

NORTHERN IRELAND POLICING BOARD

RESPONSE TO THE INDEPENDENT REVIEW OF THE POLICING BOARD

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Introduction

On 12 September 2024 the Justice Minister commissioned the independent review of the Policing Board and appointed Mr Paul Sweeney, former Permanent Secretary in the Northern Ireland Civil Service and Dr John Topping, senior lecturer of Criminology at Queens University Belfast to take the review forward.

The Review findings were published by the Justice Minister on 30 January 2025.

[Independent review of the Northern Ireland Policing Board Report | Department of Justice](#)

Since then, the Policing Board has carefully considered the findings of this detailed Review, and discussed implementation of recommendations made with the Justice Minister, the Chief Constable and other stakeholders as appropriate.

In the interest of openness and transparency, the Board has published its response to the review. The Board agrees that implementation of the actions will further enhance the effectiveness and standing of the Board as well as strengthen its oversight responsibilities.

NORTHERN IRELAND POLICING BOARD

JUNE 2025

	Recommendation	Board Response
	<p><i>Virtually unanimous support for the continuation of the NIPB in its current form. However, there is scope to enhance the effectiveness and standing of the Board.</i></p>	<p>The Board welcomes that this Review has shown there is support for the continuation of the Board in its current format.</p> <p>The Board is a unique construct, as further explained in response to other recommendations below, which was the result of significant debate at the time of the Patten review of policing.</p> <p>The Board provides an important accountability function and discharges over 50 statutory duties as set out in various pieces of policing legislation.</p> <p>The Board has undertaken effectiveness reviews over its lifetime and recognises the need to continue to evolve, to enhance its effectiveness and standing. The Board will put in place a framework for regular internal and external reviews and will address any training issues that emerge.</p> <p>The Review Report contains recommendations in this regard and the Board response to each is detailed below.</p>
<p>II</p>	<p><i>The real or perceived dominant political culture of the Board is impeding the maturation of collective responsibility, cohesion, common purpose and corpocracy within the Board.</i></p>	<p>Patten determined that the membership of the Policing Board should comprise 10 political members, selected on the basis of d’Hondt, and nine independent members from a range of different fields including business, trade unions, voluntary organizations, community groups and the legal profession. The aim was to find independent members representative of the community as a whole, with the expertise both to set policing priorities and to probe and scrutinise different areas of police performance, from management of resources to the safeguarding of human rights. This construct is set out in the Police (NI) Act 2000.</p> <p>Patten also said the Policing Board should be an important institution, vital to the new beginning for policing and to the success of all the new policing arrangements recommended in his Report. He said it must command respect and credibility and must have real power and responsibility, and he emphasised that a majority elected membership is essential to this objective.</p> <p>Members consider the Board’s strength is drawn from that mix of political and independent members envisaged by Patten, with political members bringing an important political mandate and both political and independent members bringing expertise in a wide range of disciplines.</p> <p>Board members do not all agree that there is a political dominance other than as intended by Patten. Looking at the Chair and Vice-Chair positions across the Board and its committees, of the five chair positions, three are held by politicians and two are held by independent members, and of the five vice-chair positions, all are held by independent members.</p> <p>Board members do however acknowledge that the perception of political dominance has been raised in the report and will look further at this, through internal and external reviews and bespoke opportunities for members to explore the issue further.</p>

