

NORTHERN IRELAND POLICING BOARD

MINUTES OF THE 29th MEETING OF THE NORTHERN IRELAND POLICING BOARD HELD ON WEDNESDAY, 1 APRIL 2004 AT 10:00 AM IN WATERSIDE TOWER, BELFAST

PRESENT:

MEMBERS:

- Professor Desmond Rea (Chairman)
- Mr Denis Bradley (Vice-Chairman)
- (2) Mr Alex Attwood
- Viscount Brookeborough
- Mr Joe Byrne
- Mr Fred Cobain
- Mr Brian Dougherty
- Mr Sam Foster
- Mr Barry Gilligan
- (2) Mr William Hay
- Mr Tom Kelly
- (1) Lord Kilclooney
- Mrs Pauline McCabe
- Mr Alan McFarland
- Mrs Rosaleen Moore
- Mr Ian Paisley
- Mr Suneil Sharma
- Mr Sammy Wilson

POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:

- (3) Mr Hugh Orde, (Chief Constable)
- (3) Mr Paul Leighton (Deputy Chief Constable)
- (3) Mr Sam Kinkaid (Assistant Chief Constable, Crime Operations)
- (3) Mr Duncan McCausland (Assistant Chief Constable, Urban Region)
- (3) Mr Peter Sheridan (Assistant Chief Constable, Rural Region)
- (3) Ms Judith Gillespie (Acting Assistant Chief Constable, Criminal Justice Department)
- (3) Mr Joe Stewart, (Senior Director of Human Resources)
- (3) Acting Director of Media
- (3) Chief Inspector, Command Secretariat

OFFICIALS IN ATTENDANCE:

Mr Trevor Reaney (Chief Executive)
Director of Community Affairs
Director of Corporate Services
Director of Policy and Accountability
Acting Head of Audit Services
Three Board Officials

- (1) Item 3.1 to close**
- (2) Items 1 to 11 and Item 16**
- (3) Item 16 only**

1. APOLOGIES ETC

Apologies for non-attendance were received from Mr McGrady.

The Chairman informed Members that he had received a request from PSNI that a Commander from the Victoria Police, Australia, who was on a study visit to Northern Ireland, join with PSNI representatives in attending the meeting for item 16. The Board approved the attendance of the officer.

2. MINUTES OF THE 28TH MEETING OF THE POLICING BOARD

2.1 Minutes of the Meeting of the Policing Board held on 3 March 2004

The Board considered the draft minutes of the previous meeting and subject to the deletion of one paragraph, the minutes were agreed.

**2.2 Minutes of the Public Session of the Policing Board held on
3 March 2004**

The minutes were agreed.

3. MATTERS ARISING FROM THE MINUTES OF THE 28th MEETING

3.1 District Policing Partnerships (Items 3.1 Of Minutes Refers)

3.1.1 Dungannon And South Tyrone DPP

Officials informed the Board that Dungannon and South Tyrone District Council had written to the Secretary of State seeking an extension of time to obtain further legal advice in relation to the establishment of a District Policing Partnership in the area.

3.1.2 Correspondence From DPPs

The Chairman informed Members that he had received correspondence from a number of DPP members regarding the future of the Full-Time Reserve. A request had also been received for the Chairman to meet with a DPP and representatives of a police staff association to discuss the matter. The Board noted it was the Chairman's intention to reply to any correspondence received stating the Board's position, that the Chief Constable would take an operational decision on the need to retain Full-Time Reserve officers at the end of the marching season and would duly convey his decision to the Board. In response to a question from a Member, the Chairman indicated that he would listen carefully to all points of view on the matter during the coming months.

3.1.3 Community Attitudes Survey

The Chairman highlighted the results of the recently published NISRA Community Attitudes Survey that indicated that public confidence in DPPs was increasing.

