

NORTHERN IRELAND POLICING BOARD

MINUTES OF A MEETING OF THE NORTHERN IRELAND POLICING BOARD HELD ON WEDNESDAY, 13 DECEMBER 2006 AT 9:30AM IN WATERSIDE TOWER, BELFAST

PRESENT:

MEMBERS:

Professor Sir Desmond Rea (Chairman)
Mr Barry Gilligan (Vice Chairman)
(3) Mr Alex Attwood
Mr Joe Byrne
(1) Mr Brendan Duddy
(2) Ms Arlene Foster
(1) Mrs Dolores Kelly
(4) Mr Danny Kennedy
(1) Ms Deirdre Mac Bride
Mrs Rosaleen Moore
(1) Mr Ian Paisley Jnr
Ms Dawn Purvis
(1) Mr Brian Rea
Mr Trevor Ringland
Mr Peter Weir

PSNI IN ATTENDANCE:

(6) Sir Hugh Orde (Chief Constable)
(6) Mr Paul Leighton (Deputy Chief Constable)
(7) Mrs Judith Gillespie (ACC Rural Region)
(6) Mr Drew Harris (ACC Criminal Justice)
(6) Mr Duncan McCausland (ACC Urban
Region)
(6) Mr Peter Sheridan (ACC Crime Operations)
(6) A/Director of Media and PR
(5) DCU Commander, Foyle
(5) DCU Commander, Banbridge
(5) Inspector, Banbridge
(6) T/Superintendent, Command Secretariat
(6) 1 representative, Command Secretariat

OFFICIALS IN ATTENDANCE:

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

- (1) Part item number 3.1 to close
- (2) Item numbers 3.4 to 5, 11 and 13
- (3) Item numbers 3.1 to 5, 11 and 13
- (4) Except item numbers 6 to 9
- (5) Item number 11 only
- (6) Item number 13 only
- (7) Item numbers 11 and 13

1. APOLOGIES, ETC

Apologies were received on behalf of Mr Hay, Mrs McCabe and Mr Sharma.
NOTED.

The Chairman reminded Members that the consultants, KPMG were currently carrying out a Best Value Review to consider the processes by which the Board holds the Chief Constable and PSNI to account. He welcomed 2 representatives from KPMG who were observing the meeting as part of the Review.

The Chairman reminded Members that the Board was hosting its Christmas reception in the Ramada Hotel, Belfast at 5.00pm.

2. MINUTES OF MEETINGS OF THE POLICING BOARD

Minutes Of The Policing Board Meeting Held On 1 November 2006

It was:

RESOLVED:

That the draft minutes of the Policing Board meeting held on 1 November 2006 be approved.

2.2 Minutes Of The Policing Board Meeting In Public Held On 1 November 2006

It was:-

RESOLVED:

That the draft minutes of the Board meeting in public held on 1 November 2006 be approved.

3. MATTERS ARISING FROM THE MINUTES OF THE MEETING

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

The Chairman thanked the Members for their input on the submission on Community Based Restorative Justice. He advised Members that as agreed by the Corporate Policy, Planning and Performance Committee, the Vice Chairman and he had 'signed off' the Board's submission to the Northern Ireland Affairs Committee (NIAC) consideration of the Draft Protocol on Community Based Restorative Justice and it had been forwarded to NIAC on 30 November 2006.

NOTED.

A Member sought clarification about the process and deadlines for approving the submission to NIAC and the role and responsibilities of the Community and Human Rights Committee and the Corporate Policy, Planning and Performance Committee with regard to the submission. Officials gave further information on the background to the Board arriving at its position regarding the issue of Community Based Restorative Justice; the setting up of a sub group of Members to consider the submission to NIAC; the circumstances as to why the sub group had not met; and how the Members' views had been received and reflected in the submission.

The Director of Community Engagement reminded Members that the Board also had a submission to make to the NIO on the Draft Protocol on Community Based Restorative Justice. The Chairman emphasised that if any Member considered

their views had not been represented there was time for consideration as the paper had not yet been finalised. The Board considered a draft response to NIO on the Draft Protocol, based on the submission to NIAC.

It was:-

AGREED:

That the Board's sub group on Community Based Restorative Justice should meet at the conclusion of the Board meeting to consider and finalise the Board's submission and arrange for it to be forwarded to NIO.

The Board considered correspondence received from the NIO Criminal Justice Directorate inviting the Board to be represented on a Panel with responsibility for determining the suitability of individuals to hold posts in Community Based Restorative Justice schemes (Suitability Panel).