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		<p>The Policing Board was not designed to be a board in the conventional sense. The Policing Board’s role is clearly set out in legislation which does not include being the non-Executive Board of PSNI, responsible for the management of the service. This is the role of the PSNI Service Executive Team. The Board’s collective ambition is set out in the Policing Plan and around this there is cohesion.</p> <p>Board members recognise and appreciate the dual mandate that politicians have, and the challenges this brings for them. It makes sense that party policing spokespersons are the political party representatives on the Board. They are best placed to comment on policing matters, although it is incumbent on political members to make clear that they are speaking in a political capacity when commenting on policing matters. The Board Member Code of Conduct will be reviewed and all members will be asked to sign it annually.</p> <p>On issues where there is a corporate view the Chair of the Board should articulate it, although it needs recognised that the nature of the Board means it will not always achieve a corporate view of issues. The only official spokesperson for the Board is the Chair of the Board, or in his absence the Vice-chair.</p> <p>The Board accepts that more could be done in relation to the media profile of the Chair of the Board and will work to address this.</p> <p>The Board acknowledges the corporate responsibility it has in relation to the oversight of the Board as an organisation and will give renewed focus to oversight of the functioning of the Board as an organisation including how the CEO reports on corporate matters.</p>
III	<p><i>The positions of Chairperson and Vice-Chairperson should be subject to a bespoke public appointment process. The appointments should be made by the First Minister and deputy First Minister acting jointly with the Justice Minister.</i></p>	<p>Patten recommended that a Board member of high quality and standing in the community be appointed by the Secretary of State, with the agreement of the First Minister and the Deputy First Minister, as the first Chair of the Board, for an initial term of four years. After this time Patten said the Board membership should elect the chairperson. This is the process that has been followed since then.</p> <p>Members share much of the sentiment behind the recommendations made in this section of the Review report. Members recognise the challenging role performed by the Chair and Vice-Chair of the Board; They agree it is a significant public sector position and that a particular skill set is needed to discharge the role effectively and to achieve the presence and authority referenced elsewhere in the Report.</p> <p>Successive chairs and vice-chairs have performed the role well, leading the Board through some notably difficult issues. The fact that the Review has found virtual unanimous support for the Board underscores the role those</p>

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		<p>chairs and vice-chairs have performed. No doubt they have drawn a strength from being selected by their fellow members.</p> <p>Board members were not persuaded of the alternative approaches for the selection of a chair and vice-chair put forward in the Report.</p> <p>Members agreed that further work would be needed on alternative approaches and in the interim, noting that any fundamental change would require legislative amendment, the Board has agreed to consider how to enhance transparency, democracy and the inclusion of all Board Members in initial consultation in the current process for selecting the chair and vice-chair from within the membership of the Board itself.</p> <p>Members also noted in this context that the time commitment required of all members, notably the chair and vice-chair, exceeds the commitment articulated when the positions are advertised.</p>
IV	<p><i>The Board has an excessive workload. This level of intensity is often at the expense of sustained follow-up, strategic focus and direction, and achieving tangible outcomes. The Board needs to shift towards a leaner and smarter operating model of “less is more”.</i></p> <p><i>The Board needs to focus on strategic issues rather than day-to-day operations. It should have a relentless strategic focus on:</i></p> <ul style="list-style-type: none"> • <i>Delivery of the Policing Plan and</i> 	<p>The Board considered recommendations IV and V together.</p> <p>The Board’s overall strategic focus cannot be reduced to these four bullet points. The Board has over 50 statutory duties to discharge. Particular attention is drawn to those detailed in section 3 of the Police [NI] Act 2000 alone which require that the Board:</p> <ul style="list-style-type: none"> • secures the maintenance of the police in Northern Ireland • secures an efficient and effective service; <p>and as part of these duties:</p> <ul style="list-style-type: none"> • holds the Chief Constable to account for the exercise of his functions and those of the police • monitors the performance of the police including in complying with the Human Rights Act 1998 and in carrying out the policing plan • keeps informed as to the workings of the police complaints and disciplinary proceedings; trends and patterns in crimes committed in Northern Ireland; trends and patterns in recruitment to the police and the police support staff • assesses the extent to which the membership of the police and the police support staff is representative of the community in Northern Ireland • assesses the effectiveness of the code of ethics • makes arrangements for obtaining the co-operation of the public with the police in the prevention of crime, including through the maintenance jointly with the DoJ of the PCSP network

