

NORTHERN IRELAND POLICING BOARD

MINUTES OF A MEETING OF THE NORTHERN IRELAND POLICING BOARD HELD ON THURSDAY 30 JULY 2015 AT 10.00AM IN WATERSIDE TOWER, BELFAST

PRESENT:

MEMBERS:

Mrs Anne Connolly, Chairperson
Ms Deborah Watters, Vice-Chairperson
Mr Jonathan Craig
Prof Brice Dickson
(1) Mr Ryan Feeney
Mrs Dolores Kelly
Mr Gerry Kelly
Mr Trevor Lunn
Ms Roisin McGlone
Mr Robin Newton
Dr Paul Nolan
Mrs Wendy Osborne
Mrs Catherine Pollock
Ms Caitriona Ruane
Mr Pat Sheehan

OFFICIALS IN ATTENDANCE:

Mr Barney McGahan, Interim Chief Executive
Mr David Wilson, Director of Support Services
Five Board Officials

(1) Item number 1 – 8

1 APOLOGIES, ETC

Apologies were received from Mrs Deirdre Blakely, Mrs Brenda Hale, Mr Ross Hussey and Mr David McIlveen.

The Chairperson asked Members to declare any conflicts of interest arising from the agenda. No conflicts of interest were declared.

2 DRAFT MINUTES OF MEETINGS OF THE POLICING BOARD

2.1 Draft minutes of Policing Board Meeting held on 25 June 2015.

The Board considered the draft minutes of the Board meeting held on 25 June 2015.

It was:-

RESOLVED:

That the draft minutes of the Policing Board meeting held on 25 June 2015 be approved.

2.2 Draft minutes of Policing Board Meeting held on 3 July 2015

The Board considered the draft minutes of the Board meeting held on 3 July 2015.

It was:-

RESOLVED:

That the draft minutes of the Policing Board meeting held on 3 July 2015 be approved.

3 MATTERS ARISING FROM THE MINUTES OF THE MEETINGS

3.1 Meeting held on 25 June 2015

3.1.1 PSNI Senior Staff Member Matter (Item 4.1 of minutes refers)

The Interim Chief Executive updated the Board on a PSNI Senior Staff Member matter.

An official sensitive note of this matter is attached at Appendix A.

3.1.2 HMIC Follow-up Inspection of the HET (Item 10.1.2 of minutes refers)

The Board noted a letter dated 22 July 2015 from the Chairperson to

the Chief Constable regarding the findings in the follow-up inspection by Her Majesty's Inspector of Constabulary (HMIC) of the Historical Enquiries Team (HET). A response was awaited. NOTED.

Members discussed the Board's view in relation to the recommendation in HMIC's inspection which suggested that an Independent Oversight Panel should be established to oversee and scrutinise, in the public interest, all aspects of the work of the HET.

Members commented that this recommendation had been made when the Board and the PSNI sought to secure community confidence in the HET's ability to carry out human rights compliant reviews into historic deaths. The Chief Constable's decision to close the HET and replace it with the PSNI Legacy Investigation Branch therefore substantially altered the situation for the Board in terms of establishing an Oversight Panel.

Following discussion It was:-

AGREED:-

- That the Chief Constable's response regarding the findings in the follow-up inspection by HMIC of HET should be considered by the Performance Committee when received.
- That the Performance Committee should monitor the work of the PSNI Legacy Investigation Branch.

The Board considered a letter from the Minister of Justice dated 9 July 2015 regarding a review of the role of PSNI in supporting legacy inquests.

During discussion Members expressed concern about the Justice Minister's decision not to commission HMIC to undertake a review of the PSNI's role in supporting legacy inquests and it was:-

AGREED:-

That a letter should be sent to the Minister of Justice expressing concern and seeking further clarification on the decision not to commission the inspection by HMIC.

The Chairperson undertook to discuss the PEEL inspection and the inspection of the PSNI's involvement in legacy inquests with the Chief Constable.

3.1.3 Discretionary Spend (Item 11.4 of minutes refers)

The Board noted:-

- A letter dated 26 June 2015 from the Interim Chief Executive to the Permanent Secretary, Department of Justice (DOJ) regarding Accounting Officer's responsibilities in relation to discretionary spend.
- A letter dated 10 July 2015 from the Minister of Justice to the Chairperson of the Performance Committee regarding the categorisation of the human rights legal advice as discretionary spend.
- A letter dated 21 July 2015 from the Permanent Secretary, DOJ to the Interim Chief Executive in relation to the discretionary spend exercise.

NOTED.

