

NORTHERN IRELAND POLICING BOARD

**MINUTES OF THE MEETING OF THE NORTHERN IRELAND POLICING BOARD
HELD ON THURSDAY 2 SEPTEMBER 2021 AT 9.30AM IN WATERSIDE TOWER,
CLARENDON DOCK AND VIA VIDEO CONFERENCE FACILITY**

PRESENT:

Mr Doug Garrett Chair
Dr Tom Frawley Vice-Chair*
Mr Michael Atkinson
Mr John Blair MLA
Mr Maurice Bradley MLA*
Mr Tom Buchanan MLA
Ms Joanne Bunting MLA
Mr Trevor Clarke MLA
Dr Janet Gray
Mr Edgar Jardine
Mrs Dolores Kelly MLA
Ms Liz Kimmins MLA*
Mrs Linda Dillon MLA*
Mr Colm McKenna*
Mr Frank McManus*
Ms Carmel McKinney*
Mr Mike Nesbitt MLA
Ms Deirdre Toner

**POLICE SERVICE OF
NORTHERN IRELAND IN
ATTENDANCE:**

- () Mr Simon Byrne, Chief Constable
- (1) Mr Mark Hamilton, Deputy Chief Constable
- (1) Ms Pamela McCreedy, Chief Operating Officer
- (1) Mr Bobby Singleton, T/Assistant Chief Constable
- (1) Ms Finola Dornan, Chief Inspector
- (1) Mr John McCaughan, Superintendent

**NORTHERN IRELAND
POLICING BOARD
OFFICIALS IN
ATTENDANCE:**

Mrs Amanda Stewart, Chief Executive
Mr Adrian McNamee, Director of Performance
Ms Dympna Thornton, Director of Partnership
Three Board Officials

**OTHER OFFICIALS IN
ATTENDANCE:**

Mr John Wadham, Human Rights Advisor

*Attended meeting by video conference facility

(1) Item 10 only

1. APOLOGIES

Apologies were received from Mr Gerry Kelly MLA.

The Chair welcomed Mrs Linda Dillon MLA, to her first monthly Board meeting noting that Mrs Dillon had previously been a Board Member between December 2018 and January 2020. Mrs Dillon replaced Mr Seán Lynch MLA who resigned from the Board with effect from 1 July 2021.

The Board agreed the Agenda for the meeting.

2. CONFLICTS OF INTEREST

No conflicts of interest were declared.

3. DRAFT MINUTES OF THE BOARD MEETINGS HELD ON 30 JUNE 2021 AND 1 JULY 2021

It was **RESOLVED:-**

- That the minutes of the Board meetings held on 30 June 2021 and 1 July 2021 be approved.

4 BOARD ACTION LOG

Updates as detailed within the Action Log from the Board meeting held on **1 July 2021** were noted in addition to the following verbal updates provided by the Chief Executive.

Action Point 1

In relation to Operation Kenova, the Chief Constable provided an update in correspondence dated 5 August 2021 which was included within the CEO Report stating that the PSNI Chief Operating Officer (COO) had progressed the Operation Kenova Terms of Reference (ToR) and Review Leads had also been allocated.

A Board Member expressed support for the work Operation Kenova Lead, Jon Boutcher and commended the victim centred approach which has been adopted throughout the investigation.

Members also noted that the Board's Vice Chair would visit the Operation Kenova Headquarters in London with Deputy Chief Constable (DCC) Hamilton following which a report will be provided to the Board.

Action Point 3

The Chair updated Board Members on his discussions with the Chief Constable following Members' dissatisfaction (at the July meeting) regarding the delay in receiving the Report; and referred Members to correspondence received from the PSNI which provided further information on the position with completion of the report including details of practical lessons/ actions that have already been taken by the PSNI in the future commissioning of external investigations to address issues raised by the Board and within the Judgement delivered.

The Board requested that the Chair continues to discuss the timeframe for completion with the Chief Constable seeking a resolution to this matter.

