

## **NORTHERN IRELAND POLICING BOARD**

### **MINUTES OF THE 32<sup>nd</sup> MEETING OF THE NORTHERN IRELAND POLICING BOARD HELD ON THURSDAY, 3 JUNE 2004 AT 10:00 AM IN WATERSIDE TOWER, BELFAST**

#### **PRESENT:**

#### **MEMBERS:**

Professor Desmond Rea (Chairman)  
Mr Alex Attwood  
Viscount Brookeborough  
Mr Joe Byrne  
Mr Fred Cobain  
Mr Brian Dougherty  
Mr Sam Foster  
Mr Barry Gilligan  
(1) Mr Tom Kelly  
Mrs Pauline McCabe  
Mr Alan McFarland  
Mr Ian Paisley  
Mr Sammy Wilson

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

(2) Mr Hugh Orde, (Chief Constable)  
(2) Mr Paul Leighton (Deputy Chief Constable)  
(2) Mr Sam Kinkaid (Assistant Chief Constable, Crime Operations)  
(2) Acting Director of Media  
(2) Chief Inspector, Command Secretariat  
(2) Two PSNI Officials

#### **OFFICIALS IN ATTENDANCE:**

Mr Trevor Reaney (Chief Executive)  
Director of Community Affairs  
Director of Corporate Services  
Director of Policy and Accountability  
Director of Service Delivery  
Three Board Officials

- (1) Item 10 to close
- (2) Item 15 only

## **1. APOLOGIES**

Apologies for non-attendance were received from Mr Bradley (Vice-Chairman), Mr Hay, Mrs Moore and Mr McGrady.

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

### **2.1 Minutes Of The 30<sup>th</sup> Meeting Of The Policing Board Held On 12 May 2004**

The minutes were agreed.

### **2.2 Minutes Of The Policing Board Meeting In Public Held On 12 May 2004**

The minutes were agreed.

### **2.3 Minutes Of The 31<sup>st</sup> Meeting Of The Policing Board Held On 20 May 2004**

The minutes were agreed.

## **3. MATTERS ARISING FROM THE MINUTES OF THE 30<sup>TH</sup> MEETING OF THE POLICING BOARD**

### **3.1 District Policing Partnerships (Item 3.1 Of Minutes Refers)**

#### **3.1.1 Establishment Of District Policing Partnership In Dungannon And South Tyrone**

There were no further developments.

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

The Board noted that the May meeting of the Corporate Policy Committee had considered a paper on the implementation of revised allowances for Members.

The Committee had agreed:-

- On the basis of the number of meetings that were held each year that the allowance should be allocated as follows:-
  - Chairman of Human Resources Committee - £5,000
  - Chairman of Press and Public Relations Committee - £2,250
  - Chairman of Human Rights and Professional Standards Committee – £2,500
  - Chairman of Police College Sub Group - £1,500
- An amount of £1,000 should be paid to Mrs Rosaleen Moore in recognition of her work in participating in interview panels.
- £1,000 should be made available to any independent Member who was available to serve on the Board of the Crimestoppers Trust.

The Chairman indicated that he had expressed the concerns of Members to the Secretary of State, regarding the overall level of remuneration for Board Members.

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

The Board noted that interviews for the post of Director of Communications had been arranged for 8 June 2004.

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

The Board noted that at its May 2004 meeting the Corporate Policy Committee had agreed that a draft letter from the Chairman to the Parliamentary Under Secretary of State on the draft Code of Practice on Sections 59 and 60 of Police Act 2000 should be brought to the Board. It was noted that the matter would be dealt with under item 12.

### **3.5 Tackling Organised Crime (Item 3.5 Of Minutes Refers)**

The Board noted that a response was awaited from the Minister of Justice and that when it was received it would be placed on the agenda of the Board.

### **3.6 Human Resources Strategy Review (Item 3.6 Of Minutes Refers)**

The Board noted that a presentation on the Human Resources Strategy Review had been given to the Human Resources Committee on 28 May 2004. It was anticipated that a first draft revised Strategy would be prepared by the end of June 2004.

### **3.7 Meetings With OPONI (Item 3.8 Of Minutes Refers)**

The Board noted that at its May 2004 meeting the Corporate Policy Committee had considered a paper that outlined options on the way forward for effectively engaging with the Office of the Police Ombudsman (OPONI) and for developing appropriate working relationships with the Ombudsman's Office. The Committee had agreed that the proposals contained in the paper be considered by the Board and that the matter was included on the agenda at item 11.

