

NORTHERN IRELAND POLICING BOARD

MINUTES OF THE PERFORMANCE COMMITTEE MEETING HELD ON 17 DECEMBER 2015 AT 9.30AM IN MUSGRAVE POLICE STATION

PRESENT:

- (7) Mr Jonathan Craig (Chairperson)
Ms Roisin McGlone (Vice-Chairperson)
Professor Brice Dickson
Mr David McIlveen
Dr Paul Nolan
- (5) Professor Ryan Feeney

PSNI

IN ATTENDANCE:

- (4) T/ACC Noble
- (3) D/C/Supt Hume
- (2) D/Supt Murphy
- (1) D/C/I Jennings
- (4) Ms Yvonne Cooke
- (4) 1 PSNI Staff Member

BOARD'S HUMAN RIGHTS ADVISOR IN ATTENDANCE:

Ms Alyson Kilpatrick

OFFICIALS IN ATTENDANCE:

- (6) Mr Edgar Jardine (Interim Chief Executive)
Mrs Amanda Stewart (Director of Policy)
5 Board Officials

- (1) Item 5.1 only
- (2) Item 5.2 only
- (3) Items 5.1 & 5.2
- (4) Item 5.6 only
- (5) Part Item 5.1 to close
- (6) Open to item 5.6
- (7) Open to item 5.5

1. APOLOGIES ETC

Apologies for today's meeting were received from Mr Trevor Lunn, Mr Gerry Kelly and Ms Caitríona Ruane

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 PERFORMANCE COMMITTEE

2.1 Draft minutes of the Performance Committee meeting held on 19 November 2015

It was:-

AGREED:

To approve the draft minutes of the Performance Committee meeting held on 19 November 2015.

3. MATTERS ARISING FROM THE MEETING HELD ON 19 NOVEMBER 2015

3.1 Draft minutes of the Performance Committee meeting held on 15 October 2015 (Item 2.1 of minutes refers)

At the 15 October 2015 meeting of the Performance Committee Members agreed to progress a briefing to a future meeting of the Performance Committee regarding the PSNI Continuous Improvement Project – Review of Crime Operations Department. Officials advised that PSNI would be attending today's meeting to provide this briefing at agenda item 5.1.

3.2 Correspondence (Item 3.1 of minutes refers)

The Committee noted an advice note for Members from the Board's Human Rights Advisor regarding the background to and framework for the use of water cannon in Northern Ireland. Officials advised that a response is awaited from An Garda Síochána in respect of their policy regarding the deployment of water cannon.

The Committee was also updated on the recent authorisation for PSNI use of Pava spray instead of CS spray in certain instances.

Following discussion,

It was:-

AGREED:

- To progress arrangements for a briefing on PSNI use of Pava spray at a future meeting of the Performance Committee, and;
- To follow up on the response from An Garda Síochána regarding correspondence previously issued in respect of their policy regarding the use of water cannon.

3.3 PSNI six monthly report on the use of Small Unmanned Aircraft (SUA)(Item 3.2 of minutes refers)

Officials advised that PSNI would be invited to provide Members with an update in respect of PSNI operational use of SUA at the January 2016 meeting of the Performance Committee. NOTED.

3.4 Establishment of the HIU (Item 3.3 of minutes refers)

Officials advised that a response is awaited to correspondence issued to the Department of Justice regarding oversight of the Historical Investigations Unit (HIU) and any update received would be brought to a future meeting of the Performance Committee.

3.5 Evaluation of the Body Worn Video Pilot Scheme (Item 3.4 of minutes refers)

The Committee noted correspondence received from the PSNI dated 26 November 2015 in respect of additional domestic abuse cases brought to court as a result of the use of body worn video. Members noted that the full evaluation report of the Body Worn Video pilot scheme has not yet been received by the Board and following discussion,

It was:-

AGREED:

Correspondence is issued to the PSNI requesting the Body Worn Video pilot scheme full evaluation report be forwarded to the Committee when it becomes available.

3.6 Correspondence (Item 4.1 of minutes refers)

The Committee was advised that a response is awaited to correspondence issued to the Minister of Justice seeking clarification as to when the provision in the Justice Bill will be commenced to allow for the introduction of Domestic Violence Protection Notices (DVPNs). Officials advised this response would be brought to the Committee in due course.

The Committee also noted a written response received from the Chief Constable to a question submitted by the Committee seeking his views regarding the commencement of legislative provision for the implementation of DVPNs in Northern Ireland. NOTED.

Officials advised that a response is awaited to correspondence issued to the PSNI in relation to the refresh and relaunch of discretionary disposals and will be brought to the Committee in due course.

3.7 Professional Standards 6 Monthly Report (Item 5.1 of minutes refers)

The Committee noted correspondence issued to the PSNI following the Professional Standards 6 Monthly Report given to the Committee at the October 2015 Performance Committee meeting. Officials advised a response is awaited and will be brought to the Committee in due course. NOTED.

