

NORTHERN IRELAND POLICING BOARD

**MINUTES OF THE PERFORMANCE COMMITTEE MEETING HELD ON THURSDAY
13 OCTOBER 2016 AT 9.30AM WATERSIDE TOWER, BELFAST**

PRESENT: Mr Nelson McCausland (Chairperson)
Ms Joanne Bunting
Dr Paul Nolan
(1) Mr Gerry Kelly
Mr Keith Buchanan
Mr Raymond McCartney
Mrs Deirdre Blakley
Professor Brice Dickson

**BOARD'S HUMAN RIGHTS
ADVISOR** Ms Alyson Kilpatrick

OFFICIALS IN ATTENDANCE (1) Mrs Amanda Stewart (Chief Executive Officer)
Ms Jenny Passmore (Temporary Director of
Policy)
(2) Mrs Paula Gow (Temporary Director of
Partnership)
4 Board Officials

- (1) Open to item 6.3
- (2) Item 3.5 to item 5.1

1. APOLOGIES, ETC

An apology for the meeting was received from Ms Roisin McGlone (Vice-Chairperson).

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

**2.1 DRAFT MINUTES OF PERFORMANCE COMMITTEE MEETING HELD ON
8 SEPTEMBER 2016**

It was:

AGREED:

To approve the draft minutes of the Performance Committee meeting held on 8 September 2016.

3. MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD ON 8 SEPTEMBER 2016

3.1 PSNI response to HMIC Inspection of Crime Data Integrity (Item 4.1 of minutes refers)

In relation to Recommendation 7 of the HMIC Inspection report following their Inspection of Crime Data Integrity, Members noted clarification provided regarding the training provided to officers.

The Committee also noted that information regarding offences for which the PSNI may use Community Resolution or a Penalty Notice for Disorder and sections from the Race Hate Thematic Review covering issues of informed consent and enhanced disclosure are included in a paper at agenda item 6.1. NOTED.

3.2 Verbal Update from the Human Rights Advisor (Item 6.1 of minutes refers)

Members noted that matters raised in relation to the update received from the Board's Human Rights Advisor at the September Performance Committee meeting are addressed in the paper to be considered at agenda item 6.1. NOTED.

3.3 PSNI Briefing on Legacy Investigation Branch (Item 6.3 of minutes refers)

The Committee noted that a response is awaited to correspondence issued to the PSNI following the September meeting of the Performance Committee in relation to PSNI Legacy Investigation Branch. Following discussion,

It was:

AGREED:

Officials should follow up with PSNI regarding the provision of access to the links included in the electronic Legacy Investigation Branch Manual of Guidance, specifically those relating to the

referral of cases to OPONI and the self-declaration of conflicts of interest.

3.4 Questions to the Chief Constable (Item 7 of minutes refers)

The Committee noted responses received from the PSNI to Committee questions issued to the Chief Constable regarding:

- Recommendations contained in the report of the Independent Reviewer of the Justice and Security (Northern Ireland) Act 2007;
- Invitations or encouragement to join a proscribed organisation; and,
- The work of the Legacy Investigation Branch since January 2016.

3.5 Any Other Business – information regarding Domestic Abuse Referrals from the PSNI (Item 9 of minutes refers)

The Committee noted an update provided by the Board's Human Rights Advisor regarding domestic abuse referrals from the PSNI. Members also discussed Independent Advocacy within the criminal justice system, public awareness regarding services available and recent media coverage relating to child sexual exploitation. Following discussion

It was:

AGREED:

- To progress arrangements for the Performance Committee to receive a briefing from the PSNI in relation to recent media coverage regarding child sexual exploitation;
- To bring to a future meeting of the Performance Committee a paper on Independent Advocacy within the criminal justice system, and;
- To discuss with PSNI the provision of information to the Committee outlining PSNI organisational structure and points of contact/access for services available to the general public.

4. CHAIRPERSON'S BUSINESS

4.1 Correspondence regarding Patten Recommendation 65

The Committee noted correspondence from the PSNI providing an update to the Committee following a review of the current security situation as it relates to Patten Recommendation 65 (*'the question of moving towards the desired objective of a routinely unarmed Police Service'*).

Members discussed the statistics provided and the process and frequency of security situation reviews. Following discussion,
It was:

AGREED:

Correspondence is issued to the PSNI requesting that in future updates in relation to Patten Recommendation 6, comparative figures from the previous reporting period are included. Members also sought clarification as to when the Northern Ireland threat level is formally reviewed.

4.2 Correspondence regarding Firearms Licensing

The Committee noted correspondence received from the PSNI and the Gun Trade Guild in relation to the firearms certificate application, renewal and variation processes.

It was:

AGREED:

Each item of correspondence would be forwarded to the Gun Trade Guild and PSNI respectively.

5. ITEMS FOR DECISION

5.1 Board's Continuous Improvement Project 2016/17

The Committee considered a paper seeking Members' agreement on the recommendation to the revise the Injury on Duty (IOD) appeals procedure. Members noted that this would allow the Board to progress

the appeal with the Department of Justice Independent Medical Referee (IMR) and remove the need for the original Selected Medical Practitioner (SMP) to reconsider additional evidence. The Committee was advised that, owing to the deferral of this paper from the September 2016 Performance Committee meeting, in the interim the Board's Chief Executive approved the recommendation to allow the new processes to be implemented. Officials requested the Committee ratify the Chief Executive's decision.

