

NORTHERN IRELAND POLICING BOARD

**MINUTES OF THE MEETING OF THE NORTHERN IRELAND POLICING BOARD
HELD ON THURSDAY 7 JULY 2022 AT 9.30AM IN WATERSIDE TOWER,
CLARENDON DOCK AND VIA VIDEO CONFERENCE FACILITY**

PRESENT:

Mr Doug Garrett Chair
Dr Tom Frawley Vice-Chair*
Mr Michael Atkinson
Mr Maurice Bradley MLA*
Mr Trevor Clarke MLA
Dr Janet Gray
Mr Edgar Jardine
Mr Gerry Kelly MLA
Mr Mike Nesbitt MLA
(1) Ms Liz Kimmins MLA
Mrs Linda Dillon MLA
Mr Frank McManus
Ms Carmel McKinney
(2) Mr John Blair MLA
Ms Joanne Bunting MLA*
Mr Colm McKenna

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

(3) Mr Simon Byrne, Chief Constable
(3) Mr Mark Hamilton, Deputy Chief Constable
(3) Ms Pamela McCreedy, Chief Operating Officer
(3) Mr Bobby Singleton, Assistant Chief Constable
(3) Mr Chris Todd, Assistant Chief Constable
(3) Ms Zoe McKee, D/Chief Superintendent
(3) Mr Gareth Brown, Strategic Communications & Engagement

**NORTHERN IRELAND
POLICING BOARD
OFFICIALS IN
ATTENDANCE:**

Mrs Sinead Simpson, Chief Executive
Mr Adrian McNamee, Director of Performance
Ms Jenny Passmore, Director of Resources
Mrs Dympna Thornton, Director of Partnership*
Ms Aislinn McGuckin, Director of Police Administration*

Two Board Officials

**OTHER OFFICIALS IN
ATTENDANCE:**

Mr John Wadham, Human Rights Advisor

*Attended meeting by video conference facility

- (1) **From item 6 on**
- (2) **From item 4 on**
- (3) **Item 10 only**

1. APOLOGIES

Apologies were received from Ms Nuala McAllister MLA and Ms Sinead McLaughlin MLA for the full meeting and Ms Deirdre Toner for the private meeting.

2. CONFLICTS OF INTEREST

No conflicts of interest were declared.

3. DRAFT MINUTES OF THE BOARD MEETING HELD ON:

3.1 Thursday 9 June 2022

It was **RESOLVED**:-

- That the minutes of the Board meeting held on 9 June 2022 be approved.

4. BOARD ACTION LOG

Updates as detailed within the Action Log from the Board meeting held on 9 June 2022 were noted in addition to the following verbal updates provided by the Chief Executive.

Action Point 1 from the meeting on 3 March 2022 – The Chief Executive advised that work to progress the development of a draft tripartite agreement between

NIPB, PSNI and Department of Justice (DoJ) will continue following the appointment of a new permanent Deputy Director, Policing Policy & Strategy Division, DoJ which is anticipated in August 2022.

Action Point 5 from the meeting on 3 March 2022 - It was noted that further information relating to the Operation Yurta report will be provided at agenda item 5.1.

It was agreed that all actions from the meeting on 9 June 2022 could be closed.

5. CHAIRPERSON'S BUSINESS

5.1 Chair's Report

The Board noted a Report from the Chair who advised Members of:

- The Chair's engagements, including meetings held by teleconference and video conference facilities during the period between 4 June 2022 and 30 June 2022.
- A full list of correspondence issued and received by the Chair since the Board meeting on 24 March 2022.

The Chair updated Members on his recent engagements including:

- The Annual Volunteer Conference on 23 and 24 June 2022.
- Launch of PSNI Engagement Strategy and Neighbourhood Hallmarks on 28 June 2022.

In relation to correspondence, the Chair highlighted the following items:

- Correspondence received from the Deputy Chief Constable in respect of the Operation Yurta report. A detailed review has now concluded and the correspondence summarises the key issues identified and outlines lessons to be learned and proposed next steps. The Chair emphasised the importance of PSNI implementing actions from the review and for the Board to monitor progress to ensure compliance.
- Correspondence issued and received in respect of PSNI permanent introduction of Spit and Bite Guards. Members noted a request from Non-Governmental Organisations (NGOs) in the Children's sector to meet with the Board Chair, Performance Committee Chair and Human Rights Advisor to discuss further.