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V	<p>related performance framework.</p> <ul style="list-style-type: none"> The PSNI service operating model and related budget. The PSNI transformation programme. A small number of strategic thematic issues. 	<ul style="list-style-type: none"> monitors the exercise of the functions of the National Crime Agency in Northern Ireland and makes arrangements for obtaining the co-operation of the public with the National Crime Agency in the prevention of organised crime and serious crime. <p>These are important functions vested in the Board by statute and they shape much of the work of the Board and its committees.</p> <p>The Board has developed a new Policing Plan for 2025-2030, along with a process for monitoring performance against the plan. The Board will also identify each year a small number of strategic issues for closer examination.</p> <p>On the matter of “less is more” this presents opportunities to ensure Board meetings in public have an enhanced strategic focus, and opportunities for a rationalisation of the business going through Committees.</p> <p>However, the Board does not agree with the suggestion of holding fewer meetings in public each year. Patten talked about transparency being accountability in the “explanatory and cooperative” sense where citizens need to know and understand what their police are doing and why. This is important if the police are to command public confidence and active cooperation. Patten went on to say that the Policing Board should meet in public once a month, to receive a report from the Chief Constable. In legislation this has been reduced to eight meetings per annum in public, which on a practical level makes sense. Members considered that public advocacy and scrutiny is important and consider it a backwards step to have any further reduction in the number of Board meetings in public.</p> <p>Members acknowledge that the intent behind the recommendation was to free up capacity but consider the resources freed up would be minimal and would be outweighed by the negative consequences in terms of a loss of public accountability.</p> <p>The Board does agree there are opportunities to review the way in which business is conducted at Board and Committee meetings and has committed to specifically review the functioning of Partnership Committee to provide for fewer formal meetings and more focus on the Board’s programme of outreach, engagement and advocacy. This is further expanded in response to the Review recommendations on Advocacy in further sections of this response.</p>
VI	<p>Incidents such as those addressed in the Scofield judgement are perceived to ‘repoliticise policing’. To mitigate the impact of any future high profile public incidents,</p>	<p>The Board considered recommendations VI and VII together.</p> <p>Patten in paras 6.19, 6.20 and 6.21 advocated for the concept of operational responsibility [rather than operational independence] meaning that the Chief Constable has the right and duty to take operational decisions, and that neither the government nor the Policing Board should have the right to direct the Chief Constable as to how to conduct an operation.</p>

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VII	<p><i>no Board Member or employee should insert their presence in a real time police critical incident or ‘red flag’ operation, ongoing investigations, or extant judicial proceedings. Board Members hold the Chief Constable to account “after the fact”.</i></p> <p><i>To safeguard the principle of the operational independence of the Chief Constable and ensure there is clarity, mutual understanding and respect for roles, responsibilities and boundaries, the Board, working together with the Chief Constable should formulate a “Policing Protocol”.</i></p>	<p>This does not mean that the Chief Constable’s conduct of an operational matter should be exempted from inquiry or review after the event and the Board’s role in holding the Chief Constable to account is laid out in the Police [NI] Act 2000 and includes significant powers under sections 59 and 60 of that Act.</p> <p>The Board fully respects the operational responsibility of the Chief Constable. The Board agreed that in the development of a policing protocol, it will be important in creating clear lines of demarcation to distinguish between elected representatives carrying out their local MLA role, their role as policing spokesperson and their role as a member of the Board. Account will be taken of the work being done in other jurisdictions in this regard.</p> <p>The Board does not agree that Board members cannot provide PSNI with a view on the community impact of a policing operation or decision. Indeed PSNI often invite such commentary from politicians and others and the Board considers it appropriate to offer it. The College of Policing supports this practice and provides guidance to officers on the use of Community Impact assessments (CIAs) to gather the opinions and feelings of local communities throughout all phases of the planning for public order/public safety events and in making dynamic operational decisions. Care is needed in the exchanges described above to avoid any perception of or intention to direct PSNI to take a certain course of action.</p> <p>In this context the Code of Conduct for Members, will be reviewed to ensure members are clear that they must declare a conflict of interest in subsequent Board discussions on operational matters where they have provided an assessment of community impact.</p> <p>It is also agreed by the Board Members that the practice of the Chair and Vice-chair of the Board being briefed on “live” issues ahead of formal briefings to the Board is entirely appropriate but the policing protocol should make clear the purpose of those briefings and make clear the respective roles and responsibilities.</p>
VIII	<p><i>The tripartite of the NIPB, the PSNI, and the DOJ should be subject to a new Partnership Agreement Framework.</i></p>	<p>The Board is willing to work with the Department on the development of a new Partnership Agreement framework and the Board looks forward to early engagement with the DoJ [and PSNI] on what good would look like and how a mature relationship between the tripartite partners can be developed.</p>
IX	<p><i>The Board should redefine its relationship with the PSNI SET to engender a more mature relationship based on mutual respect,</i></p>	<p>The Board appreciates the need to have an effective working relationship with the PSNI Service Executive Team and will engage further with the Chief Constable and his senior team to explore how the existing strong working relationships can be further enhanced. Annual Board development events have been used as an opportunity for collaborative deep dives into issues and the Board believes that focussed discussions around the strategic</p>