3.2 Review of Remuneration Of Members (Item 3.2 Of Minutes Refers)

The Chairman informed Members that prior to writing to the Prime Minister, as agreed at the previous meeting, he had written again to the Secretary of State requesting that

the issue of the remuneration of Members be dealt with as a matter of urgency. In a reply dated 30 March 2004, the Secretary of State advised that:-

- The basic allowance for Members should be increased for the period starting 1 April 2003 to £14,500 per annum;
- The allowance should be further increased from 1 April 2004 to £15,000 per annum;
- The level of remuneration for the Chairman and Vice-Chairman of the Board be increased at 1 April 2004 by the same percentage as the basic allowance is to be increased on that date from the level set out in the review;
- Separately, a sum of up to £2,000 across the 7 Board Committees would be made available for distribution as a special responsibility allowance to Committee Chairpersons.

The Board considered the response and reluctantly agreed to accept the proposals. During discussion, Members continued to draw comparisons with the allowances awarded to Members of the Parades Commission.

3.3 Appointment Of Senior Board Staff (Item 3.3 Of Minutes Refers)

The Chief Executive updated Members about developments in appointing senior Board staff.

The Board noted that the Corporate Policy Committee had agreed to reduce the number of Members involved in the appointment panels.

3.4 Code Of Practice On Reports And Enquiries (Item 3.4 Of Minutes Refers)

The Board noted that a meeting of the sub-group, arranged for early April had been postponed and that it was being re-arranged.

3.5 Tackling Organised Crime (Item 3.5 Of Minutes Refers)

The Board noted that there had been no further developments regarding the invitation for a representative from the Criminal Assets Bureau in the Republic of Ireland to speak to the Board.

3.6 HMIC Review Of Crompton Recommendations (Item 3.6 Of Minutes Refers)

The Board noted that the Chairperson of the Human Resources Committee and the Chief Executive had met with representatives from PSNI to discuss the preparation of a revised Human Resources Strategy document. The Chief Executive said it was anticipated that the first draft would be available towards the end of April, with the final draft being presented to the Human Resources Committee towards the end of May.

3.7 British / Irish Rights Watch Correspondence (Item 3.7 Of Minutes Refers)

The Board noted the content of a letter received from PSNI, Command Secretariat, dated 23 March 2004 regarding the matter. The letter indicated that the Board would receive a copy of the report by the Police Ombudsman's Office following the conclusion of their investigation into the police arrests of Mr Clarke and Ms Johnston.

3.8 Visit To Washington (Item 4.1.1 Of Minutes Refers)

The Chairman and Chief Executive informed Members about their visit to Washington for a series of events associated with policing held during St Patrick's week.

The Board noted copies of documentation associated with the week, including a transcript of the United States Helsinki Commission hearing chaired by Congressman Chris Smith on 16 March 2004. Members discussed a number of issues associated with the visit and the need to build upon contacts made during the week.

The Chairman highlighted the valuable contribution made by the 2 DPP members who also took part in the visit.

3.9 Meetings With OPONI (Item 4.1.3 Of Minutes Refers)

The Board noted that Board officials and officials from the Office of the Police Ombudsman were in the process of developing a revised schedule of meetings.

3.10 PSNI Review Of Pay, Appraisal, PRP And Allocation Of Duties (Item 6.2.3 Of Minutes Refers)

A Member reminded the Board that it had been agreed at the last meeting, that a copy of the confidential report by Sir Dan Crompton and Mr Ken Williams on PSNI pay etc would be forwarded to all Members and that to date the report had not been issued. In response, the Chairman advised that following the unauthorised disclosure of information to the media immediately after the last Board meeting, the issuing of the confidential report had been stayed.

The Board discussed the unauthorised disclosure of information of a personal or sensitive nature to the media, corporate responsibilities and the potential impact on the future business of the Board.

The Chairman asked Members to agree to respect the confidentiality of the report, and on that basis, agreed that it should be issued to all Members as soon as practicable.

3.11 Recruitment Of An Assistant Chief Constable (Item 12 Of Minutes Refers)

This matter was dealt with under item 12.

3.12 Chief Constable – Living Accommodation (Item 14 Of Minutes Refers)

The Board noted that discussion was ongoing between the Chief Executive, Chief Constable and NIO regarding the matter.

4. CHAIRMAN'S BUSINESS

4.1 Engagements

The Board noted that the Chairman had given a presentation to the Murphy Group in Dublin on 29 March 2004.