6. CHIEF EXECUTIVE'S REPORT

The Board noted a report from the Chief Executive which provided an update on various items of business. The Chief Executive highlighted the following items:

- The Board Annual Report and Accounts were approved for sign off by the Audit and Risk Assurance Committee at its meeting on 28 June 2022. These were signed by the Chief Executive on 6th July and will be laid in the Assembly as soon as possible.
- The Board has recently secured 'Investors in People' standard accreditation and work will continue to build upon this success.
- The Board's relocation to James House is subject to further delay and will not take place in August 2022. This is the second significant delay and the decision has been taken to consider a date in January 2023, as part of phase four of the project. This is the most feasible and realistic option from a business perspective, however, further information and

reassurances will be required from the project team before a final commitment is made.

- With regard to Policing and Community Safety Partnership (PCSP) funding it was noted that PCSPs have been advised to budget for receiving 100% of their allocation. Furthermore, recent regional PCSP events with PSNI have been positively received and well attended.
- Members noted an update on the Problem Solving Awards. These are being led by PSNI with Board support and further information is provided in the Partnership Committee minutes from 30 June 2022.
- In respect of a change in PSNI senior command, the Chief Executive advised of correspondence just received advising of a forthcoming change to senior command in Derry City and Strabane District Command Unit. This will be made available to Members on Decision Time. **(AP1)**

Members raised the following points with the Chief Executive:

- Congratulations to the Board for receiving 'Investors in People' standard accreditation.
- Delays to Freedom of Information (FOI) requests. Members were advised that the oldest FOI requests will be cleared over the coming weeks. **(AP2)**
- The status of lease arrangements at Waterside Tower due to ongoing delays with the Board's move to James House.
- The status of NIPB internal recruitment and timescales for completion.
- The positive impact of the Annual Volunteer Conference, PSNI attendance at PCSP regional events and the role of the Board as advocate and the importance of Member participation.

7. COMMITTEE REPORTS

7.1 Performance Committee 23 June 2022

The Board noted the Performance Committee Chair's report and draft minutes of the meeting held on 23 June 2022. The Chair also provided a verbal update on matters considered at the meeting which included substantial information provided by the PSNI in relation to the following areas:

- Organised Crime Gangs and prosecution data.
- Update on the CJINI Recommendations in relation to Modern Slavery.
- Information on the retention and deletion of biometric material by the PSNI.
- PSNI update on speeding fines and the response to recent delays in the Fixed Penalty Processing Centre.
- PSNI update on non - crime calls.
- PSNI update on Domestic Violence Crimes.
- PSNI update on allegations in the media by a former senior officer.
- Update report on Looked after Children.
- Update on crime rates and trends.

The Chair also provided an update on the following matters considered at the meeting which included a potential data breach (Operation Skieppe), review of the Committee's Terms of Reference, draft Committee programme of work, the Human Rights Advisor update report for June 2022, Human Rights monitoring framework review and Spit & Bite Guards – PSNI permanent introduction.

7.2 Partnership Committee 30 June 2022

The Board noted the Partnership Committee Chair's report and draft minutes of the meeting held on 30 June 2022.

The Chair noted he would be writing to the outgoing Chair Mrs Dolores Kelly to thank her for her years in service and input to the work of the Partnership Committee.

The Chair also provided a verbal update on matters considered at the meeting which included the Committee's Terms of Reference, Police Property Fund, draft Committee programme of work and the Independent Custody Visitors Annual Report 2021/22.

In respect of the Committee's Terms of Reference, a Member requested that the agenda for the Joint Committee is made available before the Meeting takes place. Minutes of the Partnership Committee meeting on 30 June 2022 will be updated to reflect this request. **(AP3)**

7.3 Resources Committee 24 March 2022 and 30 June 2022

The Board noted the Resources Committee Chair's report of the meetings held on 24 March 2022 and 30 June 2022, and the draft minutes of the meeting held on 24 March 2022. The draft minutes for the meeting on 30 June 2022 will be considered at the September meeting of the Committee. The Chair also provided a verbal update on matters considered at the meetings.

At the 24 March 2022 the Committee received an update on the PSNI Finance Report, a briefing from PSNI Director of Legal Services on the compensation claims process, a briefing on the terms of reference for the PSNI Cultural Audit, and a request for a further extension in an assisted removals case.

At the meeting on 30 June 2022 Members discussed the PSNI Finance Report, two high value 'Above Delegated Authority' compensation payments, the disposal of Castlederg PSNI Station, a review of the Committee's Terms of Reference and a draft Committee programme of work.

Following his report the Resources Committee Chair handed back to the Board Chair to put the Committee recommendations to the Board.

Following discussion it was **AGREED** by Members to:

- i. **APPROVE** the Committee's recommendation from the meeting on 30 June 2022 in respect of the two above delegated limits compensation payments.
- ii. **APPROVE** the disposal of the former Castleterg PSNI Station as recommended by the Committee at the meeting on 30 June 2022.