The Board noted a paper which had been presented to the Board Business Co-Ordination Group on 27 July 2015 regarding Board potential in-year budget cuts for 2015/16. NOTED.

The Interim Chief Executive referred to potential in-year budget cuts and advised the Board that indications were that cuts could be in

the region of 2.5% - 6%. This equated to £160k – 384k for the Policing Board.

The Interim Chief Executive outlined details of areas where the Board could make budget cuts if required.

The Board discussed the provision of funding for the Members' Research Allowance. The Chairperson proposed in accordance with Board Standing Orders that the Board should continue to fund Members' Research Allowance.

Following discussion it was:-

AGREED:

That a Research Allowance of £16,000 per year should be paid to each Political Party represented on the Board.

Officials advised the Committee that DFP had approved the business case for future accommodation for NIPB.

Members expressed concern that the business case for future NIPB accommodation had not been brought back to the Resources Committee or the Board for consideration.

During discussion Members discussed various options for future NIPB accommodation and in conclusion it was:-

AGREED:

- That the Resources Committee should be provided with a report including the business case for future NIPB accommodation.

- That Land and Property Services should be asked to consider a one year lease on the rental of Waterside Tower with an option to buy.
- That DOJ should be asked to revisit the option to purchase Waterside Tower.

The Board noted that a decision was awaited from the Minister of Justice regarding the payment of Members' travel from home to Waterside Tower.
NOTED.

Members discussed the funding of Members travel from home to Waterside Tower and considered that the matter should be resolved urgently.

It was:-

AGREED:-

That a letter should be sent to the Justice Minister outlining Members' views.

3.2 Meeting held on 3 July 2015

3.2.1 Human Resources Issues (Item 5 of minutes refers)

The Interim Chief Executive advised the Board that Mr Trevor Lunn would participate in the Selection Panel for the recruitment of Chief Executive for the Board. The Vice-Chairperson of the Board would also take part in the Selection Panel. A competition initiation meeting would take place that afternoon.

The Interim Chief Executive advised the Board that the next

Strategic Command Course would take place from January to March 2016 and undertook to seek the Chief Constable's view regarding taking forward the competition for the recruitment of an Assistant Chief Constable for PSNI.

The Interim Chief Executive outlined details of advice which had been obtained from the Board's Legal Advisor regarding the composition of the Selection Panel to take forward the recruitment competition for the Assistant Chief Constable.

In response to a question from a Member, the Interim Chief Executive updated the Board on legal proceedings and a grievance case which had been taken against the Board.

4 CHAIRPERSON'S BUSINESS

4.1 Correspondence

The Board noted the following correspondence:-

- Letter dated 18 June 2015 from Assistant Chief Constable, Operational Support Department, regarding Road Safety Awareness and Education Plans.
- Letter dated 9 July 2015 from the Deputy Chief Constable regarding Part-Time Reserve Officers.

NOTED.

Members referred to the number of appeals from Part-Time Reserve Officers which had been upheld arising from the review of the deployment of the Officers and it was:

AGREED:-

That a letter should be sent to PSNI expressing concern at the way PSNI Part Time Officers have been treated and asking about

the possibility of using Part Time Officers in order to reduce overtime working of Full Time Police Officers.

A Board Member referred to an anonymous letter which some Members had received from a Part-Time Reserve Officer and asked to be provided with a copy. Officials undertook to provide this to Members with a copy of the letter.

5 RESOURCES COMMITTEE

5.1 Minutes of the meeting of the Resources Committee held on 25 June 2015

The Chairperson referred Members to the minutes and advised the Board that a verbal briefing on the meeting had been given at the Board meeting on 25 June 2015.

The Board:-

AGREED:

That the Resources Committee should agree the Board's representative on the Northern Ireland Community Safety College Programme Board and the Steering Group.

6 MEMBERSHIP OF COMMITTEES

The Interim Chief Executive advised the Board that following receipt of pro formas from Independent Members on Committee preferences a Committee membership list had been prepared. This list was circulated at the meeting and the membership of each Committee was agreed.

7 EXTENSION OF TERM OF CUSTODY VISITORS

The Board considered a paper which requested Members to agree to extend the term of nine Custody Visitors who are due to complete their six year term on 31 October 2015 by a further year subject to the agreement of the Custody Visitors.

Members discussed the issue and it was:-

AGREED:

To extend the term of nine Custody Visitors who are due to complete their six year term on 31 October 2015 by a further year subject to the agreement of the Custody Visitors.

