intelligence gathering and outlined how intelligence was used by crime investigators. He described the function of each of the Branches within Crime Operations Department.

ACC Crime Operations outlined the dissemination policy on sharing intelligence and highlighted the standards of the Regulation of Investigatory Powers Act (RIPA) and PSNI adherence to RIPA.

The ACC described the current relationship between, and responsibilities of, the PSNI and the Security Service. He outlined the action that had been taken to date to ensure that, when the Chief Constable's responsibilities for national security in Northern Ireland transfer to the Security Service in late 2007, appropriate arrangements are in place to safeguard the principles set out in the "national security" section of the St Andrew's Agreement.

In response to questions from Members relating to the transfer of national security:-

- ACC Crime Operations outlined the arrangements that it was anticipated would be put in place to arrange how PSNI officers would work with the Security Service, that they would not be on secondment;
- He emphasised the liaison role that PSNI officers would have within the service, the fact that these would be "time bounded" positions, and that PSNI officers would remain accountable to the Chief Constable and Police Ombudsman and highlighted the need for PSNI expertise to be used to ensure that the police receive all the necessary intelligence from the Security Service appropriate to the role of PSNI;
- ACC Crime Operations confirmed that the Security Service have no executive responsibilities regarding policing in Northern Ireland.

2.2 Briefing By The Board's Human Rights Advisor

The Chairman invited the Board's Human Rights Advisor, Mr Keir Starmer, to give a briefing to the Committee on work in progress in relation to monitoring the recommendations of the Police Ombudsman's report into the circumstances surrounding the death of Mr Raymond McCord Jnr and on issues in relation to the transfer of national security.

The Chairman reminded Members that the Board's Human Rights Advisors were given a role in Annex 'E' of the St Andrew's Agreement to "human rights proof" the relevant protocols that will be developed to underpin the 5 principles against which the arrangements being made for the transfer of responsibility would be measured.

With regard to the transfer of responsibility for national security, the Human Rights Advisor confirmed that he had considered the draft Memoranda of Understanding and had given his observations, describing his main focus as being to ensure compliance with human rights legislation and the Board's oversight function regarding policing.

The Human Rights Advisor informed Members that he had received full access to reports made by the Chief Surveillance Commissioner, as well as receiving extensive briefing by PSNI on services, surveillance, intelligence and armed response training and had been given access to relevant policies and sample operations. The Human Rights Advisor reported he had commented on a number of issues and that there had been a healthy and useful exchange of comment.

With regard to monitoring the recommendations of the Police Ombudsman's report into the circumstances surrounding the death of Raymond McCord Jnr, the Human Rights Advisor referred to the meetings that both the Board's Human Rights Advisors had held with interested parties since January 2007. He commented on the progress made by the PSNI in implementing each of the recommendations contained in the Ombudsman's report. Overall, the Human Rights Advisor concluded that satisfactory progress had and was being made. He advised that he would report again to the Committee in 6 months time.

In response to questions from Members regarding the monitoring of the Police Ombudsman's report:-

- the Human Rights Advisor confirmed that he had been given full access and co-operation by PSNI;
- Members were supplied further information regarding the Human Rights Advisor's comments on recommendation 15 in relation to the provision of information to the Public Prosecution Service;
- ACC Crime Operations confirmed that none of the officers identified by the Ombudsman in her report were currently involved in intelligence gathering;
- ACC Crime Operations highlighted that recommendation 1, relating to the investigation of all crimes with which the network of informants had been associated, required very significant detective resources and that funding for the work of the Historical Enquiries Team (HET) was a major issue. The

Human Rights Advisor expressed concern that, with pressure on detective resources, the investigation while continuing to be thorough could be slowed.

- the Chairman referred Members to item 5.3 of the agenda and a letter dated 4 July 2007 from the Minister of State, Mr Paul Goggins MP regarding a review of HET and the unavailability of additional funding for investigations arising from the McCord report.

The Chairman thanked ACC Crime Operations, his colleague and the Human Rights Advisor for their input and they left the meeting.

