

NORTHERN IRELAND POLICING BOARD

MINUTES OF THE MEETING OF THE NORTHERN IRELAND POLICING BOARD HELD ON THURSDAY 1 SEPTEMBER 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
(1) Mr Trevor Clarke MLA
Dr Janet Gray
Mr Edgar Jardine
Mr Gerry Kelly MLA
Mr Mike Nesbitt MLA
Ms Deirdre Toner*
Mrs Linda Dillon MLA
(1) Ms Nuala McAllister MLA
(2) Mr John Blair 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) Ms Clare Duffield, Assistant Chief Officer,
People and Organisational Development
(3) Director of Strategic Communications and
Engagement
(3) Mr Bobby Singleton, Assistant Chief Constable
(3) Mr Mark McEwan, 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 Aislinn McGuckin, Director of Police
Administration

Four Board Officials

OTHER OFFICIALS IN ATTENDANCE:

Mr John Wadham, Human Rights Advisor

*Attended meeting by video conference facility

- (1) **From item 5 on**
- (2) **From item 6 on**
- (3) **Item 10 only**

The Chair welcomed Members to the meeting and advised that going forward it is the intention that all Members attend the monthly Board Meetings in person. The Chair noted that while video conferencing facilities will remain available in certain circumstances, due to the sensitive and confidential nature of discussions at times between Members and the PSNI it is preferable to move to in-person only Board meetings.

1. APOLOGIES

Apologies were received from Ms Liz Kimmins MLA, Ms Joanne Bunting MLA, Ms Carmel McKinney, Mr Frank McManus and Mrs Sinead McLaughlin MLA for the full meeting, and from Ms Deirdre Toner and Mr Maurice Bradley MLA for the public meeting.

2. CONFLICTS OF INTEREST

No conflicts of interest were declared.

3. DRAFT MINUTES OF THE BOARD MEETING HELD ON:

3.1 Thursday 7 July 2022

It was **RESOLVED:-**

- That the minutes of the Board meeting held on 7 July 2022 be approved.

4. BOARD ACTION LOG

Updates as detailed within the Action Log from the Board meeting held on 7 July 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 further discussions in respect of the development of a draft tripartite agreement between NIPB, PSNI and Department of Justice (DoJ) will take place at an upcoming meeting with the new DoJ Deputy Director, Policing Policy & Strategy Division. **(AP1)**

Action Point 2 from the meeting on 7 July 2022 – It was noted that an update in relation to Freedom of Information (FOI) and Data Protection (DPA) requests will be provided under the Chief Executive's report at agenda item 6.

It was agreed that all actions from the meeting on 7 July 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 1 July 2022 and 25 August 2022.
- A full list of correspondence issued and received by the Chair since the Board meeting on 7 July 2022.

The Chair updated Members on his recent engagements including:

- Meetings with the three Strategic Command Course candidates from PSNI.
- Meeting with the PSNI Leadership team to discuss changes to the content of the Chief Constable's Accountability Report to the Board.

The Chair also expressed gratitude to the Vice-Chair for attending the PSNI Attestation event on behalf of the Board and attending the LGBT+ Policing Conference, both in July 2022.

In respect of forthcoming engagements Chair highlighted the following:

- Familiarisation session at the end of September 2022 in respect of the work of the Board for applicants interested in the recently advertised Board Member positions.
- Professional Standards Department (PSD) briefing for all Members on 22 September 2022. Independent Members were reminded of the potential conflict of interest with regards to any future involvement in Police Appeal Tribunals and the Chair and Chief Executive will consult further with the Members concerned, with a view to independent members opting out of the briefing. **(AP2)**

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

- Correspondence received from the Children's Law Centre requesting a meeting in respect of PSNI permanent introduction of Spit and Bite Guards. This meeting was held on 24 August 2022 and attended by the Chair, Chief Executive, Director of Performance and Human Rights Advisor.