The decision by the Board to approve the Committee's recommendation on 30 June 2022 in respect of the two above delegated limits compensation payments was not unanimous. Mr Trevor Clarke MLA, Ms Joanne Bunting MLA and Mr Maurice Bradley MLA were not in favour of approving the Committee's recommendation.

7.4 Audit and Risk Assurance Committee 17 June 2022 and 28 June 2022

The Board noted the Chair's report and draft minutes of the meetings held on 17 June 2022 and 28 June 2022. The Chair also provided a verbal update on matters considered at the meetings which included the Audit and Risk Assurance Committee (ARAC) Annual Report, the final draft NIPB Annual Report and Accounts 2021-2022, the draft report to those charged with governance, the Internal Audit Annual Opinion 2021-22, the NIPB Corporate Risk Register, and the Internal Audit Charter.

The Chair also advised Members of the Committee's intent to set up a sub group with the support of Board Officials to consider ways in which the published Annual Report and Accounts can be made more accessible and engaging for the wider public. **(AP4)**

Following his report the ARAC Committee Chair handed back to the Board Chair to put the Committee recommendation to the Board.

It was subsequently **AGREED** by Members to:

- **APPROVE** the Committee's recommendation in respect of the Internal Audit Charter.

8. BOARD BUSINESS

8.1 Police Property Fund – Request for approval of decisions

The Director of Partnership presented a paper asking Members to ratify the assessment panel's decisions to approve the funding of projects for the second call of the Small Grants Scheme as recommended by the Partnership Committee. At call closure, 105 applications had been received requesting just over £840k. After withdrawals and eligibility checks the remaining applications were considered by an assessment panel which subsequently recommended thirteen applications at a combined value of £103k. Due to the risk of projects withdrawing during the contracting phase, the panel also agreed to hold three projects in reserve.

During discussion Members asked for the three projects in reserve to be advised of their status, requested the schedule for the next round of Police Property Fund grant applications, and one Member asked for a breakdown of the number of unsuccessful applications in their local area. **(AP5)**

Following discussion it was **AGREED** to:

- i. **APPROVE** the decisions to fund thirteen projects as recommended by the Partnership Committee.
- ii. **APPROVE** the Partnership Committee's decision to hold three projects in reserve.

8.2 Independent Custody Visitors – Annual Report

The Director of Partnership presented a paper asking Members to approve the publication of the Independent Custody Visitors (ICV) Annual Report for 2021/22 on the Board's website, following recommendation by the Partnership Committee at its meeting on 30 June 2022. ICVs are impartial volunteers from across the community who fulfil a key function in ensuring the protection of the human rights of detained people in custody. The Board is responsible for the Scheme with the Partnership Committee being responsible for overall scrutiny.

A Member raised a concern in respect of the high number of visits which were not completed and therefore classified as invalid at one of the Stations and requested that a comment is added to the report foreword to reference this.

(AP6)

Members noted the report and following discussion it was **AGREED** to:

- **APPROVE** the Partnership Committee's recommendation to publish the ICV Annual Report for 2021/22 on the Board's website subject to the comment being inserted to the foreword as referenced above.

8.3 Senior Officer Discipline Process

The Chief Executive presented a paper asking Members to agree on the Board's process to take forward matters in respect of Senior Officer Misconduct. The legislation that guides the process for police officer discipline is the Police (Conduct) Regulations (Northern Ireland) 2016. The legislation states that the 'Appropriate Authority' in the matter of Senior Officer Discipline is the Northern Ireland Policing Board.

The Chief Executive requested Board approval to establish a Discipline Committee for the purposes of discharging the Board's duties as Appropriate Authority. Members were advised that legal advice had been secured on this matter and that under paragraph 24 of schedule 1 of the 2000 Act the Board may set up a committee of 5 or more of its members and delegate to such a

committee any of the functions of the Board. Such committees should be set up so as to be representative of the Board.

The Chief Executive recommended the constitution of a Discipline Committee made up of five Members, consisting of three Political Members, one from each of the three main Political Parties represented on the Board, and two Independent Members.

Following discussion it was **AGREED** by Members to:

- i. Constitute a Discipline Committee of five Board Members to consider Senior Officer Misconduct cases.
- ii. Nominate five Board Members to the Committee, two Independent Members and three Political Members, ensuring representativeness is achieved.
- iii. Delegate to the Discipline Committee the Appropriate Authority functions of the Board.

The Chair subsequently asked Members to nominate Independent Members to the Committee. Mr Edgar Jardine and Ms Deirdre Toner were nominated by Dr Janet Gray and seconded by Mr Frank McManus. No further nominations were received and it was **AGREED** by all to accept the nominations of Mr Edgar Jardine and Ms Deirdre Toner.