Members discussed the implications of this change and the percentage of cases likely to be effected. Following consideration, It was:

AGREED:

To ratify the Chief Executive's decision and approve the recommendation to revise the Injury on Duty appeals procedure as outlined above.

5.2 NIPB response to the 2015/16 HMIC PEEL Effectiveness Report

The Committee considered a paper seeking Members views in respect of progressing a response to the recommendations outlined in the 2015/16 HMIC Effectiveness Inspection Report.

Members considered a proposal that the Board's Resources Committee sub-group, with cross-committee membership, should take forward the response in relation to both the Efficiency and Effectiveness recommendations. However the Committee was of the view that the Performance Committee should progress a response to the recommendations outlined in the Effectiveness Report separate from the Resources Committee sub-group's consideration of the recommendations contained in the Efficiency Report. Following discussion, It was:

AGREED:

A draft response in respect of the recommendations contained in the 2015/16 HMIC Effectiveness Report is brought to a future meeting of the Performance Committee.

5.3 Police Performance Monitoring – Focus Reports

The Committee considered a paper seeking Members agreement on the proposed implementation of Focus Reports as part of a revised performance monitoring schedule for the 2017/18 Policing Plan.

Members considered a mock-up focus report provided for illustrative purposes only. Aspects discussed by the Committee included the provision of the necessary data from the PSNI, how the data will be analysed and the proposed pilot of this format. Following discussion, It was:

AGREED:

Officials progress this work to a stage where data is obtained from the PSNI to facilitate a pilot of this focus report format.

6. ITEMS FOR DISCUSSION

6.1 Human Rights Advisor's Report

The Committee considered an update report on the work of the Board's Human Rights Advisor. Members noted that the paper included further detail and advice on a number of issues raised at the September 2016 Performance Committee meeting such as:

- Informed consent, enhanced disclosure of criminal records, and further information with regard to the offences for which PSNI may use a Community Resolution or Penalty Notice for Disorder;
- The statistics referred to by the Human Rights Advisor in relation to her oral briefing on TACT arrests/charges/conviction rates, and;
- Revised Terms of Reference for the Child Sexual Exploitation Thematic Review

The Committee was provided with a confidential draft of the Thematic Review of Policing Race Hate Crime and discussed progress towards the publication of the Thematic Review. Members discussed with the Human Rights Advisor several issues in relation to the

Thematic Review of Policing Race Hate Crime including:

- Changes in PSNI structures and the impact on service of the changes;
- The tracking of cases through the criminal justice system;
- The difference between a 'hate crime' and a 'hate incident' and how they are classified as such;
- Recommendations made in the Thematic Review; and,
- Engagement with the PSNI following the publication of the Thematic Review of Policing Race Hate Crime.

Following discussion,

It was:

AGREED:

- The final draft of the Thematic Review of Policing Race Hate Crime is forwarded to all Committee Members when available for their consideration and comment;
- To bring to a future meeting of the Performance Committee the final Thematic Review of Policing Race Hate Crime for discussion and approval to publish on the Board's website, and;
- To invite the PSNI to a future meeting of the Performance Committee to discuss the Thematic Review of Policing Race Hate Crime.

6.2 PSNI Counter Terrorism Strategy

The Committee considered a paper updating Members on the PSNI Counter Terrorism Strategy for the period March – September 2016. Members considered the report as it relates to the relevant Strategic Outcome in the Policing Plan 2016/17 (*Strategic Outcome 3.3 – Working in partnership to address paramilitary activity*).

The Committee discussed receiving more information on how the Northern Ireland Counter Terrorism Strategy links to the wider GB Counter Terrorism Strategy and following discussion,
It was:

AGREED:

Correspondence is issued to the PSNI regarding the Counter Terrorism Strategy and how it links with the GB Counter Terrorism Strategy.

6.3 Update report on PSNI Continuous Improvement Projects

The Committee considered a paper providing Members with an update on the mid-year report on PSNI Continuous Improvement projects for 2016/17. Officials briefed Members in relation to the reports, 8 of which were reported on noting that the update in relation to the 'Working Together' project will be reported on at a later date.

In respect of Custody Reform Members considered a possible visit to Musgrave Street Custody Suite and noted that the Committee will be receiving an update from the PSNI on Custody Healthcare at the December 2016 meeting of the Performance Committee. The Committee also considered that it would be helpful to receive a wider briefing from the PSNI on the work of the Crime Operations Department following their consideration of the Crime Operations Continuous Improvement Project Report. Following discussion,
It was:

AGREED:

To progress arrangements for the PSNI to provide a briefing on the work of the Crime Operations Department at a future meeting of the Performance Committee.

6.4 Performance Committee Programme of Work

The Committee noted the updated Performance Committee Programme of Work 2016/17. NOTED.

6.5 Regulation 20 Report

The Committee noted one OPONI Regulation 20 Report. NOTED.

7. QUESTIONS FOR THE CHIEF CONSTABLE

It was:

AGREED:

Questions are issued to the Chief Constable from the Performance Committee regarding the systems in place to track cases from allegation through to conviction of a crime.

8. COMMUNICATION ISSUES

No communications issues were raised.

9. ANY OTHER BUSINESS

No further business was conducted.

10. DATE OF NEXT MEETING

The next meeting of the Performance Committee will be held on Thursday 10 November 2016 at 9.30am.

(Meeting closed at 2.15pm)

BOARD SUPPORT

October 2016

Chairperson