Following discussion, Members concluded that the Board did not consider it to be appropriate to be directly involved in the decision making process. The rationale for taking this position was that the PSNI will be directly involved in the process since through the provision of information, it would be inappropriate for the Board also to be involved in the process as it may at some point in the future have to hold the Chief Constable to account against this area of work.

It was:-

RESOLVED:

That it would be inappropriate for the Board to take a place on the proposed Suitability Panel and that NIO should be informed accordingly.

3.2 New Police College (Item 3.2 Of Minutes Refers)

The Chief Executive informed Members that, to date, a response had not been received from the NIO clarifying the issue of funding; however it was anticipated a reply would be received before 31 December 2006. NOTED.

3.3 Historical Enquiries (Item 3.3 Of Minutes Refers)

The Chairman informed Members that the Corporate Policy, Planning and Performance Committee had considered a paper that provided background information to facilitate a discussion by Members on the issue of dealing with the past. The Committee had noted the paper with the intention of revisiting the issue at some future date. NOTED.

It was:-

AGREED:

That the Historical Enquiries Team should be invited to give a presentation to a Board meeting in public in early 2007.

With regard to the policing of historic crimes, the Chairman referred to the Criminology and Criminal Justice Annual Lecture that the Chief Constable had delivered at Queens University, Belfast on 13 November 2006 entitled 'Policing the past to police the future' and asked that a copy of the speech be circulated to all Board Members.

3.4 Station Review – Coalisland Police Station (Item 3.4 Of Minutes Refers)

This matter was dealt with at item 11.

3.5 Omagh Bombing – Request For Public Inquiry And Other Issues (Item 6.5 Of Minutes Refers)

This matter was dealt with at item 6.3.

3.6 St Andrew’s Agreement (Item 6.6 Of Minutes)

This matter was dealt with at item 6.2.

4. CHAIRMAN’S BUSINESS

4.1 Engagements

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

- dinner with General Officer Commanding (GOC) Thiepval Barracks, Lisburn – 21 November 2006;
- meeting with Minister, Paul Goggins MP – Belfast – 5 December 2006;
- reception to mark the retirement of The Most Reverend Lord Eames – Hillsborough – 5 December 2006;
- christmas reception – PSNI Criminal Justice Department – 6 December 2006; and
- funeral of Chief Constable Colin Cramphorn – Wakefield – 7 December 2006 (with Vice-Chairman and Chief Executive).

NOTED.

4.2 Publications

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

- Independent Police Complaints Commission – Deaths During or Following Police Contact: Statistics for England and Wales 2005/06 – November 2006. NOTED.

4.3 Correspondence

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

- letter from NIO dated 2 November 2006 regarding Robert James Hindes and Hugh Richard Hanna (deceased) application for compensation for miscarriage of justice;
- Section 55 Report from the Police Ombudsman regarding Discharge of CS Incapacitant Spray in Enniskillen in August 2004 (passed to the Community and Human Rights Committee for consideration);
- letter from the Office of the Speaker of the Assembly dated 30 November 2006 regarding security at Parliament buildings; and
- letter from President, Sinn Fein – 5 December 2006.

NOTED.

4.4 News Releases

The Chairman highlighted the following news releases:-

- proposals to introduce Police Community Support Officers out for consultation – NIO – 4 December 2006; and

- Assets Recovery Agency Recovers £200,000 from estate of alleged drug dealer – Assets Recovery Agency – 5 December 2006.

NOTED.

5. CHIEF EXECUTIVE'S BUSINESS

5.1 Members' Attendance At Events

The Chief Executive reminded Members of recommendations contained in the Report of the Independent Assessment Panel and drew the attention of Members to the 1st draft of a schedule detailing the attendance of Members at events other than Board and Committee meetings during the period 1 April to 31 October 2006. He reminded Members that their attendance record at Board and Committee meetings was already published. He sought and received approval in principle from the Board, to publish the information schedule and regular updates on the Board's website. He asked any Member who found any inaccuracy or omission to contact the Secretariat.

5.2 Board Meeting – March 2007

The Chief Executive drew the attention of Members to the Government's proposals to hold elections to the Northern Ireland Assembly on 7 March 2007. He reminded Members that the Board had scheduled its monthly meeting in March for the same date and recommended that the matter be kept under review pending confirmation of the election date and arrangements for the reconstitution of the Board. NOTED.

5.3 Launch Of Policing Plan

Members were reminded that the launch of the Policing Plan for 2007-10 was originally scheduled for 8 March 2007. Due to the possibility of an election on 7 March, the launch has now been rescheduled for 22 March 2007. NOTED.

