

NORTHERN IRELAND POLICING BOARD

**MINUTES OF A MEETING OF THE PERFORMANCE COMMITTEE MEETING
HELD ON 12 SEPTEMBER 2019 at 10.00, WATERSIDE TOWER**

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| PRESENT: | | Mr Mervyn Storey, Chairperson Prof. Brice Dickson, Vice Chairperson Mr Keith Buchanan |
| | 1 | Mr Alan Chambers Mr Tom Frawley Mrs Dolores Kelly Mr Gerry Kelly Mr Philip McGuigan Mr Paul Nolan |
| OFFICE OF POLICE | 2 | Ms Olwen Laird |
| OMBUDSMAN OF NI IN | 2 | Mr Paul Homes |
| ATTENDANCE | 2 | OPONI Senior Statistician |
| POLICE SERVICE OF | 3 | D/Chief/Supt Paula Hilman |
| NORTHERN IRELAND IN | 3 | D/Supt Anthony McNally |
| ATTENDANCE: | 3 | 2 other PSNI (secretariat) officials |
| OFFICIALS IN | | Ms Jenny Passmore, Director of Performance |
| ATTENDANCE: | | 5 Board Officials |

- (1) Item number : 2
- (2) Item number : 6.2
- (3) Item number : 6.4

1. APOLOGIES

Apologies were received from Mrs Joanne Bunting.

The Committee agreed the agenda for the meeting.

The Chair asked Members to advise of any issues they wished to raise at Item 9 under “Any Other Business”. No issues were declared.

2. CONFLICTS OF INTEREST

No conflicts of interest were declared.

3. DRAFT MINUTES OF MEETING OF THE PERFORMANCE COMMITTEE

The Committee considered the minutes of the meeting held on the 13 June 2019. Agreement of the minutes was proposed by Mr Tom Frawley and seconded by Mr Paul Nolan.

It was therefore:-

RESOLVED:-

That the draft minutes of the Performance Committee meeting held on the 13 June 2019 were agreed.

4. UPDATE ON ACTION LOG

The Director of Performance provided an update on the actions listed on the Action Log. Members noted the current open actions and expected timeframes for these matters to be brought back to the Performance Committee. **NOTED.**

4.1 PSNI RESPONSE TO STOP AND SEARCH (AP1 AND AP15 JUNE 2019)

The Committee considered the PSNI response into issues previously raised around Stop and Search. Discussion took place around the information received and a number of further questions arose. It was therefore:

AGREED:-

To write further to PSNI seeking further clarification and provision of information. This should include –

- A request for the full copy of the Stop and Search Policy and those stakeholders consulted; and
- A further explanation of the comparative outcome figures used between England & Wales

A request for further commentary on the geo mapping provided. Furthermore, ACC Operational Support to be invited to a future Committee for to address issues raised in respect of Stop and Search. **(AP1)**

4.2 PSNI RESPONSE TO BODY WORN VIDEO (BWV) AND COMMUNITY RESOLUTION NOTICES (CRN) (AP2 & AP5 JUNE 2019)

The Committee considered the PSNI written response in relation to previous correspondence sent from the Committee in relation to Community Resolution Notices and Body Worn Video.

The Director of Performance confirmed that December's Performance Committee had been scheduled at Musgrave PSNI station for a demonstration of BWV.

Members discussed the BWV project and the consensus of opinion was that further information was required.

In reference to CRN's it was expressed that further information was required;

Following discussion, it was -

AGREED:-

To issue a letter to PSNI in relation to the suitability of dip sampling used for Body Worn Video. **(AP2)**

Issue a letter to PSNI regarding the data collected for CRNs emphasising concerns raised through Youth Champions Forum about the collection of Section 75 data. **(AP3)**

It was also –

AGREED:-

To submit a question to the Chief Constable relating to the management of the BWV project.

4.3 PSNI RESPONSE RE: MISCONDUCT PROCEDURES/PROCESSES IN PSNI (AP9 & AP10 JUNE 2019)

The Committee considered a response provided by PSNI in relation to previous questions on reasons for delays in bringing misconduct proceedings to conclusion and the annual costs of suspensions to PSNI as result of misconduct proceedings.

Further discussion took place about the reasons for delays however Members expressed the need to obtain further clarification and questioned the annual cost of suspended officers.

Following discussion, it was –

AGREED:-

To submit a question to the Chief Constable in respect of the costs associated with suspended officers.