3.8 Meeting with HMIC regarding PSNI Inspection Activity in 2015/16 (Item 5.3 of minutes refers)

The Committee noted that matters relating to an HMIC PEEL Inspection

of PSNI in 2015/16 were discussed and agreed at the 3 December 2015 Board meeting. NOTED.

Officials also advised that CJINI will be invited to the January 2016 meeting of the Performance Committee to discuss their upcoming inspection in respect of legacy issues. Members noted that the Board's Terms of Reference originally drafted for the proposed HMIC Inspection of the PSNI's role in the disclosure of information to the Coroner had been forwarded for CJINI's consideration in establishing the CJINI review's Terms for Reference. NOTED.

3.9 PSNI Quarterly Report on Impact on Organised Crime/PSNI 6 monthly Report on Counter Terrorism

Officials advised that a verbal update regarding these reports would be provided by the PSNI at the January 2016 meeting of the Performance Committee. NOTED.

3.10 Custody Visitors Statistics July – September 2015 (Item 6.3 of minutes refers)

The Committee noted that this item was deferred from last month's meeting and is included at agenda item 6.1. NOTED.

3.11 Correspondence (Item 6.4 of minutes refers)

The Committee considered correspondence received from the Chief Constable regarding requests made by the Director of Public Prosecutions under Section 35(5) of the Justice (Northern Ireland) Act 2002. Members noted a proposal from the Chief Constable that the Board may wish to consider the formation of a Special Purposes Committee to which the PSNI could report regarding any such investigations. Following discussion,
It was:-

AGREED:

- To circulate to Board Members advice previously given to the Board by the Human Rights Advisor in respect of the functions of the Special Purposes Committee;
- To seek information on the advice provided to the Chief Constable by Senior Counsel as referred to in his letter to the Board Chairperson dated 10 December 2015.

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

The Committee noted responses received from the PSNI to questions submitted by the Performance Committee for the 3 December 2015 Board meeting. NOTED.

4 CHAIRPERSONS BUSINESS

4.1 Correspondence

The Chairperson updated the Committee on correspondence received regarding completion of the PSNI's review into Developed Vetting. NOTED.

The Chairperson provided a verbal update to the Committee on the upcoming release of an OPONI report in relation to the bomb attack on Constable Peadar Heffron. Members expressed concern at issues raised by the report including the PSNI decision to reduce the sanctions recommended by the Ombudsman and the investigative processes and internal management of intelligence in this case. Following discussion, It was:-

AGREED:

- To issue to Members, when available, the OPONI report in relation to the bomb attack on Constable Peadar Heffron, and;
- To invite the Chief Constable and Deputy Chief Constable to the 22 December 2015 Board meeting to discuss the issues arising from the OPONI report relating to the bomb attack on Constable

5 ITEMS FOR DECISION

5.1 Review of Crime Operations Department

The Chairperson welcomed D/C/Supt Hugh Hume and D/C/I Una Jennings to the meeting and invited them to update the Committee on the PSNI review of the Crime Operations Department.

D/C/I Jennings thanked the Committee for the invitation and began by discussing the development and objectives of the Crime Operations change management programme. These included a better understanding of demand within Crime Operations, prioritisation of work and the need for more flexibility and agility of resources within the department.

The Committee discussed with PSNI:

- The need for accountability within the Policing Plan for the broader aspects of the work of Crime Operations department;
- The creation and role of the Co-ordination and Tasking Centre (CTC);
- Decision making and prioritisation processes within Crime Operations;
- The role of District Commanders in the allocations of resources, and;
- How success of this continuous improvement project will be measured.

The Chairperson thanked D/C/I Jennings for a very comprehensive briefing and she left the meeting. D/C/Supt Hume remained for agenda item 5.2

5.2 Legacy Investigation Branch

The Chairperson welcomed D/Supt Jason Murphy to the meeting and invited him to update the Committee on the work of the Legacy Investigation Branch.

D/Supt Murphy provided the Committee with a brief outline of the work of the branch including; staffing numbers; the LIB's case sequencing model; and the outstanding recommendations from the 2013 HMIC Inspection of the PSNI HET. Members were also advised of current cases being progressed by the LIB including 'On The Runs' cases, Military Reaction Force cases, Bloody Sunday cases and the Boston College Tapes investigations.

D/Supt Murphy highlighted the significant challenges of legacy policing for the PSNI and reiterated the PSNI's commitment to continue to provide whatever support it can towards the establishment of the HIU in the future.

In response to questions from the Committee the PSNI provided further detail regarding:

- How the case sequencing model is used to prioritise the LIB's caseload;
- The PSNI's relationship with OPONI as it relates to legacy cases;
- The volume of cases within the branch and their progression towards completion, and;
- The LIB's draft Manual of Guidance.