8 CONSULTATION ON ACCESS AND USE OF DNA/FINGERPRINTS DATA BY THE HISTORICAL INVESTIGATIONS UNIT

The Board noted a paper which advised Members that the DOJ had issued a consultation on a proposal to allow the Historical Investigations Unit (HIU) access to copies of DNA and fingerprint databases. NOTED.

The Board considered a draft response from the Board to the DOJ consultation. During discussion Members suggested minor amendments to the response and it was:-

AGREED:-

That subject to minor amendment being made the letter should be sent from the Board to the DOJ.

9 PSNI VETTING PROCEDURES EQUALITY IMPACT ASSESSMENT

The Board considered a paper which advised Members of the key issues contained in the PSNI's vetting procedures Equality Impact Assessment (EQIA) document.

The Board discussed the PSNI Vetting Procedures EQIA. During the discussion Members raised issues regarding:-

- The difficulties in obtaining information about non-UK nationals or UK residents who have lived overseas for a number of years.
- The delay in receiving the EQIA document from PSNI.
- The comments in the paper regarding the future monitoring arrangements for non-Police Personnel.
- The high number of Police Officers and Staff who are developed vetted particularly in the PSNI Crime Operations Department.
- The statistics in the EQIA which Members considered lacked sufficient context particularly in comparison to levels of developed vetting in Police Forces in England and Wales.
- Police Officers being made aware that vetting has nothing to do with their community background.
- The role of the Ministry of Justice's Defence Business Services National Security Vetting in carrying out vetting.
- Police Officers not applying for specialist posts because of the need to be developed vetted.
- Statistics in the EQIA document regarding the gender and community background of the Police Officers and staff who had been developed vetted.
- A requirement for all personnel who liaise directly with Security Service to be cleared to developed vetting level.
- The security classification of some PSNI documents.
- Monitoring arrangements of PSNI's Support Staff and Temporary Workers.
- Whether PSNI's vetting procedures create a disproportionate impact on any section 75 group.

In conclusion it was:-

AGREED:

That a letter should be drafted from the Board to PSNI regarding the PSNI's vetting procedures EQIA document and circulated to Members for comments before issue.

10 YOUNG LEADERSHIP PROGRAMME

The Board considered a paper which sought Members approval to support continuation of the Young Leadership Programme in partnership with the US Consulate, Department of Foreign Affairs and PSNI.

The Board discussed the continuation of the Young Leadership Programme and the potential for young people appointed to PCSPs to participate in the programme. Following discussion it was:-

AGREED:

- To support continuation of a Young Leadership Programme for 2015/16 involving PCSP Independent Members selected through application and interview process.
- That the Chairperson and Vice-Chairperson of the Board should participate in the interview and selection process with PSNI and US Consulate week commencing 24 August 2015.
- To approve the cost of flights and accommodation for the Chairperson or Member of the Partnership Committee to participate in the international trip as a facilitator/group leader.

11 PROGRAMME OF BOARD MEETINGS – SEPTEMBER 2015 – JUNE 2016

The Interim Chief Executive drew Members' attention to a programme of Board meetings for the period September 2015 – June 2016.

It was:

AGREED:

To approve the dates of the Board meetings for September 2015 – June 2016.

It was also:

AGREED:

- That Committees should meet as follows:-

Partnership Committee – 10 September 2015 at 2.00pm

Performance Committee – 17 September 2015 at 9.30am

Resources Committee – 24 September 2015 at 9.30am

- That the dates for other Committee meetings after September 2015 should be considered by each Committee and brought back to the Board for approval.

The Interim Chief Executive advised the Board that Members of the Audit and Risk Committee would be advised of the date of the first meeting of the new Committee.

12 INFORMATION PAPERS

The Board noted:-

- A letter dated 26 June 2015 from Assistant Chief Constable, Operational Support Department regarding Patten recommendation 65.
- A letter dated 3 July 2015 from the Committee on the Administration of Justice

regarding concerns over neutralisation of the Board's human rights scrutiny function.

NOTED.

13 COMMUNICATION ISSUES

The Board considered that a news release should be issued regarding the Minister of Justice's response to the review of the role of PSNI in supporting legacy inquests.

NOTED.

14 ANY OTHER BUSINESS

14.1 House searches by Police in Derry/Londonderry

Mr Gerry Kelly referred to the use of a specialist Army Unit by Police in Derry/Londonderry on 29 July 2015 and advised the Board that he was commenting to the media on the issue in his role as a MLA and not as a Board Member.

15 DATE OF NEXT MEETING

The next meeting was arranged for 3 September 2015.

(Meeting closed at 1.30pm)

**Board Support
August 2015**

Chairperson