4.2 Committee On International Human Rights Of The Association Of The Bar Of The City Of New York – Report On Human Rights In Northern Ireland

The Chairman informed Members that he had received a copy of the report on Human Rights in Northern Ireland prepared by the Committee on International Human Rights of the Association of the Bar of the City of New York.

4.3 NIHRC Report On Human Rights In Police Training

The Board noted a copy of a Northern Ireland Human Rights Commission report on Human Rights in Police Training, which was tabled at the meeting.

4.4 Statement By Minister – Water Cannons

The Board noted the contents of a news release dated 16 March 2004 by the Minister of State concerning the publication of ACPO guidance on the operational use of water cannons.

4.5 PSNI Response To OPONI Reports

The Chairman read Members a number of letters received from the Deputy Chief Constable concerning the PSNI Review Panel responses to OPONI Regulation 20 investigation reports on a number of incidents.

4.6 Briefing From Minister – Cory Report

The Board noted that the Chairman and Vice Chairman had received an early morning briefing from the Security Minister concerning the Cory Report which was due for release at 12:30pm. The Chairman advised Members that it was anticipated that the Prime Minister would also make a statement at lunchtime.

The Chairman advised Members that a copy of the Report would be available on the internet and that he had requested hard copies for all Members. These would be distributed as soon as they were available.

Members discussed a number of issues arising from the publication of the report and possible Board responses to the findings. It was agreed that the Chairman and Vice Chairman should consider the report and make recommendation to the Board if a response is required and if so, propose a Board response.

5. CHIEF EXECUTIVE'S BUSINESS

5.1 Guidelines On Special Branch Work In The United Kingdom

The Board noted a document, tabled at the meeting, entitled "Guidelines on Special Branch work in the United Kingdom", published by the Home Office, Scottish Executive and Northern Ireland Office.

5.2 Notifiable Memberships

The Board noted that all Members would be circulated with a copy of PSNI guidance to officers on notifiable memberships.

6. CORPORATE POLICY COMMITTEE MEETINGS

Ratified Minutes Of The 30th Meeting Of The Corporate Policy Held On 19 February 2004

The Board adopted the ratified minutes of the 30th meeting held on 19 February 2004.

6.2 Draft Minutes Of The 31st Meeting Of The Corporate Policy Committee Held On 24 March 2004

There were no matters arising.

7. COMMUNITY INVOLVEMENT COMMITTEE MEETINGS

7.1 Ratified Minutes Of The 7th Meeting Of The Community Involvement Committee Held On 12 February 2004

7.1.1 Presentation By PSNI Regarding Policing In North Belfast (Item 2 Of Minutes Refers)

A Member requested information about the criteria for payments made to encourage experienced police officers to serve in North Belfast DCU. The Chairperson of the Human Resources Committee advised that this Committee had received a breakdown of the criteria, unfortunately there were no Members of the Human Resources Committee serving on the Community Involvement Committee.

The Chairman reminded Members that the Chief Executive was currently considering the membership of Committees and that the overlap in membership of Committees would be reviewed.

The Board adopted the ratified minutes of the 7th meeting held on 12 February 2004.

7.2 Draft Minutes Of The 8th Meeting Of The Community Involvement Committee Meeting Held On 10 March 2004

7.2.1 DPP Training Events (Item 10.2 Of Minutes Refers)

In response to a question from a Member, officials advised that a number of DPP managers had requested media training and it was anticipated that this would be delivered during June and July.

The Chairperson of the Human Resources Committee reminded officials of the presentations that she had given to DPPs concerning the PSNI Human Resources Strategy and requested that the feedback she had provided regarding independent members training needs, be fed into the Community Involvement Committee.

8. HUMAN RESOURCES COMMITTEE MEETINGS

8.1 Ratified Minutes Of The 11th Meeting Of The Human Resources Committee Held On 30 January 2004

The Board adopted the ratified minutes of the 11th meeting held on 30 January 2004.

8.2 Ratified Minutes Of The 12th Meeting (Quorum) Of The Human Resources Committee Held On 30 January 2004

The Board adopted the ratified minutes of the 12th meeting (Quorum) held on 30 January 2004.