The Committee also discussed progress towards implementation of recommendations included in the HMIC Follow up Inspection of the HET including the sharing of intelligence with the Legacy Investigation Branch and how this can be independently verified.

The Chairperson thanked D/Supt Murphy and D/C/Supt Hume and they left the meeting.

Following the briefing Members expressed concern that the LIB's Manual of Guidance is still in draft format and that the Board had not yet had sight of this. The Committee was also concerned that the breakdown of cases and progress towards completion is unclear. Following discussion, It was:-

AGREED:

- To issue correspondence to the PSNI requesting a copy of the draft LIB Manual of Guidance and a detailed breakdown of the LIB caseload including progress towards completion;
- Officials to liaise with the Board's Human Rights Advisor regarding correspondence to the PSNI in respect of LIB's Article 2 compliance and how the transfer of intelligence between Crime Operations and the LIB is managed.

5.3 Performance against the Policing Plan

The Committee considered a paper providing Members with a summary of PSNI performance against Policing Plan targets, Corporate Dashboard and Most Similar Force comparisons.

Members were of the view that more narrative and detailed analysis of crime patterns is necessary to give context to the statistics provided by the PSNI and following discussion, It was:-

AGREED:

Officials will liaise with Members regarding the analysis of crime patterns and the inclusion in the upcoming Policing Plan of more meaningful Performance Targets.

5.4 Cybercrime Update

It was:-

AGREED:

This item is deferred to a future meeting of the Performance Committee.

5.5 CJINI Inspection on File Quality and Disclosure

It was:-

AGREED:

This item is deferred to a future meeting of the Performance Committee.

The Chairperson apologised and left the meeting. The Vice-Chairperson assumed the Chair for agenda item 5.6.

5.6 Update on the Review of Custody Healthcare

The Vice-Chairperson welcomed T/ACC Noble, Ms Yvonne Cooke and a colleague to the meeting and invited them to update the Committee on the PSNI's Custody Healthcare Review.

Following a brief introduction by T/ACC Noble he invited his colleagues to update the Committee on changes in the PSNI custody estate and the provision of custody healthcare. Members were advised of the reduction in custody suits from 19 to 9 and also of suites which have been closed due to renovations. The Committee noted that Musgrave custody suite was now fully refurbished and operational with 50 cells and that Members would have a tour of the facility following the briefing.

In respect of custody healthcare the PSNI discussed with the Committee:

- The complexity of mental health issues being dealt with in custody suites;
- The role of FMO's (Forensic Medical Officers);
- Partnerships with other Departments and agencies including the DHSSPS, the Youth Justice Agency, the Probation Board and Prisons to ensure a more co-ordinated approach and exchange of information, and;
- Ongoing work towards fully utilising psychiatric nurses within custody suites.

In response to questions from the Committee the PSNI also discussed:

- the PSNI's progress in custody healthcare as compared to similar Police Forces;
- training provided to custody sergeants at which FMO's are also in attendance, and;
- the importance of the PSNI's relationship with public health agencies given the high percentage of people presenting at custody suites with psychological issues.

The Vice-Chairperson thanked the PSNI for their presentation following which Committee Members were taken on a tour of Musgrave Police Station's Custody Suite.

6 INFORMATION PAPERS AND CORRESPONDENCE

6.1 Custody Visitors Statistics July – September 2015

The Committee noted a paper in respect of the operation of the Custody Visitors Scheme between 1 July 2015 and 30 September 2015. NOTED.

6.2 Stop and Search Statistics July – September 2015

This paper was deferred to the January 2016 meeting of the

Performance Committee.

6.3 Correspondence

There were no items for consideration. NOTED.

6.4 Regulation 20 Reports

The Committee noted 4 OPONI Regulation 20 Reports. NOTED.

6.5 Freedom of Information Requests

The Committee noted 1 PSNI Freedom of Information request. NOTED.

7. QUESTIONS FOR THE CHIEF CONSTABLE

It was:

AGREED:

Performance Committee questions to the Chief Constable will be considered at the 21 January 2016 meeting of the Committee.

8. COMMUNICATIONS ISSUES

There were no matters arising

9. ANY OTHER BUSINESS

The Committee discussed an issue raised by a Member in respect of an ongoing operational policing matter in the Clandeboye area of North Down. Following discussion,

It was:

AGREED:

To progress arrangements for a meeting with PSNI and representatives of the local community in the Clandeboye area in

respect of the ongoing operational policing matter.

10 DATE OF NEXT MEETING

Members were advised the date for the next meeting of the Performance Committee is Thursday 21 January 2016.

(Meeting closed 1.00pm)

Board Support

Date: December 2015

Chairperson