

## **NORTHERN IRELAND POLICING BOARD**

### **MINUTES OF THE 43<sup>rd</sup> MEETING OF THE NORTHERN IRELAND POLICING BOARD HELD ON THURSDAY 7 APRIL 2005 IN WATERSIDE TOWER, BELFAST**

#### **PRESENT:**

#### **MEMBERS:**

Professor Sir Desmond Rea (Chairman)

Mr Denis Bradley (Vice-Chairman)

(1) Mr Alex Attwood

(2) Viscount Brookeborough

Mr Joe Byrne

(2) Mr Fred Cobain

(3) Mr Brian Dougherty

(4) Mr Sam Foster

Mr Barry Gilligan

Mr Willie Hay

(5) Mr Tom Kelly

(1) Mrs Pauline McCabe

Mr Alan McFarland

(3) Mr Eddie McGrady

Mrs Rosaleen Moore

Mr Ian Paisley Jnr

(2) Mr Suneil Sharma

(3) Mr Sammy Wilson

#### **POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:**

(6) Mr Hugh Orde (Chief Constable)

(6) Mr Paul Leighton (Deputy Chief Constable)

(6) Mr Sam Kinkaid (ACC Crime Operations Department)

(6) Mrs Judith Gillespie (ACC Criminal Justice Department)

(7) Mr Duncan McCausland (ACC Urban Region)

(7) Mr Peter Sheridan (ACC Rural Region)

(6) Ms Sinead McSweeney (Head of Media)

(6) Chief Inspector, Command Secretariat

(6) Acting Inspector, Command Secretariat

(8) Mr David Best, (Director of Finance and Support Services)

(8) Head of Estate Services

**OFFICIALS IN ATTENDANCE:**

Mr Trevor Reaney (Chief Executive)  
Mr Peter Holt (Director of  
Communications)  
Mr Sam Hagen (Director of Corporate  
Services)  
Mrs Sinead Simpson (Director of Policy)  
Mr David Wilson (Director of Planning)  
Three Board Officials

- (1) Part of item 2.3 and item 3.4 to close
- (2) Item 1 to item 6 and item 12
- (3) Part of item 2.3 and item 3.10 to close
- (4) Items 1 – 7.6, 10.2 and 12
- (5) Part of item 2.3, item 3.4 to item 6 and items 10.2 and 12
- (6) Item 12 only
- (7) Items 10.2 and 12
- (8) Item 10.2

**1. APOLOGIES**

No apologies were received.

**2. MINUTES OF MEETINGS OF THE POLICING BOARD**

**Minutes Of The 41<sup>st</sup> Meeting Of The Policing Board Held On  
2 March 2005**

It was:

**RESOLVED**

That the minutes of the 41<sup>st</sup> Board meeting held on 2 March 2005 be approved.

## **2.2 Minutes Of The Board Meeting In Public Held On 2 March 2005**

It was:

### **RESOLVED**

That the minutes of the Board meeting in public held on 2 March 2005 be approved.

## **2.3 Minutes Of The 43<sup>rd</sup> Meeting Of The Policing Board Held On 24 March 2005**

It was:

### **RESOLVED**

That the minutes of the 43<sup>rd</sup> Board meeting held on 24 March 2005 be approved subject to an amendment being made to Item 2 of the draft minutes regarding the Attenuating Energy Projectile, to read that the SDLP Members recorded their opposition to the resolution.

## **3. MATTERS ARISING FROM THE MINUTES OF THE POLICING BOARD MEETING HELD ON 3 FEBRUARY 2005**

### **Meeting Held On 2 March 2005**

#### **3.1. Association Of Police Authorities (APA) Policy Groups And Networks (Item 3.1 Of Minutes Refers)**

At its March 2005 meeting, the Corporate Policy Committee had noted details of the Board's representatives on the APA Policy Groups and Networks. This information had been issued to all Members of the Board. NOTED.

### **3.2 Dealing With The Past** (Item 3.2 Of Minutes Refers)

The Chairman advised the Board that the group of Members who were considering “Defining the Role of the Board within the Policing Architecture” would also consider the issue of “Dealing with the Past” at its next meeting. NOTED.

### **3.3 Medal And Duty Payment For Part-Time Reserve Officers** (Item 3.3 Of Minutes Refers)

At its March 2005 meeting, the Corporate Policy Committee had noted that a meeting would be arranged between Independent Members and representatives of the Part-Time Reserve to discuss duty payments for Part-Time Reservists. A provisional date of 21 April 2005 at 2.00pm had been arranged for the meeting and Officials would write to those Members concerned. NOTED.