The Chairman informed Members that the Corporate Policy, Planning and Performance Committee was scheduled to consider the complete 1st draft of the Policing Plan at it's meeting on 19 December 2006 and invited all Members of the Board to join the meeting. NOTED.

5.4 Policing Bodies Relationships Working Group

The Chief Executive advised Members that the NIO had convened a working group of officials to consider the implications of devolution of policing and justice for relationships between policing bodies. The NIO, PSNI, OPONI and the Board are represented. NOTED.

Members were also informed that the Assembly had established a Sub-Group on Policing and Justice to consider matters relating to the devolution of policing and justice. The Sub-Group is to report to the Committee on the Programme for Government by 3 January 2007. NOTED.

5.5 Police Federation Office Bearers

Following recent elections by the Police Federation of Northern Ireland, Members were informed that the new Chairman is Mr Terry Spence and the Secretary is Mr Stevie McCann. NOTED

5.6 North/South Contacts – Updates

Members were advised that following earlier discussions regarding the Board's strategic priorities, contact had been made with the Minister for Justice in Dublin. While the Board had decided to defer further activities in respect of London and Dublin briefings at this time, an offer to meet with the Tánaiste and Minister of Justice, Michael McDowell and the Secretary General of the Dept. of Justice, Sean Aylward has been received. A date in early 2007 had been proposed, provisionally 30 January 2007. NOTED.

A new Memorandum of Understanding to ensure information sharing between the United Kingdom and the Republic of Ireland was signed on 27 November 2006. The Memorandum of Understanding is between the Home Office and the Department of Justice, Equality and Law Reform. NOTED.

5.6 Presentation of VFM Review – CSR 2007

The presentation from HMIC on the Value For Money Review of Police Numbers, postponed from 28 November 2006 is being rescheduled for January 2007 (possibly 9.00am on 17 January 2007). NOTED.

5.7 Donations in Lieu of Flowers

In respect of the late Colin Cramphorn donations in lieu of flowers may be made to either Wakefield Hospice or Yorkshire Cancer Research.

It was:-

AGREED:

To forward a corporate donation, along with any individual donations from Members or staff of the Board.

5.8 Death Of A DPP Member

Members were advised of the sudden death on Sunday, 10 December 2006 of Mr. Oliver Frawley, an Independent Member of Antrim DPP and expressed sympathy to the family circle.

5.9 Publication Of NAO VFM Study Of The Police Estate

The National Audit Office is scheduled to publish its report on a VFM study of the Police Estate on Friday 15 December 2006. The report will be referred to the Resources and Improvement Committee for consideration. NOTED.

6. CORPORATE POLICY, PLANNING AND PERFORMANCE COMMITTEE MEETING

Minutes Of The Corporate Policy, Planning And Performance Committee Meeting Held On 22 November 2006

A Member referred to the procedure whereby the Board was asked to approve recommendations made by Committees, without the benefit of having considered the relevant Committee papers. The Chief Executive indicated he would review the detail of the information provided in support of the Committee recommendations.

It was:-

RESOLVED:

To adopt the draft minutes of the meeting of the Corporate Policy, Planning and Performance Committee held on 22 November 2006.

St Andrew's Act – Disqualification Of Members Of DPPs

The Chairman referred Members to a paper, tabled at the meeting, relating to the disqualification of Members of DPPs arising from the St Andrew's Act.

The paper informed Members of the amendments to the disqualification criteria set out in the clauses of the Police (NI) Act 2003. It also set out the legislative framework for the disqualification of independent members, and explained the similar provision for political members and the provision for the declaration against terrorism. The amendments to the provisions for the disqualification of independent members of DPPs will be commenced by order, following final acts of completion and the restoration of the Northern Ireland Assembly. NOTED.

6.3 Omagh Bombing – Response To Omagh Support And Self Help Group

The Chairman referred to a paper that briefed Members on progress on a range of issues raised by the Omagh Self Help and Support Group.

The Board considered legal advice received in respect of a number of issues raised by the Group. In the light of this information the Board considered a draft letter of response to the Group

Following discussion, it was:-

AGREED:

That officials should reconsider the overall tone of the letter and that following this the letter should be issued to the Group.

6.4 International Policing Conference – Progress Report

The Chairman referred Members to a paper, tabled at the meeting that updated Members on progress in arranging the International Policing Conference in Belfast from 20 to 22 February 2007.