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	<p><i>openness, transparency and purpose. An executive/non-executive model where the Board constructively challenges and supports the Service Executive Team.</i></p>	<p>thematic issues referenced in recommendation V present further opportunities to meet this recommendation.</p> <p>In this context however we would reiterate the comments made in relation to recommendation II namely that the Policing Board is not the non-Executive Board of PSNI, responsible for the management of the service. The management of the service is the role of the PSNI Service Executive Team. The Board provides the scrutiny and accountability function.</p> <p>Our comments in relation to recommendation XVI on advocacy are also relevant in this context.</p>
<p>X</p>	<p><i>To enhance the Board's capacity to ensure that policing is delivered in an efficient and effective manner, the Board should appoint an independent validator to assess the efficacy of the PSNI service operating model and transformation programme.</i></p>	<p>The Board agrees with the aim of this recommendation but would not advocate a model that replicates the Board's Human Rights Advisor. The Board supported a restructured Service Executive team to strengthen the expertise within the PSNI across a range of disciplines including transformation, budget, people and organisational development. The Board wishes to ensure this expertise is maximised and sees this as integral to successful implementation of recommendation IX.</p> <p>The Board is also conscious that there are many layers of accountability, regulation and validation for policing in Northern Ireland and that any further validation will need to be paid for, will need to be cost effective and will need to take account of the burden on an already stretched service.</p> <p>The Board would wish to adopt an issue-driven approach to ensuring the PSNI is delivering an effective and efficient service and will consider this matter further following the agreement by the Board to the strategic thematic issues referenced in recommendation V.</p>
<p>XI</p>	<p><i>In the medium-term, the NIPB in conjunction with the Chief Constable, should commission an independent assessment of the efficiency and effectiveness of the PSNI, taking into account the particular policing context of Northern Ireland.</i></p>	<p>The function of the Board as set out in section 3 of the Police [NI] Act is to secure an efficient and effective service so the intent of this recommendation is not entirely clear. The subtext of the Report references the current necessary focus on the PSNI Recovery plan, and the Board would agree that as this work progresses there will be the need to consider the longer term funding and human resource plan for the Service. The Board believes that such a review would need the collective support and participation of all the tripartite bodies of PSNI, NIPB and DoJ.</p>
<p>XII</p>	<p><i>There should be a rationalisation of the outstanding recommendations from previous scrutiny</i></p>	<p>The Board does not see itself as taking on the role of reviewing all recommendations made to PSNI by all statutory bodies and conducting a purge of those. Indeed, this would go against the spirit of other</p>