### **3.4 Venue For Policing Board Meeting** (Item 3.6 Of Minutes Refers)

The Chairman advised Members that the June 2005 Board meeting would be held in the City Hotel, Derry/Londonderry. NOTED.

### **3.5 Protocols – Movement Of Officers Between Garda Siochana And PSNI** (Item 4.1 Of Minutes Refers)

At its March 2005 meeting the Human Resources Committee had considered a paper on protocols regarding movement of officers between the Garda Siochana and the PSNI and had recommended that the Board should consider receiving a briefing at a Board meeting in public on the matter.

It was:

#### **AGREED**

That a presentation should be given to a future Board meeting in public in relation to protocols between the Garda Siochana and the PSNI.

### **3.6 Board Members Visit To Boston/Chicago/Washington In March 2005**

(Item 4.5 Of Minutes Refers)

The Chairman and Vice-Chairman briefed Members on visits that they had undertaken to USA during March 2005. NOTED.

The Chairman advised Members that a summary paper on issues arising and learning points from the visits would be prepared for consideration by the Community Involvement Committee and the Board. NOTED.

### **3.7 Severance Arrangements – Assistant Chief Constable** (Item 5.2 Of Minutes Refers)

The Chairman drew the attention of Members to a letter which had been received from the Northern Ireland Office (NIO) concerning the red-circling of severance arrangements for PSNI Officers. NOTED.

### **3.8 Review Of Organised Crime Task Force** (Item 5.3 Of Minutes Refers)

This matter was dealt with under item 7.4.

### **3.9 Conference On Restorative Justice** (Item 5.7 Of Minutes Refers)

The Director of Policy advised Members that it had not been clear on the invitation to the Human Rights Restorative Justice Conference whether all Members of the Board had been invited to attend. The PSNI would be asked to make it clear on future invitations to conferences whether the invitation extended to all Board Members. NOTED.

### **3.10 Gershon Efficiencies – NIPB Plan** (Item 6.2.1 Of Minute Refers)

At its March 2005 meeting, the Corporate Policy Committee had agreed a revised plan for the Board to achieve 7.5% Gershon Efficiency Savings. NOTED.

### **3.11 APA Self Assessment And Improvement Framework (Item 12 Of Minutes Refers)**

At its March 2005 meeting, the Corporate Policy Committee had considered options for assessing the performance of the Board and recommended that a specifically appointed Group should be appointed to provide an independent assessment of the Board's performance.

It was:

#### **RESOLVED**

That the Board should invite a specifically appointed Group to assess the Board's performance.

### **Meeting Held On 24 March 2005**

### **3.12 Attenuating Energy Projectile (Item 2 Of Minutes Refers)**

The Chairman referred Members to the following papers that had been circulated prior to the meeting and advised that these were also tabled:-

- A paper regarding the introduction of Attenuating Energy Projectile (AEP)
- A response from the Chief Constable to the Board's motion concerning the adoption of a less lethal alternative to the plastic baton round
- A letter from the NIO detailing the consultation which had been undertaken by a NIO Steering Group
- A Home Office statement on the AEP
- A letter from the Northern Ireland Commissioner for Children and Young People regarding the introduction of AEP

It was:

## **AGREED**

To seek an update from the Chief Constable regarding issues associated with the Attenuating Energy Projectile, later in the meeting.

## **4. CHAIRMAN'S BUSINESS**

### **4.1 Engagements**

The Board noted details of a briefing which had been given to the Chairman and Vice-Chairman by the NIO on the work of the Organised Crime Task Force.

NOTED.

It was:

## **AGREED**

- That the Parliamentary Under Secretary of State should be invited to give a formal briefing to the Board on the work of the Organised Crime Task Force after the launch of the next Threat Assessment.
- That the Board should receive briefings from PSNI on the implementation of the Proceeds of Crime Act, and from the Assets Recovery Agency in relation to seizing assets.

### **4.2 Publications**

The following publication had been placed in the Library: -

- Modernising the Coroners Service in Northern Ireland – The Way Forward. NOTED

### **4.3 Correspondence**

The Chairman informed Members that he had received a letter from the NIO regarding PSNI Chief Officers' Bonus. NOTED.

### **4.4 Crime Prevention Briefing**

The Chairman drew the attention of Members to a report regarding a briefing which had been given by PSNI on 24 March 2005 to representatives of financial institutes on crime prevention. NOTED.

It was:

#### **AGREED**

That the Chairman should discuss with ACC Crime Operations the protection given by PSNI to vehicles taking high value supplies across the border and report the outcome at the next Board meeting.