- Correspondence received from the Chief Constable to advise Members of an invitation to write a chapter of a book on Behavioural Skills for Effective Policing which is to be published by “Policing Matters”.
- Correspondence received from the Department of Justice (DoJ) in respect of the planning for proposed time limited updates to all government websites (including ALBs and NDPBs) in response to a major national event. Following discussion Members agreed to the proposed updates and the Chief Executive agreed to advise the DoJ accordingly. **(AP3)**

A Member expressed concerns in respect of correspondence received which highlighted issues regarding mining, quarrying and explosives. A Member raised a query around the reference in the correspondence to ‘rogue operators’ and sought further information/clarification in this. It was agreed that the Director of Resources would follow up with PSNI. **(AP4)**

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 NIPB Annual Report and Accounts has been laid before the Assembly and published online.
- Update from the Department of Justice (DoJ) in response to issues raised by Members at the Induction session on 6/7 July 2022.
- Corporate and Business Plan 2022-2023 – Quarter one update provides information on progress against the thirteen Business Plan Actions. Currently, twelve of these are on target to be achieved with only one action being identified as requiring additional resource or time to be achieved.

- In respect of Senior PSNI Officer issues, work has been completed on one case by the newly formed Board 'Discipline Committee' in August 2022 and the decision has been communicated to the Ombudsman.
- The planned relocation to James House is subject to further delay and the schedule now under consideration is late March/early April 2023. This is due to various delays and a lack of clarity in securing an exact date coupled with the need to mitigate risk of significant disruption to Board business. Negotiations have taken place with the landlord at Waterside Tower to secure lease terms until the end of February 2023 with the option to extend further on a rolling 2 monthly basis.
- The backlog of Freedom of Information (FOI) and Data Protection (DPA) requests has been cleared from 2020 and 2021. Currently, there are two FOI's outstanding, both of which were received in the last three months. In respect of the three outstanding DPA's, these remain open despite completion as communication is pending from the requestors to agree delivery arrangements.
- Officials from Police Benefits and Injury Benefits have engaged further with the Government Actuary's Department (GAD) as part of the procurement of a Benefits Calculator to assist serving and retired officers. Work is also ongoing with the Sub and steering groups tasked with reviewing and amending the current Injury on Duty regulations.
- In September 2022 the Minister of Justice plans to publish a research report on over representativeness in the youth justice system. This will be made available to Members on a date to be advised and the report will be accompanied by a written ministerial statement.

In relation to correspondence, the Chief Executive highlighted the following items:

- Correspondence received regarding the Noah Donohoe investigation and referred Members to item 9.1 which provides further information including an extract of previous Board minutes as well as relevant correspondence issued and received.
- Correspondence issued to the Permanent Secretary by the Chief Constable highlighting pressures on the Police Budget 2022-23.
- Correspondence received inviting Members and Board staff to the National Police Memorial Day on 25 September 2022. The invite will be circulated accordingly. **(AP5)**

The Chief Executive also provided updates in respect of the following matters:

- Policing and Community Safety Partnerships.
- Police Property Fund.
- Ongoing recruitment at the Board.
- Upcoming PSNI briefings on the Violence against Women and Girls strategy and from the Professional Standards Department.

Members raised the following points with the Chief Executive:

- Concerns in respect of the continued delays to the Board's relocation to James House, and the extent to which these reflect poorly on the public sector.
- The perceived ambiguous nature of terminology in the description of 'over representativeness' in the youth justice system and the potential for this term to be misinterpreted. The Chief Executive agreed to provide Member feedback to the Youth Justice Agency regarding this. **(AP6)**
- In respect of the DoJ led steering group tasked with the implementation of the recommendations from the NIAO Audit report on Injury on Duty schemes in NI, a Member expressed concerns around the lack of focus

since 2020 due to the Covid-19 pandemic and sought an update on the status of the working group previously established within the Board.

- The importance of maintaining good relationships between Audit and Risk Assurance Committees (ARAC) across Departments, PSNI & Board. The ARAC Chair confirmed his attendance at an upcoming Departmental Chairs Forum. Members noted the new PSNI ARAC Chair has also been invited to the next Board ARAC meeting to develop cross departmental relationships.
- The nature of the investigation launched by the Information Commissioners Officer (ICO) into the Board's handling of an FOI request. Board officials provided Members with an update on standard ICO processes when investigating a complaint raised by an FOI applicant.
- The launch of the Violence Against Women and Girls Strategy and subsequent action plan.