The paper provided an update regarding the programme, media activity and financial plan for the conference. NOTED.

6.5 Policing Board Position Statement – PSNI Policy On Retention Of DNA

The Board considered a draft position statement in relation to PSNI policy on the retention of DNA.

During discussion it was:-

AGREED:

- that officials should obtain copies of the current PSNI policy and ACPO guidelines regarding the retention of DNA;
- that the views of the Northern Ireland Commissioner for Children and Young People should be put before Members; and
- that, following receipt of the above information, the matter should be reconsidered by the Board.

7. COMMUNITY AND HUMAN RIGHTS COMMITTEE MEETING

7.1 Minutes Of The Community And Human Rights Committee Meeting Held On 9 November 2006

The Chairman of the Committee highlighted the following matter considered by the Committee and outlined Committee discussions/recommendations:-

7.1.1 Assessment Of The Effectiveness Of DPPs During the Year 2005/2006
(Item 5 Of Minutes Refers)

It was:-

RESOLVED:

To adopt the draft minutes of the meeting of the Community and Human Rights Committee held on 9 November 2006.

7.2 Update On The Implementation Of The Board's Initial Community Engagement Strategy

The Board was reminded that at the Development of Strategic Priorities Workshop held in August 2006 Members had identified that high priority should be given to the Board's community engagement role. Members were referred to a paper that detailed how the matter was being taken forward and the work being undertaken to develop and implement the Board's Initial Community Engagement Strategy.

NOTED.

7.3 Consultation On The Future Arrangements For District Policing Partnerships (DPPs)

The Chairman reminded Members that the October Board meeting had considered a paper that set out the detail of the key principles and a range of models for consideration of the future of DPPs within the context of the Review of Public Administration. It had been agreed that a group representing the party political representatives on the Board be drawn together to discuss the future arrangements for DPPs. To date it had not been possible to arrange a meeting of the group, due to diary pressures. It had been anticipated that the consultation with DPPs and other key stakeholders would have begun by this time.

The Board considered a paper for issue to DPPs and other key stakeholders.

It was:-

RESOLVED:

To issue the paper to DPPs and other stakeholders for consultation.

8. HUMAN RESOURCES COMMITTEE MEETINGS

8.1 Minutes Of The Meeting Of The Human Resources Committee Held On 8 November 2006

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

8.1.1 Presentation By PSNI On Diversity Issues (Item 2 Of Minutes Refers)

8.1.2 Appointments in the PSNI and An Garda Siochana (Item 6.2 Of Minutes Refers)

The Chairman of the Committee also updated the Board about:-

8.1.3 Police Community Support Officers

The Chairman of the Committee advised that PSNI had established an internal project group tasked with implementing PCSOs. This group will provide update reports to the tripartite working group which consists of representatives from the NIO, PSNI and the Board. It had been agreed that membership of the tripartite working group should be extended to all Board Members as the project is about to enter a significant stage of the development of a recruitment strategy, a deployment strategy and a training strategy and the group would benefit from the expertise of other Members. The next meeting has been provisionally scheduled for Thursday, 25 January at 2pm. This meeting will be a recruitment workshop with an opportunity to discuss the recruitment methodologies for PCSOs with PSNI and Grafton. The next full meeting is scheduled for Tuesday, 6 February 2007 at 2pm. Secretariat Branch will confirm these dates with Members.

It was:-

AGREED:

To adopt the draft minutes of the Human Resources Committee held on 8 November 2006.

8.2 Minutes Of The Meeting Of The Human Resources (Quorum) Committee Held On 8 November 2006

It was:-

AGREED:

To adopt the draft minutes of meeting of the Human Resources (Quorum) Committee held on 8 November 2006.

9. RESOURCES AND IMPROVEMENT COMMITTEE MEETING

9.1 Minutes Of The Meeting Of The Resources And Improvement Committee Held On 17 November 2006

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

9.1.1 Call Management Update (Item 3.5 Of Minutes Refers)

9.1.2 PSNI Annual Estimates (Item 7 Of Minutes Refers)

The Vice-Chairman of the Committee advised that Members of the Committee raised concerns over the level of difference PSNI were estimating when compared to the SR 04 baseline. The Committee had agreed to recommend the PSNI Annual Estimate for 2007/08 to the Board for approval, with the understanding that PSNI will report back to the Committee on a monthly basis giving details of the works areas that will change to bring the estimate down to the baseline level.

It was:-

RESOLVED:

To approve the PSNI Annual Estimate for 2007/08.