### **4.5 Police Federation for Northern Ireland – Tri-Annual Elections**

The Chairman informed Members about a letter he had received from the Police Federation detailing the police officers who had been re-elected by the Central Committee as permanent officials of the Police Federation. NOTED

### **4.6 News Releases**

The Chairman informed Members about the following news releases:-

- A news release regarding proposals for a Victims' and Survivors' Commissioner – NIO – 1 March 2005. NOTED.
- A news release concerning a review of the sentencing framework – NIO - 7 March 2005. NOTED

- A news release regarding block financial assistance in the Northern Ireland Assembly – NIO – 8 March 2005. NOTED
- A news release regarding the creation of a new unit within the PSNI to review unsolved deaths – 8 March 2005. NOTED
- A news release in relation to a research report on crime victimisation – NIO – 15 March 2005. NOTED
- A news release concerning proposals for new powers for a safer society – NIO – 24 March 2005. NOTED
- A news release regarding a research report on juvenile reconviction – NIO – 30 March 2005. NOTED

A Member referred to an article in the media regarding protocols for flying of flags in Northern Ireland.

It was:

### **AGREED**

That the PSNI should be invited to give a presentation to the Community Involvement Committee in relation to the protocols for flying of flags.

#### **4.7 NIPB Corporate Plan 2005 – 2008**

The Chairman advised the Board that the Corporate Plan 2005 – 2008 would be published that day. NOTED

### **5. CHIEF EXECUTIVE'S BUSINESS**

#### **5.1 Cross Border Crime Conference**

The Chief Executive drew the attention of Members to a conference on "Cross Border Crime" which would be held in London on 15 April 2005. NOTED

## **5.2 Conference On Tackling Youth Crime**

The Chief Executive drew the attention of Members to a conference on “Tackling Youth Crime” which would be held in London on 28 April 2005. NOTED.

## **5.3 Conference About Building Confidence: Matching Perception With Reality**

The Chief Executive drew the attention of Members to a conference entitled “Building Confidence: Matching Perception with Reality” which would be held in Newcastle on 23 and 24 June 2005. NOTED.

## **5.4 Patten Recommendations 78 Meetings In Urban Region**

The Chief Executive outlined details of Patten recommendation 78 meetings which would be held in Urban Region.

It was:

### **AGREED**

That details of Patten recommendation 78 meetings in Urban region should be circulated to Members.

## **5.5 Future Policing Arrangements – Belfast City Centre**

The Chief Executive drew the attention of Members to a letter which had been received from the PSNI regarding future policing arrangements in Belfast City Centre. The PSNI would give a presentation to the Community Involvement Committee on the issue. NOTED.

## **5.6 Visit To Georgia, Eastern Europe**

The Chief Executive advised the Board that an Official would be undertaking a visit to Georgia, Eastern Europe to brief a group of non-governmental organisations on the Board's Custody Visiting Scheme.

## **5.7 District Policing Partnerships**

### **5.7.1 DPP (NI) Order 2005**

The Chief Executive drew the attention of Members to the DPP (NI) Order 2005 and explained that a letter had been sent to DPPs regarding the legislation.

The Board discussed the implications of the DPP (NI) Order 2005.

It was:

#### **AGREED**

- That NIO should be advised of the Board's views on the new legislation.
- That if any significant developments occurred prior to the forthcoming elections these should be discussed with a representative from each of the political parties on the Board.

### **5.7.2 Appointment Of Independent DPP Members**

The Chief Executive referred to an advertisement which had been published inviting tenders to undertake the recruitment process to appoint independent members of DPPs.<sup>12</sup>

It was:

## **AGREED**

That Independent Members on the Board would be asked to join the panel to consider tenders for the appointment of consultants to undertake the recruitment process for independent DPP members.

### **5.8 Register Of Interests**

The Chief Executive requested Members to return any outstanding register of interest forms to Secretariat as soon as possible.

## **6. NOTICE OF MOTION**

The Chairman referred Members to a notice of motion from a Member that had been circulated with papers for the meeting. The Chairman offered to vacate the Chair for this item. The consensus view was that the Chairman should remain in the Chair.

The proposer read the following motion:-

*“Following the Policing Board Chairman’s resignation from the Board of Ivy Wood Properties Ltd (a holding and subsidiary of Harcourt Developments, of which Phil Flynn resigned after his association with the Garda inquiry into money laundering). The Police Board commends the Chairman for his decision to resign as a precautionary step to prevent an opprobrium being brought to the door of the Policing Board. The Board commends the action to all its Members in any future dealings with outside agencies or companies”.*

The proposer spoke to the motion and the motion was seconded.