7. COMMITTEE REPORTS

There were no Committee reports to discuss as no Committees have met since the previous Board meeting on 7 July 2022.

8. BOARD BUSINESS

8.1 Review of the Northern Ireland Policing Plan 2020-2025 and Annual Performance Plan 2022/23

The Director of Performance presented a paper asking Members to establish a Policing Plan Review Working Group (PPRWG) 2022/23 to take forward the statutory requirement to review the Policing Plan 2020-2025 and Annual Performance Plan 2022/23 and propose new Plans for 2023/24. Members are also asked to **Approve** the draft Terms of Reference for the Policing Plan Review Working Group 2022/23.

The Policing Plan outlines three outcomes that the Board want policing to deliver on, and these allow the Board to strategically assess and monitor the impact of the Plan over five years. The Performance Plan 2022/23 supports the delivery and evaluation of the Policing Plan and is used to measure progress towards achieving the specified outcomes. The Performance Plan 2022/23 sets out the information the Board will use to determine if the PSNI has made progress towards achieving the Outcomes. This is by way of the nine Indicators and thirteen Measures which are currently being used to quantify the progress towards achieving the Outcomes. They inform the basis of information reported to the Board and provide an insight into how well both Plans are progressing.

The Director of Performance noted that given the success and positive feedback from previous reviews and to facilitate continuity, Board officials are proposing to use a similar structure and membership to progress the review of the Northern Ireland Policing Plan 2020-25 and Performance Plan 2022/23 over the next few months. However, one change in relation to the Chair of the group is required for this year. In previous years, the PPRWG has been chaired by the Vice Chair of the Board. The Director of Performance advised that this year, due to the appointment process for independent Members occurring in November 2022, Members may wish to consider nominating an alternative Chair from those nominated to the Group. The Vice-Chair recognised the need for business continuity and confirmed he was content not to chair the working group in the circumstances.

Following discussion it was **AGREED** to:

- i. **APPROVE** the draft Terms of Reference for the Policing Plan Review Working Group 2022/23
- ii. **ADVISE** of Member nominations to the Policing Plan Review Working Group 2022/23

The Chair asked Members for nominations to the PPRWG 2022/23.

It was subsequently **RESOLVED**:

- That Mr Edgar Jardine, Ms Liz Kimmins MLA, Mr Trevor Clarke MLA, and Mr Michael Atkinson are nominated to the PPRWG 2022/23.

8.2 Proposed approach to the development of the Board's new Corporate Plan

The Corporate Services Manager presented a paper seeking Members' views on the proposed approach to the development of the Board's new Corporate Plan from 2023 onwards and sought their agreement on next steps.

Members discussed a number of proposals within the paper including:

- The development of a two-year plan to align with the remaining two years of the Policing Plan 2020-2025;
- A timeframe for the development of the new Plan, and
- Proposals on our approach to the 12-week consultation and the primary vehicles the Board would use for seeking consultation responses.

Members noted that Section 4 of the Board's Management Statement and Financial Memorandum (**MSFM**) advises that "*...NIPB shall submit to the DoJ a draft of the NIPB's corporate plan [normally] covering three years ahead*" and therefore consultation with the DoJ will be required should a 2-year Plan be the Board's preferred option.

A Member commented that they would like to see greater emphasis on the advocacy role of the Board in the new Corporate Plan and advised that the Independent Members have an influential role to play in this regard.

Following discussion it was **AGREED** to:

- **APPROVE** the proposed approach to the development of the Board's new Corporate Plan as outlined in the briefing paper including the proposed timeline for the development of the new Plan, and,
- To issue correspondence to the DoJ outlining the Board's preference to progress with the development of a two-year Corporate Plan to align with the remaining term of the Policing Plan 2020-2025 and seeking their agreement to progress accordingly. **(AP7)**

8.3 Actions from Board Member Induction Days – 6/7 July 2022

The Chief Executive presented a paper asking Members to consider actions taken and agree proposed next steps on issues discussed at the Induction days on 6 and 7 July 2022 which included how the Board conducts its business, transparency around that work, as well as proposals for further outreach and engagement.