8.3 Draft Minutes Of The 13th Meeting Of The Human Resources Committee Held On 27 February 2004

8.3.1 Chairperson's Business (Item 7 Of Minutes Refers)

A Member queried whether the Committee had considered recent press articles concerning potential officers being turned down for appointment because of tattoos. The Chairperson of the Human Resources Committee advised that the Committee had previously considered the PSNI policy regarding tattoos and that there would be an opportunity to discuss the implementation of the policy with Consensia and an Independent Member of the Vetting Panel who was due to meet with the Committee in June. Following discussion, the Chairperson of the Human Resources Committee advised that all relevant parties would be invited to the June meeting.

8.3.2 Presentation On The Effectiveness Of Managing Attendance (Item 8 Of Minutes Refers)

The Chairperson of the Committee drew attention to a number of successes in reducing sick absence in PSNI DCUs highlighting Ballymena, Newtownabbey, Fermanagh and Moyle, where sickness absence levels had been reduced significantly.

8.4 Draft Minutes Of The 14th Meeting (Quorum) Of The Human Resources Committee Held On 27 February 2004

There were no matters arising.

8.5 Selected Medical Practitioner Services 2004-05

The Board noted that at its March 2004 meeting, the Human Resources Committee had examined and agreed the detail of a proposed fee structure for 2004/05 for the Selected Medical Practitioner service.

The Board agreed to an extension of contract being given to the existing provider for 2004/05 and to the estimated expenditure, approved by the Committee, for the provision of selected medical practitioners services for the incoming financial year.

In response to a question, the Chairperson of the Committee agreed to look again at the frequency of cases being referred for review by the Selected Medical Practitioner and to advise the Member raising the question accordingly.

9. HUMAN RIGHTS AND PROFESSIONAL STANDARDS COMMITTEE MEETINGS

9.1 Ratified Minutes Of The 4th Meeting Of the Human Rights And Professional Standards Committee Held On 16 January 2004

The Board adopted the ratified minutes of the 4th meeting held on 16 January 2004.

9.2 Draft Minutes Of The 5th Meeting Of The Human Rights And Professional Standards Committee Held On 12 March 2004

There were no matters arising.

10. FINANCE AND GENERAL PURPOSES COMMITTEE MEETINGS

10.1 Ratified Minutes Of The 5th Meeting Of The Finance and General Purposes Committee Held On 23 January 2004

The Board adopted the minutes of the 5th meeting held on 23 January 2004.

10.2 Draft Minutes Of The 6th Meeting Of The Finance and General Purposes Committee Held On 26 February 2004

10.2.1 PSNI Information And Communications Systems Strategy (Item 7 Of Minutes Refers)

The Board noted that the Chairman and Vice-Chairman of the Committee had arranged to meet the Deputy Chief Constable to discuss the Information and Communications Systems Strategy. Members of the Committee outlined the difficulties associated with the strategy.

10.2.2 Compensation Claims (Item 14 Of Minutes Refers)

The Board noted that the Committee had met with the PSNI Chief Health and Safety Adviser and the PSNI Legal Adviser to discuss compensation claims against PSNI. The Board noted that during the discussion, Committee Members had stressed the need for a robust approach to be taken in considering compensation claims against PSNI.

11 AUDIT AND BEST VALUE COMMITTEE MEETINGS

11.1 Ratified Minutes Of The 4th Meeting Of The Audit And Best Value Committee Held On 19 January 2004

The Board adopted the ratified minutes of the 4th meeting held on 19 January 2004.

11.2 Draft Minutes Of The 5th Meeting Of The Audit And Best Value Committee Held On 25 March 2004

11.2.1 HMIC Review Of Best Value (Item 7 Of Minutes Refers)

The Chairman of the Committee drew the attention of Members to the Committee's discussion of a paper outlining the comments made by HMIC for improving the Best

Value Reviews, following his inspection of PSNI during March 2004. He highlighted the need for the Committee to take an active role in ensuring that the recommendations were implemented.

12 RECRUITMENT OF AN ASSISTANT CHIEF CONSTABLE

The Board considered a paper proposing a number of options for the composition of the selection panel for the advertised Assistant Chief Constable post. The Board noted that at the March Corporate Policy Committee, it had been agreed that the Board should review the size of the panel.