The Board discussed the motion; the personal liabilities and responsibilities of each Member to register an interest; and the merits and demerits of the Board

prescribing the action that a Member should take regarding an outside interest. During discussion, Members emphasised that the result of any vote should not be viewed as a vote of 'no confidence' in the Chairman.

Following a show of hands, the motion was lost.

## **7. CORPORATE POLICY COMMITTEE**

### **7.1 Minutes Of The 42<sup>nd</sup> Meeting Of The Corporate Policy Committee Held On 24 March 2005**

It was:

#### **RESOLVED**

To adopt the draft minutes of the 42nd meeting of the Corporate Policy Committee held on 24 March 2005.

The Chairman drew the attention of Members to the following items:-

#### **7.1.1 HMIC Baseline Assessment Of PSNI** (Item 3.8 Of Minutes Refers)

A copy of the PSNI Baseline Assessment Refresh Report had been issued to Members on 30 March 2005 and the report would be considered at the April 2005 Committee meeting. NOTED.

#### **7.1.2 Commencement Of 'Purdah'** (Item 5.1 Of Minutes Refers)

The Committee recommended to the Board that the Board meeting arranged for 4 May 2005 should be cancelled subject to the General Election being held on the 5 May 2005.

It was:

**RESOLVED**

That since a General Election and Council Elections had now been called for 5 May 2005, the Board meeting scheduled for 4 May 2005 should be cancelled.

**7.1.3 Annual Report Format (Item 14 Of Minutes Refers)**

The Board considered a recommendation which had been made by the Committee regarding the format for the Board's Annual Report.

It was:

**RESOLVED**

- That a newspaper review document should be published in advance of that issued by the PSNI - focussed on the Board's work and issues raised by Northern Ireland Affairs Committee.
- That a formal style report should be published by September 2005 which would include register of interests and accounts.
- That flyers outlining key aspects of the Board's work should be translated into minority languages.
- That the relevant Committee should be provided with a paper outlining details of the ethnic minority languages contained in the flyers.

**7.1.4 Review Of Student Officer Meetings (Item 16 Of Minutes Refers)**

The Board considered a recommendation which had been made by the Committee regarding a review of Student Officer Meetings.

It was:

**RESOLVED**

That the meeting with student officers should take place in week 1 – 4 of the officer's training and the timing of the meeting should be changed from evening to daytime.

**7.2 Report Of The Northern Ireland Affairs Committee (NIAC) Into The Functions Of The Northern Ireland Policing Board**

The Chairman summarised the discussion that had taken place at the Corporate Policy Committee regarding the Board's response to the NIAC Report. The Committee had agreed to make recommendations to the Board regarding a number of issues and to give further consideration to others. A comprehensive paper would be brought to the Board at a future meeting. NOTED.

**7.3 Criminal Justice Inspection Northern Ireland: Inspection Of The Office Of Police Ombudsman**

The Board considered a paper which contained a draft response to the Criminal Justice Inspection Northern Ireland (CJINI) on the Board's views on their experience of working with the Office of the Police Ombudsman.

It was:

**AGREED**

To draw to the attention of the Chief Inspector that individual political parties would write separately to him regarding the matter.

Subject to the above amendment:

It was:

## **RESOLVED**

That the Board's response on their experience of working with the Office of the Police Ombudsman should be issued to the Criminal Justice Inspection Northern Ireland.

### **7.4 Review of the Organised Crime Task Force**

The Board considered a paper which outlined details of a response to the Parliamentary Under Secretary of State's review of the Organised Crime Task Force.

It was:

## **RESOLVED**

That the Board's response to the review of the Organised Crime Task Force should be issued to the Parliamentary Under Secretary of State.

### **7.5 Registration Of Notifiable Memberships**

The Board considered a paper which outlined recommendations that had been made by the Corporate Policy Committee at its March 2005 meeting regarding an amended PSNI General Order and Guidance Notes in respect of notifiable memberships.

It was:

## **RESOLVED**

- That the PSNI should be advised that the Board was content with the amended General Order and Guidance Notes.
- That the Board's views regarding the timeframe should be relayed to the PSNI.

- That the Human Rights and Professional Standards Committee should consider the need for legislative change.

## **7.6 Communications Strategy**

The Board considered a paper which outlined recommendations that had been made by the Corporate Policy Committee at its March 2005 meeting regarding a communications strategy for the Board.

It was:-

### **RESOLVED**

- That the activities in the Communications Strategy should be taken forward.
- The key areas of the Strategy should be discussed with Members of the Press and Public Relations Committee.