4.4 PSNI RESPONSE TO THE GILLEN REVIEW (AP11 JUNE 2019)

The Committee considered PSNI responses to issues previously raised in relation to the Disclosure Improvement Plan, the Gillen Implementation Plan and an update on the Sexual Violence Reduction Group's first meeting in June 2019.

A copy of the Disclosure Improvement Plan had been made available to the Committee. Background information supplied highlighted Gillen Recommendations as a key priority between DoJ and the Criminal Justice Board (CJB), and that DoJ had initiated an internal Implementation Team to co-ordinate the implementation plans. Gillen Champions had been identified within each organisation.

The Sexual Violence Reduction Group had met and agreed Terms of Reference and will maintain the strategic governance of the Gillen Implementation Group.

PSNI are due to update the Committee in February 2020 on progress made against the recommendations.

5.0 CHAIRPERSON'S BUSINESS

5.1 PERFORMANCE COMMITTEE PROGRAMME OF WORK

The Director of Performance updated the Members to changes made to the Programme of Work.

This included –

- October - Human Rights Advisor (John Wadham) – Proposed Work Plan;
- November- briefing from PSNI on Spit and Bite Guards;
- December - visit to Musgrave PSNI for Custody Healthcare Pathfinder and briefing/demonstration of BWV; and
- February - visit to PSNI Cyber Crime Unit.

Following discussion, it was –

AGREED:-

Write to PSNI asking for further information on the rationale/analysis regarding the introduction of Spit and Bite Guards in PSNI **(AP4)**; and

Request the HR Advisor provide information on Spit and Bite guards at October's

Performance Committee meeting. **(AP5)**

5.2 PUBLIC CONSULTATION ON TACT 2000 CODE OF PRACTICE

The Director of Performance briefed Members on correspondence and a Consultation document from NIO in relation to an update to Terrorism Act 2000 Code of Practice. The main changes were an amendment to introduce digital technology and use of video recording with sound for interviews and bring Northern Ireland into line with the rest of the UK.

It was –

AGREED:-

That the draft letter of response from the Board Chair be tabled at the October Board meeting to seek agreement to issue. **(AP6)**

6. ITEMS FOR COMMITTEE BUSINESS

6.1 HUMAN RIGHTS ANNUAL AND ASSURANCE REPORTS

Committee officials delivered a paper supporting the Draft Human Rights Report covering the period of January 2016 to September 2017 and a Draft Human Rights Assurance Report for the period of September 2017 to August 2019. The Committee had previously agreed to publish the reports on the Board's website.

The Committee was advised that there were six recommendations made in the Human Rights Annual Report for 2016/17 in the following areas -

1. Training with the Emphasis on Human Rights;
2. Engagement with Older People;
3. Places of Detention of Children;
4. Needs and Capability Gap for Spit Guards;
5. Policy Guidance for Spit Guards; and
6. Age Breakdown of Paramilitary Style Shootings and Assaults.

It was noted that the Human Rights Assurance Report made no recommendations or substantive judgements, with the main objective to inform the public that assurance work had continued during the period September 2017 to August 2019.

The Chair thanked Officials for the extensive work undertaken in compiling the Assurance Report and the factual accuracy undertaken in respect of the Annual Report. He sought the agreement of Members to publish the reports.

Following consideration:

It was:-

AGREED:-

To write to PSNI requesting a response to the six recommendations contained in the Human Rights Annual Report following Board agreement to publish. **(AP7)**

It was also :-

AGREED:-

To seek Board approval to publish both reports and communicate to the general public via social media, and,
Send a letter of appreciation to the Board's former Human Rights Advisor regarding her work on the Human Rights Annual Report for 2016/17. **(AP8)**

6.2 OFFICE OF THE POLICE OMBUDSMAN FOR NORTHERN IRELAND (OPONI) ANNUAL STATISTICAL BULLETIN 2018/19

The Chairperson welcomed OPONI officials Olwen Laird (Chief Executive); the Senior Director of Investigations; and the Senior Statistician. The Chairperson invited them to provide the Committee with an overview of their Annual Statistical Bulletin for 2018/19. Olwen Laird delivered a short introduction to the work carried out by OPONI and that contained in the report including analysing trends and patterns of complaints on a quarterly basis and overseeing Regulation 20 Reports.

The Senior Statistician talked the Committee through the Annual Statistical Bulletin in more detail. She referenced the comparison period used as the previous 5 years, the statistical analysis applied and evidenced trends on key performance indicators to the Members.