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	<p>reports on the PSNI. This will ensure that oversight and inspection of the PSNI is minimised to avoid unnecessary bureaucracy and duplication of effort.</p>	<p>recommendations in the Review Report which encourage the Board to be more strategic.</p> <p>The Board takes assurance from the work done by the PSNI Audit and Risk Assurance Committee in relation to oversight of all recommendations made to PSNI.</p> <p>The Board believes its current approach involving having oversight of priority 1 recommendations from previous scrutiny reports is both appropriate and focussed and would only envisage focussing on non-Priority one recommendations by exception where they link to a strategic theme that the Board has agreed to focus on.</p>
<p>XIII</p>	<p>There needs to be a prioritisation of the necessary legislative amendments to enable the administration of the injury on duty and ill health retirement schemes to transfer from the NIPB to the PSNI.</p>	<p>The Board agrees with this recommendation. The administration of the IHR and IOD schemes is not in keeping with the primary function of the Board and the Board considers the function would, similar to other services in the rest of the UK, be best discharged by PSNI.</p>
<p>XIV</p>	<p>In fulfilment of their role as an employer, the NIPB should formulate a scheme of delegation detailing the employment arrangements between the Board and the Chief Constable, along with the employment arrangements delegated to the Chief Constable in respect of the PSNI Service Executive Team.</p>	<p>The Board appoints all senior officers [ACC/ACO and above]. The line management function for the Chief Constable is in effect discharged by the Chair of the Board. The line management functions for all other members of the Service Executive Team is vested in the Chief Constable and the letter of appointment for the Chief Constable sets this out.</p> <p>The Board agrees that it would be helpful to further expand on this and will work through the Senior Officer Employee Matters group with the Chief Constable to develop a detailed scheme of delegations setting out the employment arrangements between the Board and the Chief Constable, and the employment arrangements delegated to the Chief Constable in respect of the PSNI Service Executive Team.</p>
<p>XV</p>	<p>The post of Chief Executive of the NIPB should be reinstated to the original Grade 3 level equivalent in the NI Civil Service.</p>	<p>Members agree the recommendation to reinstate the NIPB Chief Executive position to the original grade 3 level equivalent in the NICS and will take this forward in conjunction with DOJ who have a role in approving numbers and terms and conditions of service of persons employed by the Board.</p> <p>The Board has agreed it would be sensible to take this recommendation forward as part of a wider review of the structure of the Board Executive team to ensure there is capacity within the Executive team to meet the needs of the</p>

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		Board, including the research and other gaps highlighted by the Review Report.
XVI	<p><i>All sections of society have an important role to play in maintaining and intensifying public support for policing. The NIPB should assert its good authority in advocating and supporting policing with the community, especially within communities where trust in policing has been historically low.</i></p>	<p>The primary statutory function of the Policing Board is to publicly hold the Chief Constable and the police service to account. The Board acknowledges it has a role in advocating for effective policing and undertakes this in a number of ways including through ensuring that the Chief Constable has an opportunity to explain policing issues in the public fora of monthly Board meetings; meeting with all staff associations on a regular basis to build trust and understanding; participating in the PSNI led REAL engagement events; proactively advocating for pay parity, pay remits, and adequate funding; lobbying for others to engage with PSNI in the Right Care Right Person initiative; and lobbying for tougher sentences for assaults on officers.</p> <p>The Board has agreed to refresh the role of its Partnership Committee to ensure an enhanced focus on advocacy, outreach and engagement to include policing seminars, annual events, and importantly conversations with a purpose which will enable the Board to have focussed conversations around policing plan outcomes and measures and the other strategic thematic issues the Board will determine.</p> <p>The Board will, as part of this work, consider how best to progress the final element of this recommendation which calls for advocating for policing in communities where trust in policing has been historically low.</p>
XVII	<p><i>Observing confidentiality within the NIPB is of paramount importance.</i></p>	<p>The Board Member Code of Conduct makes clear the expectations on members in terms of confidentiality of Board business. It is however acknowledged that political members may be privy to information other than by virtue of their role on the Board. The Board agrees that the Code needs expansion to detail the expectations on members in such circumstances.</p> <p>In reviewing the Code of Conduct the Board will also seek to strengthen and provide clarity on the processes for dealing with breaches of the code.</p>
XVIII	<p><i>The Policing Board needs to schedule time to pause and reflect – to ‘look up and out’ and to ‘re-set and re-boot’. In keeping with good practice, this will require a greater emphasis on Board development processes and self-assessment.</i></p>	<p>Annually the Board undertakes a development event with PSNI using it as an opportunity to horizon scan as well as deep dive into current policing issues. The Board also undertakes an annual effectiveness assessment of each Committee.</p> <p>Additionally, and taking all the recommendations in this Review Report into account, the Board will seek to schedule in more time for formal and informal horizon scanning, and will seek to enhance its internal capacity so as to inform the thought leadership role of the Board. This will include, seeking to bolster its research capacity and links with academia, and ensuring opportunities presented by the 25 year anniversary of the Board are capitalised as an opportunity to not only reflect on successes but consider the shape of good policing in the future.</p>

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