## **8. COMMUNITY INVOLVEMENT COMMITTEE**

### **8.1 Minutes Of The 16<sup>th</sup> Meeting Of The Community Involvement Committee Held On 15 March 2005**

It was:

### **RESOLVED**

To adopt the draft minutes of the 16<sup>th</sup> meeting of the Community Involvement Committee held on 15 March 2005.

## **9. HUMAN RESOURCES COMMITTEE MEETINGS**

### **9.1 Minutes Of The 35<sup>th</sup> Meeting Of The Human Resources Committee Held On 25 February 2005**

It was:

#### **RESOLVED**

To adopt the ratified minutes of the 35<sup>th</sup> meeting of the Human Resources Committee held on 25 February 2005.

### **9.2 Minutes Of The 36<sup>th</sup> Meeting (Quorum) Of The Human Resources Committee Meeting Held On 25 February 2005**

It was:

#### **RESOLVED**

To adopt the ratified minutes of the 36<sup>th</sup> meeting (Quorum) of the Human Resources Committee held on 25 February 2005.

## **10. FINANCE AND GENERAL PURPOSES COMMITTEE**

### **10.1 Minutes Of The 13<sup>th</sup> Meeting Of The Finance And General Purposes Committee Held On 18 March 2005**

It was:

#### **RESOLVED**

To adopt the draft minutes of the 13<sup>th</sup> meeting of the Finance and General Purposes Committee held on 18 March 2005.

## **10.2 PSNI Estates Strategy**

The Chairman referred Members to a copy of the PSNI Estates Strategy which had been circulated with papers for the meeting. He also referred Members to amendments made to 2 pages and an annex that were tabled at the meeting. The Board discussed the Strategy.

The Chairman welcomed PSNI representatives to the meeting.

The Board considered each section of the Estates Strategy, commenting on its content, seeking clarification and further information from the PSNI representatives.

Discussion centred on:-

- The wording of the Vision
- The involvement of DCU Commanders and District Policing Partnerships
- The station viability review list – urban and rural
- Alternative methods of policing in DCUs
- Briefings for District Policing Partnerships

The PSNI representatives indicated that the views of Members expressed during the meeting would be taken into account and the strategy revised further. NOTED.

It was:

### **RESOLVED**

That the Board delegate authority to the Finance and General Purposes Committee to sign off the PSNI Estates Strategy at its next meeting on 20 May 2005 and that all Members of the Board be invited to attend the meeting.

## **11. DPP MEMBER REMOVAL FROM OFFICE**

The Board considered a paper which outlined details of a recommendation which had been made by the Community Involvement Committee regarding the removal of an independent member from Antrim DPP in view of an unsatisfactory attendance record.

At its meeting on 2 March 2005 the Board had adopted this recommendation and in line with the Board's policy the independent member had been invited to make representation to the meeting that day but had not responded.

The Board gave further consideration to the matter.

It was:

### **RESOLVED**

That under Schedule 3 paragraph 7 (1) (e) of the Police (NI) Act 2000, the independent member should be removed from office as an independent member of Antrim DPP on the basis that the member was unable or unfit to discharge their functions as a Member of the DPP because of an unsatisfactory level of attendance.

## **12. QUESTIONS FOR THE CHIEF CONSTABLE**

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

The Deputy Chief Constable briefly informed the Board about a new funding initiative – The Policing with the Community Fund, that would be launched to DCU Commanders on 19 April 2005.

The Chief Constable referred to the 43<sup>rd</sup> meeting of the Board and its discussion of the Attenuating Energy Projectile. He informed Members, that subsequent to this meeting, he had met with the Northern Ireland Commissioner for Children and Young People. He briefed Members about the discussion at the meeting.

The Board accepted that the Chief Constable had fully demonstrated that he had consulted with the relevant bodies, including the Children's Commissioner. The resolution passed at the Special Board meeting on 24 March 2005 would now take effect. The SDLP Members recorded their opposition to the resolution.

In response to questions from Members, the Board was given information about:

- PSNI policy regarding the recruitment of covert human intelligence sources
- PSNI initiatives and liaison with the NI Court Service to reduce delays in bringing cases to Belfast Magistrates Court
- PSNI policy regarding the use of Anti-Social Behaviour Orders

The Board moved to its meeting in public and following the completion of this session, the PSNI personnel left the meeting.

### **13. ANY OTHER BUSINESS**

No other business was conducted.

### **14. PRESS ISSUES**

It was:

#### **AGREED**

That there were no issues arising from the meeting that should be included in a news release.

## **15. DATE OF NEXT MEETING**

The date of the next meeting was arranged for 2 June 2005 in the City Hotel, Londonderry / Derry.

(Meeting closed 3.35pm).

**Secretariat**

**April 2005**

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**CHAIRMAN**