Further discussion included:-

- Background information on the statistics;
- PSNI approach – including PSNI's Complaint Reduction Policy;
- Procedure for complaints to OPONI, timeliness and threshold classifications for referrals to Public Prosecution Service and their outcomes;
- Analysis of complaints by Young Persons and the use of social media videos and optional GCSE 'Learning for Life and Work' module; and
- PSNI's implementation of the recommendations made by OPONI.

The Chairperson thanked OPONI officials for their attendance and presentation. OPONI officials then left the meeting.

Following discussion:

It was :-

AGREED:-

That correspondence be sent to the Public Prosecution Service (PPS) seeking information on investigation outcomes. The information should include –

- the number of recommendations that PPS receive from OPONI;
- how many of the recommendations do PPS refer for criminal prosecution; and
- the outcome of criminal prosecution cases. **(AP9)**

6.3 POLICING PLAN MEASURE 2.1.2 SEXUAL OFFENCES

An Official briefed the Committee on the analysis of work relating to PSNI performance against the Policing Plan 2019/20 measure 2.1.2 Sexual Offences, highlighting the key issues –

- Number of sexual offence in 2019/20 continued to increase, while outcomes for victims has decreased;
- PSNI positive engagement and activity to improve their service. However, lacks analysis on differences this has made or resultant positive outcomes;
- Specific recommendations made through Gillen Review or via CJINI and HMICFRS inspections for training and development of officers; and
- Uncertainty of the impact of training on organisation culture and improvement of policing outputs.

Members expressed disappointment with the trend in the figures in relation to sexual offences in 2019/20, as it has been outlined that the number of sexual offences has continued to increase while outcome for victims has decreased. Also discussed was the need for continued improvement in organisational structures and training going forward.

6.4 PSNI APPROACH TO DOMESTIC ABUSE

The Committee considered a paper providing Members with an overview of PSNI's response to domestic violence and abuse.

Members noted that this was a theme agreed by the Committee at February 2019 meeting. The focus was to be on the key issues from roundtable discussions with representatives from Domestic Violence Independent Advisory Group. Further issues

were identified from the Board's attendance at the Independent Advisory Group quarterly meeting.

The key issues included –

- Statistics;
- Current legislation;
- PSNI training;
- Effectiveness of Multi-Agency Risk Assessment Conference (MARAC);
- Use of Domestic Abuse, Stalking and Honour based violence (DASH) forms;
- Effectiveness of Domestic Violence and Abuse Disclosure Scheme (DVADS); and
- Establishment of Independent Domestic Violence.

The Chairperson welcomed D/C/Supt Paula Hilman and D/Supt Anthony McNally to the meeting and invited them to brief the Committee on the PSNI's approach to domestic abuse.

D/C/Supt Hilman gave a short introduction of the roles that each officer held and D/Supt McNally delivered a presentation to the Members, including an assessment of -

- Statistical analysis for incidents with domestic abuse motivation between 2017/18 and 2018/19;
- PSNI approach to training;
- DASH improvements being implemented;
- Collaboration with MARAC partners;
- Early intervention and support with Domestic Abuse Support Workers;
- Figures and a commentary on the DVADS;
- Action Plan developed in response to 'No Excuse' CJINI report; and
- Participation with Independent Advisory Group on Domestic and Sexual Abuse and Adverse Childhood Experiences.

During the ensuing discussion, Members raised a number of queries on the key issues with D/C/Supt Hilman and D/Supt McNally.

The Chairperson thanked the PSNI for their attendance and they left the meeting.

7. QUESTIONS FOR THE CHIEF CONSTABLE

Members noted the responses to the Chief Constable questions submitted following the June Performance Committee meeting.

Members agreed to ask the Chief Constable the following questions:

Body Worn Video

Given the opportunity cost and significant financial investment to date is the Chief Constable satisfied with effectiveness, evaluation, training and value for money.

Cost of Suspended Officers

Can the Chief Constable advise on what steps have been taken and are currently being considered to expedite disciplinary proceedings to ensure a fair process and effective stewardship of public money.

8. COMMUNICATION ISSUES

Members were asked to consider if there were any communications issues arising from the meeting. No communications issued were raised.

9. ANY OTHER BUSINESS

There was no other business.

10. DATE OF NEXT MEETING

It was agreed that the next meeting would take place on Thursday 10 October 2019 10.00am.

Meeting closed 2.40pm

**PERFORMANCE DIRECTORATE
SEPTEMBER 2019**