During discussion Members considered the following matters:

- Three month trial of new Board meeting format.
- Livestreaming proposals to improve transparency and concerns around impact on quality and confidentiality.
- Improvements in content of Chief Constable's accountability report.
- Importance of ensuring scrutiny and achieving desired outcomes in public session.
- The intention to hold one Board meeting and one Committee meeting per year outside of Waterside Tower/Belfast

After discussion Members:

- **NOTED** the background provided and actions taken to date.
- **AGREED** the proposed next steps, however, as a result of issues Members raised in respect of plans to introduce a livestream session to the Committee meetings it was **AGREED** to establish a working group

between PSNI and Board officials to consider this further and bring proposals back to the Board. (AP8)

8.4 Associate Membership of APCC

The Chief Executive presented a paper providing Members with an update on progressing Associate Membership of the Association of Police & Crime Commissioners (APCC). Members were advised that the Partnership Committee were presented with a paper on the cost, benefits and value of Membership at its' meeting in February 2022, following which they agreed that the Board should re-join APCC following its reconstitution after the N.I Assembly Elections.

Given the previous deliberations of the Board the only remaining issue was when Associate membership should commence, and as the role of Board Chair is due to change later this year, it is proposed that January 2023 would be the most appropriate time for Membership of the APCC to commence.

During discussions Members questioned the value and benefits of joining APCC based on the cost of membership.

Following discussion it was **AGREED**:

- To provide Members with information on the benefits and value of Associate membership of the APCC. (AP9)
- To avail of Associate membership for a three month period (January 2023 to March 2023), following which the Board will review membership considering any added value. (AP9)

8.5 NIAO Report on Continuous Improvement Arrangements in Policing 2021/22

The Director of Performance presented a paper providing Members with a copy of the final Northern Ireland Audit Office (NIAO) Report on Continuous Improvements in Policing July 2022. The Director of Performance noted the Report includes an unqualified audit opinion and the paper provides Members with a summary of the main findings and the two recommendations contained within the Report. It also outlines the next steps in the statutory process in relation to consulting with the Chief Constable on a response statement and submitting this to the DoJ and the Comptroller and Auditor General for Northern Ireland. In order to implement this process, Board officials have drafted a statement in relation to the two recommendations and Member views were sought. The Director of Performance advised that once Members are content with the draft statement, officials will initiate a consultation with the Chief Constable on this statement in preparation for submission to the DoJ and the Comptroller and Auditor General for Northern Ireland.

During discussion Members queried the content of the draft statement in respect of the recommendations and asked for additional text to be added to the Board response. The Director of Performance will liaise with the Member in respect of the updated wording and the revised document will be circulated to all Members for their review. **(AP10)**

Following discussion Members:

- **NOTED** the NIAO Report on Continuous Improvement Arrangements in Policing July 2022.
- **APPROVED** the Board's draft statement, subject to the changes discussed, and proceed to consultation on the statement with the Chief Constable.

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. Recent news stories of concern will be addressed when PSNI attend the meeting.

9.1 Noah Donohoe Investigation

The Chief Executive presented a paper providing Members with information relevant to the Noah Donohoe investigation, including an extract of previous Board minutes and relevant correspondence issued and received to date.

Members **NOTED** the information provided in the paper.

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

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

The Chair welcomed the Chief Constable to the meeting and he made introductory remarks on a number of topics including additional content in the Chief Constable's Accountability report to the Board; policing operations over the Summer period; ongoing disruptions of paramilitary activity; survey results indicating the status of Northern Ireland as a safe place to live compared to England & Wales; concern around the high numbers of drug related deaths and also information on drug seizures; recent correspondence to the Permanent Secretary highlighting ongoing budgetary concerns; the potential impact of the cost of living crisis on crime rates, and the launch of the Violence against Women and Girls Strategy at the end of September.

The Chief Constable also introduced a PSNI Official to the Board and congratulated her on her successful appointment as the new PSNI Director of Communications and Engagement.