3. MINUTES OF A CORPORATE POLICY, PLANNING AND PERFORMANCE COMMITTEE MEETING HELD ON 21 JUNE 2007

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 21 June 2007 should be agreed.

4. MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD ON 21 JUNE 2007

4.1 Cross Border Co-Operation (Item 4.2 Of Minutes Refers)

The Committee considered a letter dated 27 June 2007 from the Parliamentary Under Secretary of State for Northern Ireland, Mr Paul Goggins MP regarding cross border co-operation between the PSNI and An Garda Síochána in progressing investigations in the area of operational roads policing. NOTED.

4.2 Correspondence (Item 5.3 Of Minutes Refers)

Officials informed the Committee that as the correspondence related to an ongoing investigation by the Office of the Police Ombudsman, that no further information was currently available.

It was:-

AGREED:

That the case should be raised with the Police Ombudsman during her next meeting with the Board.

4.3 Police Appeals Tribunals (Item 6.6 Of Minutes Refers)

The Chief Executive informed Members that following the decision of the Committee, officials had written to the ex officer and informed him of the 10 day extension of the time limit by which he had to submit an appeal against his dismissal. As no response had been received from the ex officer by the deadline of 1 July 2007, officials had subsequently written to inform him that as no response had been received, the Board would be taking no further action regarding the Notice of Appeal. NOTED.

5. CHAIRMAN'S BUSINESS

5.1 Engagements

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

- Graduation Dinner – University of Ulster – 5 July 2007;
- meeting with Shadow Secretary of State, Mr Owen Paterson MP – 17 July 2007;
- Association of Police Authorities AGM – London - 18 July 2007.

5.2 Publications

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

- Northern Ireland Office 2007 Departmental Report – May 2007;
- Northern Ireland Human Rights Commission report – The prison within: The imprisonment of women at Hydebank Wood 2004 – 2006;
- Make Sectarianism History – International Observers' Report 2006.

5.3 Correspondence

The Chairman advised the Committee that he had received the following correspondence:-

- letter from the Minister of State dated 4 July 2007, regarding the Historical Enquiries Team (HET) and the investigation of cases arising from the Police Ombudsman's Report into the murder of Raymond McCord Jnr;

It was:-

AGREED:

That the Chairman should write to the Minister of State regarding the future funding of the HET.

- letter from the Clerk to the Assembly and Executive Review Committee, dated 9 July 2007, requesting the Board's views on the work which needs to be undertaken in accordance with Section 18 of the Northern Ireland (St Andrews Agreement) Act 2006 in relation to the transfer of policing and justice matters.

It was:-

AGREED:

That the letter should be discussed further under Any Other Business.

- letter from Barnardo's Northern Ireland, dated 3 July 2007, regarding the launch of a new campaign and brand 'Believe in Children';
- letter from Director of PSNI Historical Enquiries Team, dated 11 July 2007, inviting Members to visit the HET offices.

5.4 News Releases

There were no matters arising.

6. CHIEF EXECUTIVE'S BUSINESS

There were no matters arising.

7. NORTHERN IRELAND POLICING BOARD STATISTICAL AND RESEARCH STRATEGY 2007 – 2011

The Committee considered a proposed Statistical and Research Strategy for the Board's term of office.

Following discussion, it was:-

RESOLVED:

To approve the Northern Ireland Policing Board's Statistical and Research Strategy 2007 – 2011.

8. OMNIBUS SURVEY QUESTIONS – OCTOBER 2007

The Committee considered a paper containing draft questions to be included in the October 2007 Omnibus Survey.

It was:-

RESOLVED:

To approve the questions for inclusion in the October 2007 Omnibus Survey.

9. INFORMATION PAPERS

The Committee considered the following papers.

9.1 Arrangements For Policing Plan Strategy Event 2007

9.2 Northern Ireland Policing Board Strategic Priorities Action Plan Update

9.3 Independent Assessment Panel Report – Progress Report On The Implementation Of Recommendations

NOTED.

