

NORTHERN IRELAND POLICING BOARD

**MINUTES OF A MEETING OF THE PERFORMANCE COMMITTEE MEETING
HELD ON 14 FEBRUARY 2019 at 9.30am, WATERSIDE TOWER**

PRESENT:

Mr Keith Buchanan
Mrs Joanne Bunting
Mr Alan Chambers
Prof. Brice Dickson
Mrs Dolores Kelly
Mr Gerry Kelly
Mr Philip Mc Guigan
Dr Paul Nolan
Mr Mervyn Storey

POLICE SERVICE OF 1 T/ACC Tim Mairs
NORTHERN IRELAND IN 1 Superintendent John Mc Caughan
ATTENDANCE: 1 PSNI Official

OFFICIALS IN 2 Mrs Amanda Stewart, Chief Executive
ATTENDANCE: Ms Jenny Passmore, Director Of Performance
4 Board Officials

(1) Item numbers - Part Item 4.2

(2) Item numbers - Part Item 1 & Items 4.1 - 7

1. ELECTION OF CHAIR & VICE CHAIR

The Director of Performance briefed Members on the appointment process governing the election of the Board Chair and Vice-Chair.

Mr Keith Buchanan proposed that Mr Mervyn Storey be appointed Chair of the Performance Committee. The proposal was seconded by Mrs Joanne Bunting.

Mr Gerry Kelly proposed that Prof. Brice Dickson be appointed as Vice Chair of the Performance Committee. The proposal was seconded by Mr Paul Nolan.

The Chair and Vice Chair thanked Committee Members for their support, however the Vice Chair asked Members to note that he can only remain in the position until the end

of his term of office which is June 2019. NOTED

The Committee agreed the agenda for the meeting.

Mr Gerry Kelly advised the Committee that he wished to raise an issue under Any Other Business in regards to the recent Ombudsman report.

The Chair advised the Committee that PSNI officials would be attending later in the meeting to present an overview in relation to the Discipline Branch of the PSNI.

2. APOLOGIES

Apologies for the meeting were received from Mr Tom Frawley.

3. CONFLICTS OF INTEREST

The Chair asked Members to declare any conflicts of interests arising from the agenda.

Prof. Brice Dickson advised of a possible conflict of interest in relation to Item 4.1 as he has worked in the past with Mr Gordon Anthony.

Mrs Joanne Bunting advised of a possible conflict of interest in that her husband is a solicitor.

No other conflicts of interest were declared.

The Chair considered both points raised and concluded that there were no conflicts of interest in relation to the agenda and communicated this decision to the Committee.

4. ITEMS FOR COMMITTEE BUSINESS

4.1 Human Rights Briefing Paper

The Committee considered a paper in relation to the Boards' statutory obligation in monitoring PSNI compliance with the Human Rights Act 1998. A Board Official presented an overview of the paper including background to the 12 areas in the Human Rights Framework. During a subsequent discussion, Members asked questions on a number of issues highlighted in the paper including Stop & Search, Body Worn Video Evidence, Domestic Abuse, PCSP funding and Covert Policing.

Members were also advised that the planning for the recruitment of a Human Rights Advisor was underway and that a panel was currently being identified to take this forward. Members will be kept updated on progress. NOTED

A Committee Member raised issues around the rationale of Official Sensitive marked papers from PSNI and requested this to be included for Chief Constables questions. A Member wished to raise concerns that some of the PSNI policies and strategies were not available on PSNI website and that this should also be raised under Chief Constable questions as it was a previous recommendation from the Human Rights Annual Report 2012.

During further discussion it was also:-

AGREED:-

- Joanne Hannigan to be invited to the next Committee meeting to discuss her findings in relation to Stop & Search Authorisations. **(AP1)**
- A sentence within the report detailing domestic abuse be changed from “a focus on male victims” to “including male victims” **(AP2)**
- The Committee to receive a briefing on the report from the Independent Reviewer of National Security in NI (Brian Barker) next report in relation to Covert Policing when available. **(AP3)**
- The draft Human Rights Annual Reports & draft thematic report on CSE are uploaded to SharePoint in advance of the next Committee meeting **(AP4)**
- The Committee to be provided with a briefing update on Sec 75 Impact Community Resolution Notices of Young People. **(AP5)**
- A letter to be issued to PSNI in relation to various aspects regarding Body Worn Video. **(AP6)**
- The Committee to receive an updated briefing on the work of the National Crime Agency (NCA). **(AP7)**
- The Committee to receive an update as to how many PCSPs were involved in the funding of male domestic abuse projects and the total funding value. **(AP8)**

In conclusion it was:-

AGREED:-

- Members agreed with the closed status of the recommendations at Annex A however the recommendation in relation to Domestic Violence should remain open for monitoring.
- During the scheduled afternoon plenary session, Members would discuss and agree strategic priority areas for the Committee to formulate a Programme of Work

4.2 Professional Standards Monitoring Framework

A Board Official presented a background introduction and briefing to Members on the Professional Standards Monitoring Framework for the periods 1 April 2017 to 31 March 2018.