Following discussion, the Board agreed that the panel should consist of the Chairman, Vice Chairman, “political Members” of Corporate Policy Committee and a reduced number of independent Members. The Board agreed that the panel would comprise the Chairman, the Vice Chairman, Mr Byrne (substitute for Mr McGrady), Mr Cobain, Mr Wilson and 2 independent Members – Mr Gilligan and Mrs Moore (substitute for Mrs McCabe).

13 NEW POLICE TRAINING COLLEGE

The Board noted a paper which detailed progress with regard to the new Police Training College at Desertcreat, Cookstown.

Following discussion, the Board agreed that:-

- An opportunity should be given to Members to visit the Desertcreat site;
- A meeting of the Board's Working Group on the Police Training College should be arranged.

14 CAJ CORRESPONDENCE

The Board noted correspondence received from the Committee on the Administration of Justice (CAJ) concerning a range of issues.

The Board agreed that CAJ should be advised that their comments had been noted and where necessary brief background information should be supplied.

15 CORRESPONDENCE FROM THE CHILDREN'S LAW CENTRE / SAVE THE CHILDREN

The Board noted correspondence that had been jointly signed by the Children's Law Centre and Save the Children, setting out their views on a range of issues associated with baton rounds.

The Board agreed to reply to the letter highlighting the progress which had been made to date regarding the use of and alternatives to baton rounds.

16 QUESTIONS FOR THE CHIEF CONSTABLE

The Board agreed a number of questions to be put to the Chief Constable during the public session.

The Chairman welcomed the Chief Constable and other PSNI personnel to the meeting. The Chairman also welcomed Commander David Sprague of the Victoria Police to the meeting and presented him with a memento of the of the occasion.

In response to a question from the Community Involvement Committee, the Chief Constable and Senior Director of Human Resources outlined the background to the criteria applied by PSNI for awarding special priority payments to officers serving in North Belfast DCU.

In response to a question from the Human Resources Committee concerning an “out of court” compensation case settlement to an officer, the Senior Director of Human Resources detailed the background to the case and the circumstances concerning the settlement.

The Chief Constable declined to answer a question from a Member concerning a named individual who it had been alleged had been a member of a proscribed organisation.

In response to questions concerning press reports about the amalgamation of DCUs, the Chief Constable emphasised that planning to cluster DCUs was at an early stage. Twenty nine DCUs would be retained, however, consideration was being given to revise the command structure to place a number of DCUs under the control of one Commander and to cluster support services. Assistant Chief Constable Rural and Assistant Chief Constable Urban emphasised that DPPs would be consulted and that any changes would not interfere with the structure of DPPs or local policing plans. They emphasised that planning was designed to reduce administration within the 29 districts, to increase economies of scale and to free up further police resources.

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

17 INFORMATION PAPERS

17.1 Meeting With UK Unionists

The Board noted the minutes of a meeting held on 4 March 2004 between the Chairman, Vice Chairman and Chief Executive and representatives from the UK Unionist Party.

17.2 Correspondence From PSNI Regarding Ethnic Minority Representation In PSNI

The Board noted a written response to a question at the March Board meeting concerning ethnic minority candidates being appointed to PSNI.

17.3 Timetable For DPP Meetings

The Board noted a schedule detailing meetings to be held in public for all DPPs for the period April to September 2004.

17.4 First Report Of The Justice Oversight Commissioner

The Board noted a summary of the recommendations contained in the first report of the Justice Oversight Commissioner that related to policing, PSNI or had relevance to the Board.

18 ANY OTHER BUSINESS

There were no matters arising.

19 PRESS ISSUES

There were no matters arising.

20 DATE OF NEXT MEETING

The date of the next meeting was arranged for 12 May 2004.

(Meeting closed 2:30pm).

Secretariat

April 2004

Chairman

REPORTS AND BACKGROUND PAPERS

ITEM NUMBER

- 4.3 Northern Ireland Human Rights Commission Report on
Human Rights In Police Training**
- 5.1 Guidelines on Special Branch work in the United Kingdom**