10. PRESENTATION BY THE PSNI DIRECTOR OF MEDIA AND PUBLIC RELATIONS

The Chairman welcomed Ms Sinead McSweeney, Director of Media and Public Relations and her colleague to the meeting and invited her to brief Members on the PSNI Communications Strategy.

The Director of Media and Public Relations described the current structure of the PSNI Media and Public Relations department. She gave details of the role and responsibilities of the press office, news branch and public relations sections, together with a breakdown of the numbers of staff. The Director advised that the department was in the process of finalising a new communications strategy which better reflected the objectives of the PSNI and the need for flexibility and fluidity in the department. The Director also outlined the balances that needed to be struck within the department between openness and the rights of individuals to privacy and the need to ensure that confidential information was not placed in the public domain. The Director highlighted a number of aspects of the reactive/proactive management that was required in handling enquiries from news agencies, both at local and international level.

Members were informed about a number of media initiatives that were planned for the coming months and updated about public relations campaigns that had been undertaken recently.

The Director informed Members about initiatives being taken forward in relation to internal PSNI communications.

Members discussed a number of issues with the Director including:-

- the perceptions of the public regarding geographical areas of Northern Ireland and the need to be careful about generalising on geographical identification in PSNI news releases;
- the role of District Commanders in dealing with local media.

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

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

There were no matters arising.

12. COMMUNICATIONS ISSUES

It was:-

RESOLVED:

To issue a news release in respect of the briefings received by the Committee on:-

- progress regarding the implementation of the recommendations in the report by the Police Ombudsman into the events surrounding the death of Raymond McCord Jnr;
- the management and dissemination of intelligence within Crime Operations Department and plans for the transfer of national security.

13. ANY OTHER BUSINESS

13.1 Chairman's Business – Correspondence – Inquiry Into The Devolution Of Policing And Justice Matters

The Chairman referred Members to a paper tabled earlier in the meeting relating to an invitation to the Board to make a submission to the Assembly and Executive Review Committee of the Northern Ireland Assembly in respect of its Inquiry into the Devolution of Policing and Justice Matters. The deadline for submitting responses to the Assembly Committee had been set for 17 August 2007.

The Committee considered the draft response prepared by officials.

Following discussion, it was:-

RESOLVED:

That the response to the Assembly Committee should reflect that the Board recognises that the major decisions around the Devolution of Policing and Justice matters are primarily matters for the political parties to consider, the Board would support the Devolution of Policing matters as set out in the Independent Commission on Policing (Patten) report and that:-

- the role and powers of the Board should not be diminished under the Devolution of Policing and Justice, including that the Chief Constable should remain accountability solely to the Board for the delivery of a policing service in Northern Ireland;
- that the Chief Constable's operational responsibility should not be undermined when policing and justice powers are devolved;
- that the Board would be happy to attend an oral evidence session of the Committee;
- that the Board would welcome the opportunity to brief the Committee on its experience of the current tripartite arrangements and to discuss the operation of the tripartite arrangements under devolution.

13.2 Presentation To Outgoing US Consul General

The Chairman welcomed Mr Dean Pitman, the outgoing US Consul General and presented him with a business card holder as a token of thanks for his contribution to policing during his stay in Northern Ireland.

Following the presentation, Mr Pitman left the meeting.

14. DATE OF NEXT MEETING

The date of the next Corporate Policy, Planning and Performance Committee was arranged for 20 September 2007 at 2:00pm in Waterside Tower, Belfast.

15. CONFIDENTIAL REPORTS

The Committee considered the following 6 confidential papers. A confidential note of this discussion is attached at Appendix 'A'.

15.1 Chief Executive's Performance And Development - Review Of 2006/07 Objectives

15.2 Chief Executive's Performance And Development Review – Objectives 2007/08

15.3 Chief Executive Fixed Term Contract

15.4 Chief Constable – Performance And Development Review Objectives 2006/07

15.5 Chief Constable – Draft Performance And Development Review Objectives 2007/08

15.6 Chief Officers' Bonus Scheme – 2006/07

(Meeting closed 4:10pm).

Secretariat

July 2007

Chairman