### **3.8 Recruitment Of An Assistant Chief Constable (Item 3 9 Of Minutes Refers)**

The Board noted that following interviews for an Assistant Chief Constable on 18 May 2004 that Mrs Judith Gillespie had been appointed.

The Board also noted that another candidate had met the standard required for appointment to Assistant Chief Constable and that the candidate's name had been placed on a reserve list for a period of 6 months, should a vacancy arise.

The Board noted that one member of the appointment panel was unable to be present at the interviews due to illness and that the panel had unanimously agreed to continue in his absence. The Board noted that it had been explained to candidates that it was Board policy that there should be an odd number of panellists and that on this occasion there were an even number of panel members. None of the candidates had expressed any objection to the number in the panel.

### **3.9 Sectarian Crimes (Item 13.2 Of Minutes Refers)**

Officials advised the Board that they had been in contact with PSNI concerning an enquiry from a Member seeking further clarification concerning definitions of sectarian crime. Following discussion about the definition, it was agreed that officials would consult further regarding the point raised by the Member and respond directly to the Member concerned.

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

### **4.1 Radio System**

The Chairman reminded Members of a letter of invitation received from Assistant Chief Constable, Corporate Management to visit Larne DCU to view the new emergency services radio system in operation. Any Member interested in participating in the visit was asked to contact Secretariat.

### **4.2 Legal Action – Notifiable Organisations**

The Chairman drew the attention of Members to a news report that the Masonic Order and two police officers had taken separate High Court actions challenging the obligation on police officers to comply with the PSNI General Order to register their membership of notifiable organisations.

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

### **5.1 Appointment Of Senior Civilian Staff (PSNI)**

The Board noted that approval had been received from the Secretary of State to designate the Director of Human Resources and the Director of Finance (now Director of Finance and Support Services) as senior employees under the terms of section 4(7) of the Police (NI) Act 2000.

### **5.2 Industrial Tribunal Case**

The Board noted correspondence received from the Director of Human Resources dated 25 May 2004, regarding an Industrial Tribunal case.

## **6. CORPORATE POLICY COMMITTEE MEETINGS**

### **Ratified Minutes Of The 33<sup>rd</sup> Meeting Of The Corporate Policy Committee Held On 22 April 2004**

The Board adopted the ratified minutes of the 33<sup>rd</sup> meeting held on 22 April 2004.

### **6.2 Draft Minutes Of The 34<sup>th</sup> Meeting Of The Corporate Policy Committee Held On 20 May 2004**

#### **6.2.1 Tackling Crime Against Older People (Item 3.3 Of Minutes Refers)**

The Board noted a reply received from the Minister of State for Northern Ireland, dated 20 May 2004, concerning initiatives which it was anticipated would positively impact on the concerns and fears of older and vulnerable people throughout Northern Ireland in relation to crime.

## **6.2.2 American Consul**

The Board noted that the Corporate Policing Committee had invited the outgoing American Consul to the June 2004 Board meeting. The Consul had indicated that she was unable to attend the meeting and she had been invited to attend the July Board meeting.

## **7. HUMAN RIGHTS AND PROFESSIONAL STANDARDS COMMITTEE MEETINGS**

### **7.1 Ratified Minutes Of The 5<sup>th</sup> Meeting Of The Human Rights and Professional Standards Committee Held On 12 March 2004**

The Board adopted the ratified minutes of the 5<sup>th</sup> meeting held on 12 March 2004.

### **7.2 Draft Minutes Of The 6<sup>th</sup> Meeting Of The Human Rights And Professional Standards Committee Meeting Held On 14 May 2004**

There were no matters arising.

#### **7.2.1 Information Papers (item 12 Of Minutes Refers)**

The Board noted a reply dated 25 May 2004 received from Assistant Chief Constable, Criminal Justice, concerning a request by the Committee for further information in relation to the membership of organisations which had been notified by PSNI officers.

## **8. HUMAN RESOURCES COMMITTEE MEETINGS**

### **8.1 Ratified Minutes Of The 17<sup>th</sup> Meeting Of The Human Resources Committee Held On 30 April 2004**

The Board adopted the ratified minutes of the 17<sup>th</sup> meeting held on 30 April 2004.

#### **8.1.1 Presentation – TED Strategy (Item 6 Of Minutes Refers)**

The Chairperson of the Committee advised that Members had been encouraged by the progress reported by the Director of Training, Education and Development (TED) on the implementation of the TED Strategy.