9.1.3 PSNI Supplementary Financial Bid – August Monitoring Round (Item 13.1 Of Minutes Refers)

It was:-

AGREED:

To adopt the draft minutes of the meeting of the Resources and Improvement Committee held on 17 November 2006.

10. INFORMATION PAPERS

The Board noted the following information paper:-

10.1 The Board Engaging With The Business And Retail Sector

The Chairman highlighted an event being planned between the Board, PSNI representatives and representatives from the business and retail community to discuss how to make it safer to do business and deal with crime affecting the business and retail community. He reminded Members that the meeting would be an event where the public would question the Board on key policing issues and emphasised that a full attendance by Members would be expected.

It was:-

AGREED:

To hold a special Board meeting with representatives of the business and retail sector on 24 January 2007.

11. STATION REVIEWS

The Chairman welcomed ACC Rural Region and other PSNI representatives to the meeting.

11.1 Proposed Closure Of Rosemount PSNI Station

The Board considered a station review document from PSNI in respect of the proposed closure of Rosemount PSNI station.

The District Commander for Foyle DCU gave a presentation regarding the PSNI proposal to close Rosemount station. A copy of the slides used in the presentation is attached at Appendix 'A'.

Members discussed a number of issues with the PSNI representatives, including:-

- alternative arrangements for policing in the area;
- the results of local consultation;
- the removal of the tower; and
- the future of the site.

A number of Members recommended to the PSNI representatives that the land should remain in the public sector and a police presence should be retained in the form of a shop front or a police surgery, if possible.

It was:-

RESOLVED:

To endorse the Chief Constable's proposal to close the station in Rosemount.

11.2 Proposed Closure Of Gilford PSNI Station

The Board considered a station review document from PSNI in respect of the proposed closure of Gilford PSNI station.

The District Commander for Banbridge DCU gave a presentation regarding the PSNI proposal to close Gilford station. A copy of the slides used in the presentation is attached at Appendix 'B'.

Members discussed a number of issues with the PSNI representatives, including:-

- local consultation and the views of the local District Policing Partnership (DPP);
- the recent decision by the local council to build a community centre in Gilford and the aspiration to locate a police surgery in the building; and
- the options considered by PSNI regarding a site for a police surgery in another location in Gilford.

It was:-

AGREED:

To seek further information from Banbridge DPP regarding the proposal to close the Gilford station and to defer a decision in respect of the proposal to the next meeting of the Board.

11.3 Further Information On The Policing Of Coalisland

The Committee considered a paper outlining future policing commitments in Coalisland following the Board's decision in September 2006 to endorse the PSNI's proposal to close and demolish the police station. The PSNI paper set out the future policing commitments for the short, medium and long term. NOTED.

12. PRESS ISSUES

It was:-

AGREED:

To issue news releases in respect of the following items of business:-

- the proposed closure of Rosemount and Gilford stations;
- te future meeting arranged with representatives of the business and retail sector; and
- the presentation to the Board meeting in public about crime against older persons.

13. QUESTIONS FOR THE CHIEF CONSTABLE

A Member referred to a meeting that had been held earlier in the morning between the Chief Constable and representatives from Sinn Fein at Stormont and enquired whether the Chairman had been informed about the meeting. The Chairman confirmed that the Chief Constable had advised him that the meeting would take place. In response to further questions the Chairman advised that he understood that the NIO had facilitated the meeting and stated that the Board had not been invited to attend the meeting. A number of Members emphasised the need to ensure that the Board's role in continuing to hold the Chief Constable to account should not be diminished. Members indicated that they would wish to obtain further details of the nature of the meeting from the Chief Constable during the private session and Board meeting in public.

The meeting discussed questions to be put to the Chief Constable and decided whether they should be put at the Board meeting in public, in the private session or be dealt with by way of written reply.

The Chairman welcomed the Chief Constable and PSNI representatives to the meeting. The Board received further information in relation to:

- the meeting held between Sinn Fein and the Chief Constable on 13 December 2006;
- the recent direction of Mr Justice Weir to commence an immediate investigation into the issues relating to the statements and evidence provided by PSNI officers to the Omagh bomb trial and the referral of the investigation to the Police Ombudsman; and
- allegations of terrorist threats to senior Sinn Fein members.

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

14. ANY OTHER BUSINESS

There were no matters arising.

15. DATE OF NEXT MEETING

The Board confirmed the date of the next meeting for Wednesday, 7 February 2007 in Waterside Tower, Belfast.

(Meeting closed at 3.10pm).

Secretariat

December 2006

Chairman