Members were asked to nominate Political Members to the Committee, ensuring representativeness was achieved. Mr Gerry Kelly MLA was nominated by Mrs Linda Dillon MLA, Ms Joanne Bunting MLA was nominated by Mr Trevor Clarke MLA and Mr John Blair MLA nominated self in absence of political colleague. No further nominations were received and it was **AGREED** by all to accept the nominations of Mr Gerry Kelly MLA, Ms Joanne Bunting MLA and Mr John Blair MLA.

It was subsequently **RESOLVED:**

- That Mr Edgar Jardine, Ms Deirdre Toner, Mr Gerry Kelly MLA, Ms Joanne Bunting MLA and Mr John Blair MLA are nominated to the newly constituted Discipline Committee.

The Chief Executive advised that further training and support will be provided to Committee Members and this will be scheduled in August 2022 after consultation regarding Member availability. **(AP7)**

9. KEY ISSUES OF PUBLIC INTEREST

The Board noted a paper which detailed recent issues of public interest which were relevant to the Board's areas of work.

10. PRIVATE SESSION WITH THE CHIEF CONSTABLE INCLUDING CHIEF CONSTABLE'S REPORT

The Chair welcomed Deputy Chief Constable (DCC) Mark Hamilton, Chief Operating Officer (COO) Pamela McCreedy, Assistant Chief Constable (ACC) Bobby Singleton, Assistant Chief Constable Chris Todd, Detective Chief Superintendent Zoe McKee and Gareth Brown, PSNI Strategic Communications & Engagement to the meeting.

Before the Chief Constable joined the private session DCC Hamilton provided Members with an update on the recent news story regarding the sharing of pictures of an individual who had taken their own life, believed to have been taken by PSNI officers. The DCC described the ongoing investigation as complex and challenging on both a professional and personal level and advised that a criminal investigation is currently ongoing. PSNI are awaiting direction from the Public Prosecution Service regarding the criminal investigation before they can instigate internal disciplinary proceedings so that any internal investigation does not prejudice the criminal case.

Members expressed their deep distress regarding the incident and concerns for the family involved. Concerns were also raised in respect of the extended period of time taken to investigate the case and barriers to swift handling of these cases, duration of suspension periods with pay, and asked for assurances that misconduct investigations will be brought to a conclusion as soon as possible and that steps have been taken to ensure this does not happen again.

Members also expressed concerns regarding visibility of other misconduct cases of this nature currently under investigation and requested details of active misconduct cases and the number of similar cases that may be in the pipeline. At a Members' request it was subsequently agreed to schedule a special briefing to provide further detailed information on this area to Members. **(AP8)**

The Chair welcomed the Chief Constable to the meeting and he made introductory remarks on a number of topics including the recent launch of the Public Engagement Vision – 'Here for You' and 'Hallmarks of Neighbourhood Policing', clarification of previous comments regarding Northern Ireland's status as the safest place in UK, recent key successes in tackling drugs, plans for new internal messaging technology, and the continued focus on progressing internal misconduct cases.

The Chair also thanked the Chief Constable and Leadership Team for attending the recent Board Induction session and making a positive contribution at the event.

In addition to the above the Chief Constable addressed a range of questions from Members concerning:

- Schedule for completion of PSNI Cultural Audit
- Misconduct cases and periods of suspension
- Amending the name of the 'Violence against Women and Girls' strategy
- Violence against Women and Girls - survey results

- Loyalist threat assessment
- Whistleblowing policy
- Content of Chief Constable Report
- Use of Biometric technology
- Process regarding description of explicit images in Court

The Chair thanked the Chief Constable, Deputy Chief Constable Mark Hamilton, Chief Operating Officer Pamela McCreedy, ACC Bobby Singleton, ACC Chris Todd, D/Chief Superintendent Zoe McKee and Gareth Brown, PSNI Strategic Communications & Engagement for their private briefing to the Board.

11. QUESTIONS FOR THE CHIEF CONSTABLE

11.1 Issues Arising from Committees

There were no issues arising from recent Committee meetings for the Board's attention.

11.2 Committee Written Questions and Responses

Members noted the responses received from the Chief Constable in relation to questions raised by the Performance, Resources and Partnership Committees.

11.3 Individual Members' Written Questions and Responses

Members noted responses received from the Chief Constable in relation to Members' recent questions.

12. COMMUNICATION ISSUES

None raised.

13. ANY OTHER BUSINESS

No other business was conducted.

14. DATE OF NEXT MEETING

The next Board Meeting is scheduled for Thursday 1 September 2022 at 9.30am in Waterside Tower.

The meeting closed at 12pm.

The private meeting closed and the Board moved into public session at 12.10pm which was held by a video conference facility and livestreamed. A verbatim recording of the Board meeting in public is available on the Board's YouTube page @nipolicingboard

Corporate Services

Date: July 2022

Chair