#### **8.1.2 Information On Police Service Civilian Recruitment (Item 20 Of Minutes Refers)**

In response to a question from a Member, the Chairperson of the Committee advised that she had previously met with representatives of NIPSA to discuss a number of issues that were of concern to civilian staff. The Committee recognised that improvements could be made in the mechanisms for the civilian staff associations to consult with PSNI management about issues of concern and plans for the future. The Board noted that the Committee would further consider the issues raised by the Member at a future meeting.

### **8.2 Ratified Minutes Of The 18<sup>th</sup> Meeting (Quorum) Of The Human Resources Committee Held On 30 April 2004**

The Board adopted the ratified minutes of the 18<sup>th</sup> meeting (Quorum) held on 30 April 2004.

## **9. FUTURE OF ANDERSONSTOWN PSNI STATION**

The Board considered a paper regarding the future of Andersonstown station. The Board noted that the May Corporate Policy Committee had received a presentation from PSNI representatives concerning proposals its future. Following discussion, the Committee had agreed that the Vice-Chairman should seek further information from the Belfast DPP and West Belfast DPP Sub Group. The Board noted that a letter had subsequently been issued to each member of Belfast DPP seeking their views on the future of the Andersonstown station. Members discussed:-

- The content of the presentation received from PSNI
- The approach to consultation with the Belfast DPP and West Belfast Sub Group and their available views on the proposed closure of the station
- The result of a PSNI consultation survey with the local business community
- The result of a PSNI consultation survey of the local community
- The response of political parties representing the residents of the Andersonstown area
- The financial savings associated with closure
- PSNI responsibilities for operational issues
- The role of the Board in the closure and disposal of PSNI stations.

Following discussion, a proposal was made and seconded “that the Board rejects the proposal by PSNI to close and dispose of Andersonstown station on the grounds of the opposition of the local community and DPP”.

An amendment was proposed and seconded “that the Vice-Chairman offer to meet with the officers of the Belfast DPP and West Belfast Sub Group and bring their views back to the next Board meeting for the matter to be considered further”.

Following a show of hands, the amendment was passed and officials were asked to make the necessary arrangements for the meetings.

## **10. ELECTION OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES**

The Board considered a paper concerning the election of Chairman and Vice-Chairmen of Committees, Floating Members of Corporate Policy Committee and membership of Committees.

Following discussion of the paper, the Board agreed:-

- That Mr McFarland replace Viscount Brookeborough on the Finance and General Purposes Committee and that Viscount Brookeborough be appointed to the Human Resources Committee
- That Standing Order 19 (c) be amended to increase the term of office of Floating Members of the Corporate Policing Committee from 6 months to 12 months and synchronised with the re-appointment of committees
- To extend the appointment of the current Floating Members i.e. Viscount Brookeborough and Mr Gilligan to 31 October 2004
- To re-elect the Chairmen and Vice-Chairmen of Committees at the same time as the re-appointment of Committees
- To re-appoint the Chairman and Vice-Chairman of the following Committees:-
  - (1) Audit and Best Value
  - (2) Finance and General Purposes
  - (3) Human Resources
  - (4) Human Rights and Professional Standards
  - (5) Press and Public Relations

- That issues around further re-appointments and membership of Committees be considered in a review of Standing Orders to be presented to the Corporate Policy Committee in September
- The review of Standing Orders in September would also consider timing for the Board's consideration of the membership of Committees and the election of Committee Chairmen and Vice-Chairmen; and whether November is the most suitable in the Board's calendar to undertake elections and appointments
- That the provisions of Standing Order 19 (11), relating to attendance at meetings of the Corporate Policy Committee be considered as part of the review.

## **11. WORKING RELATIONSHIPS – NIPB AND OPONI**

The Board considered a paper that provided options for developing working relationships with the Office of the Police Ombudsman for Northern Ireland (OPONI).

Following a show of hands, the Board agreed to continue with the current schedule of meetings.

## **12 DRAFT RESPONSE ON SECTIONS 59 AND 60 – REPORTS AND INQUIRIES**

The Board considered a draft response to the Northern Ireland Office, concerning an NIO draft Code of Practice on Sections 59 and 60 of the Police (NI) Act 2000.

The Board agreed that the draft letter was satisfactory and that it should be forwarded to the Parliamentary Under Secretary of State for Northern Ireland.