Members discussed the paper including key statistics in relation to complaints, Statute Barred Cases, Police Appeals Tribunals (PATs). The Committee were also advised that the Code of Ethics is due to be reviewed and once available for consultation it will be brought to the Committee. NOTED

The Chair welcomed Temporary Assistant Chief Constable Tim Mairs, Superintendent John McCaughan and another PSNI Official. The Chair invited them to brief the Committee on the work of Discipline Branch. Supt McCaughan introduced the work of the branch and provided a breakdown of the structure and various work streams which make up the Discipline Branch including the role of the branch in relation to officer's misconduct hearings. He further provided an overview of how recommendations made from the Police Ombudsman are considered and implemented.

In response to questions from Committee Members, PSNI also advised that:

- Increased leadership interventions at local level has had an impact on the decreased number of complaints
- Statute barred cases have reduced in part due to Case Management Information Systems (CMIS) in operation.
- There is an increase in awareness of police officers in relation to data protection

issues through ongoing training.

- Misconduct of Officers is mapped against the PSNI Code of Ethics and used as a benchmark to ensure consistency of decision making within the Discipline Branch

The Chair and Committee Members thanked the PSNI Officers and they left the meeting.

Following discussion it was:-

RECOMMENDED:-

- Specialist interest groups should be invited to give the Committee presentations on relevant issues to ensure better understanding and context for Committee Members.

It was also:-

AGREED:-

- Police Ombudsman should be invited to a future Committee meeting to present on their work **(AP9)**
- Committee Members requested information on the PSNI policy recommendations made by the Ombudsman **(AP10)**

5. QUESTIONS FOR THE CHIEF CONSTABLE

Following discussion Committee Members requested that a series of questions be posed to the chief constable as follows:

- In respect of PSNI information, which is protectively marked as Official Sensitive, can the Chief Constable advise on why, in some instances when the official sensitive information is no more than a line or paragraph, the information is not redacted and the remainder of the document made publically available?
- Can the Chief Constable advise on why not all PSNI policies and strategies (redacted or reworded if necessary) are publically available on the PSNI website despite assurance to the Board that a previous recommendation from the Board's Human Rights Advisor on this matter has been implemented?

- A recent press article revealed the PSNI has the worst record for officers in committing serious crimes. There were 189 convictions across 12 police services over the past five years with 57 offences committed by serving PSNI Officer. Can the Chief Constable advise on the reason for this high figure? Is there a gap in the vetting procedures.

6. COMMUNICATION ISSUES

Members were asked to note that the Board's Communication Branch would be organising a series of opportunities for Members to engage in visits to PSNI departments. The document will be uploaded to SharePoint in due course and Members are encouraged to attend where possible. NOTED

7. ANY OTHER BUSINESS

A Member raised the issue of the recent Ombudsman findings for discussion in relation to the disclosure of PSNI documents. The Member stated that the Board should play an active role in seeking a response from the Chief Constable.

The Chief Executive advised that the Chief Constable has been asked to provide a full report on the matter and a Board meeting will be convened to consider the response. Members then discussed the work of PSNI Legacy Investigation Branch expressed the view that this was an important area for Committee business going forward.

It was:-

AGREED:-

- Committee would be presented with a briefing paper at the next meeting, outlining the context of Legacy and progress made to date **(AP11)**

8. DATE OF NEXT MEETING

It was agreed that the next meeting would take place on the 14th March at 10.00am. Mr Paul Nolan offered his apologies in advance of the meeting. NOTED.

Members recognised the wide remit of the Performance Committee and discussed the

need for longer meetings in order to fully conduct business.

It was therefore agreed that Performance Committee meetings to begin at 10.00am and end at 3.00pm. NOTED

The meeting concluded at 1.10 pm.

**PERFORMANCE DIRECTORATE
FEBRUARY 2019**