During the meeting Members discussed a number of issues with the Chief Constable including:

PSNI Budget – Concerns were raised in respect of constraints on senior civil service officials' ability to address the budget gap without an Executive. The Chief Constable and COO advised Members that plans remain on track to deliver the initially estimated £59m in savings, however the PSNI continues to face significant financial challenges in the current year and they are reporting an additional full year pressure of circa £40m which is an increase from an original estimate of £34m mainly due to an anticipated increased pay award and ever increasing fuel and utility costs. Areas discussed included:

- Impact on service delivery as a consequence of reduction in headcount;
- Special posts and how some of these have been protected/prioritised by moving resources and assurances that the Emergency Response Teams and Neighbourhood Policing Teams will be protected as much as possible.
- The affect on public confidence as the impact is felt more widely in the community.
- Support which can be offered by the Board in terms of advocating that previous funding commitments are delivered and that additional cost pressures, for example, pay awards are funded.

Children in Care setting & collection/retention of data – Members were advised of the 'non incident' demand on the PSNI and that around one fifth of missing person reports could be traced back to children in care. Work is ongoing with Strategic Partners in this area to improve engagement and communication with the Trusts and an update will be provided to Performance Committee later this month. In respect of retention of data, PSNI assured Members that this

information is held by the Health and Social Care Trusts and the only exceptions regarding data retention related to more serious child abuse and child sexual exploitation crimes in which case this is dealt with by specialist PSNI teams.

Progress of Cultural Audit – The ACO People and Organisational Development advised the business case has been approved and funding has been secured to procure a suitable independent provider to develop the toolkit required to work alongside the PSNI project team to develop, implement and evaluate a Cultural Audit for the PSNI. This is currently in the procurement phase which is anticipated will last 10 weeks following which a timetable of the phases required to deliver the project between now and April 2023 has been developed. The ACO People and Organisational Development advised that a fulsome update will be provided to Resources Committee later this month. In response to a Board Members' question as to whether the Cultural Audit forms a key part of the Violence Against Women and Girls Strategy ACC McEwan advised The Violence Against Women and Girls strategy does have an internal workforce aspect. ACO Duffield added that the Cultural Audit will focus on the range of key workplace and workforce components that shape organisation culture.

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

- The PSNI's readiness for the inquest into the death of Noah Donohoe.
- Gaps in firearms training and potential officer liability.
- Changes to PSNI Uniform policy.
- Impact of court backlogs on PSNI investigations and the Public Prosecution Service (PPS)
- Communication with families involved in the Greenvale Investigation.
- Bonfires currently under investigation and actions being taken.
- Percentage targets and actuals in respect of Officers trained to drive vehicles in response mode.
- The evolution of the 'Plan on a Page' concept in the Chief Constable's Accountability report to include a dashboard of key indicators.

- Member briefing on PSNI Pulse software, to be followed up by Director of Performance. **(AP11)**
- Improving public confidence in policing. Director of Performance will provide Member with relevant information prior to October Partnership Committee. **(AP12)**

The Chair thanked the Chief Constable, Deputy Chief Constable Mark Hamilton, Chief Operating Officer (COO) Pamela McCreedy, Assistant Chief Officer (ACO) People and Organisational Development Clare Duffield, Assistant Chief Constable (ACC) Bobby Singleton, Assistant Chief Constable Chris Todd, Assistant Chief Constable Mark McEwan, Detective Chief Superintendent Zoe McKee and Gareth Brown, PSNI Strategic Communications & Engagement and the Director of Strategic Communications and 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. SCHEDULE OF MEETINGS

Members noted the schedule of meetings for the period September 2022 – April 2023 and requirement to update the schedule for December 2022 to facilitate Board business and the election of the new Board Chair and Vice-Chair. Board Officials will consider further and advise Members accordingly. **(AP13)**

14. ANY OTHER BUSINESS

No other business was conducted.

15. DATE OF NEXT MEETING

The next Board Meeting is scheduled for Thursday 6 October 2022 at 9.30am in Waterside Tower.

The meeting closed at 12.25pm.

The private meeting closed and the Board moved into public session at 12.30pm 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: September 2022

Chair