### **13. CONVICTION OF COUNCILLOR ARTHUR TEMPLETON, POLITICAL MEMBER OF NEWTOWNABBEY DPP**

The Board considered Councillor Arthur Templeton's membership of Newtownabbey District Policing Partnership (DPP) following his conviction at Laganside Magistrate's Court on 2 April 2004 of harassing Mr John Blair over his sexual orientation during 2001 and 2002. The Board considered a recommendation from the Corporate Policy Committee that "the Committee recommends that the Board, using the powers granted to it in paragraph 7 (1) (e) of Schedule 3 of the Police (NI) Act 2000, removes Councillor Arthur Templeton from office as a political member of Newtownabbey DPP subsequent to his conviction on 2 April 2004 under the Protection from Harassment Order (NI) 1997 as the Policing Board considers him to be unfit to discharge the functions of that office".

The Board noted that Councillor Templeton had been invited to make representation to the meeting and that he had declined.

The Board consider further legal advice on the matter.

The Board agreed that, under Schedule 3 paragraph 7 (1) (e) of the Police (NI) Act 2000, that Councillor Templeton was unfit to discharge the functions as a political member of Newtownabbey DPP and as such ordered that Councillor Templeton be removed with immediate effect, from the office of political member of Newtownabbey DPP.

The Board also considered and agreed a motion that "the Board adopts the policy that if any member of a DPP is convicted during their time in office of a criminal offence committed before the date of their appointment that they may be considered unfit to continue in office". Following the adoption of this policy, it was agreed that officials would bring to the Board a document setting out the process to be followed, should it be necessary to apply this policy.

#### **14. PRODUCTION AND PUBLICATION OF POLICING BOARD ANNUAL REPORT 2003 - 2004**

The Board considered a paper setting out proposals for the design, production, circulation and cost of the 2003-04 Annual Report. The Board agreed that:-

- It was generally content with the proposal for the design and publication of the Report and that the Press and Public Relations Committee should consider the finer detail concerning the production of the Report
- The publication of a less expensive report in the current format be also considered
- The Report should be published in September
- The final “sign off” responsibility should be delegated to the Chairman

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

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

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

A Member asked the Chief Constable to comment on the police response to the violence associated with the ongoing loyalist feud. The Chief Constable outlined the history to the feud and detailed the main incidents associated with the feud between members of the LVF and UVF. The Chief Constable outlined the police response to the incidents by police in Urban Region and by Crime Operations Department. The Chief Constable paid tribute to the support given by the army in assisting police to maintain a high security force visibility in specific areas.

In response to a question concerning the “marching season”, the Chief Constable confirmed that a number of helpful public statements had been issued by community leaders and that the PSNI would continue to engage with community leaders who could assist in bringing about a peaceful summer.

In response to a question, the Chief Constable outlined the position which the PSNI adopted in applying for Public Interest Immunity Certificates and it was agreed that it would be helpful for such information to be provided at a future Board meeting in public.

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

## **16. INFORMATION PAPERS**

### **16.1 Note Of Briefing Held On 20 May 2004 Regarding The HMIC Review Of Special Branch And Related Issues**

The Board noted that this paper had not yet been finalised.

### **16.2 Progress Report On New Police College**

The Board noted a paper outlining progress with regard to the development of the new police college. The Board noted that a future meeting of the Corporate Policy Committee would be held in Cookstown and that all Members would be invited to attend a visit to the site.

## **17. ANY OTHER BUSINESS**

### **17.1 Consultation On Draft Anti-Social Behaviour (NI) Order 2004**

The Board considered a draft Anti-Social Behaviour (Northern Ireland) Order 2004, issued by the Northern Ireland Office who had invited comments, as part of the formal consultation process associated with enacting legislation. The Board agreed that, at this stage, it had no comments to make and noted that the deadline for return of comments was 9 June 2004.

During discussion of this item, the Board noted that the Human Rights Advisor would give a presentation to the next meeting of the Human Rights and Professional Standards Committee and that the presentation would be open to all Members.

### **17.2 Opinion Formers In USA**

The Board discussed the need for it to increase its profile in the United States of America and agreed that Members should attend the Republican and Democratic Party Conventions in July / August to inform delegates and other opinion formers about the role and work of the Board.

## **18. PRESS ISSUES**

The Board agreed that a news release should be issued on the following items:-

- Future of Andersonstown police station
- Removal from office of Councillor Arthur Templeton
- Human Resources Strategy Update

**19. DATE OF NEXT MEETING**

The date of the next meeting was arranged for 7 July 2004.

(Meeting closed 2:45 pm).

**Secretariat**

**June 2004**

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**Chairman**