Action Point 4

The Criminal Justice Inspectorate for Northern Ireland (CJINI) would engage with the Resources Committee Chair and Vice Chair as part of the upcoming inspection of leadership in the criminal justice system. The Committee Chair would provide an update to the Board in due course.

Action Point 5

This would be dealt with under agenda item 8.2.

Action Points 2, 6 and 7 were closed.

Updates as detailed within the Action Log from the Board meeting held on **6 May 2021** were noted in addition to the following verbal updates provided by the Chief Executive:

Action Point 2

A paper on the outstanding Patten Recommendations would be provided to the next Board meeting.

5. CHAIRPERSON'S BUSINESS

The Board noted a Report from the Chair who advised Members of:

- The Chair's engagements, including meetings held by teleconference and video conference facilities during the period between 29 June 2021 and 31 August 2021.
- A list of correspondence received by the Chair during the period between 26 June 2021 and 11 August 2021.
- A list of correspondence issued by the Chair during the period between 8 July 2021 and 19 August 2021.

The Chair updated Members on his recent engagements including:

- The focus over the summer period has primarily been on the process to appoint a new Chief Executive.
- The Scottish Police Authority (SPA) Roundtable Event on the Scottish Experience of policing the pandemic was available to view on livestream on the SPA website. The Chair would meet with the four officers attending the Strategic Command Course (SCC) later this month, and he had also been invited by the SCC to attend and speak at the SCC, and the Board would be kept updated.

Members discussed the correspondence dated 26 July 2021 received from the Department of Justice (DoJ) in relation to the role of the Belfast Harbour Police (BHP) and their desire to formalise a policy position on the ability of BHP to operate in certain circumstances outside of their jurisdiction. Following discussion, the Chief Executive agreed to revert to the DoJ on two matters:

- The Board would need to understand the extent of policing activity in the Harbour Estate to assess whether such a power to BHP was necessary.
- Also, if a port constable is afforded all the powers and privileges of a constable then the same standards of behaviour through the Code of Ethics for everyone who works in policing should be embedded with oversight and accountability arrangements through the Office of the Police Ombudsman and the Policing Board. **(AP1)**

The Chair noted the Police Ombudsman's office had advised that the Spit and Bite Guards report had not concluded, however it would be finalised in time for the October Board meeting. It was intended that the Police Ombudsman would be invited to brief the Performance Committee on the Report, and all Members would be invited to attend. **(AP2)**

6. CHIEF EXECUTIVE'S REPORT

The Board noted a Report from the Chief Executive which provided an update on various items of business. The Chief Executive further provided a verbal synopsis on a number of items detailed within the Report including:

- All actions within the Corporate Business Plan were on target to be achieved.
- The financial position to July 2021 showed an underspend of £31,000 which was primarily as a result of timing of expenditure against budget. Expenditure would need to be closely monitored as preparations for

the move to James House continued and as the dilapidation costs relating to Waterside Tower were not confirmed.

- Significant progress continued to be made towards the move to James House in January 2022, and Board Officials have continued to engage with the central James House Project Team on collective tenant-related issues via the Transition Management Working Group and in addition Board officials have also undertaken a number of meetings relating to the Board's specific requirements. A business case in relation to James House car parking would be brought to Resources Committee during September 2021.

The Chief Executive further provided an update on the DoJ's information gathering exercise on Resource Departmental Expenditure Limits (DEL) requirements for Budget 2022-25 which included the potential impact of year on year budget cuts of 2%, 4% and 8%. A summary of the key aspects were detailed within the Report but any budget cuts may impact the Board's ability to meet its statutory obligations.

Members discussed the potential financial impact a budget cut may have on the Board, and following discussions the Chief Executive agreed to provide an update paper to the Resources Committee on the James House cost savings, including what savings would be returned to the DoJ/Department of Finance. **(AP3)**

Members further noted the update provided about Police Administration Branch, including the ongoing engagement between Board Officials and the DoJ Officials in relation to the ongoing review of the NIAO Report on Injury On Duty and an update on the Ill Health Retirement Scheme.

Members discussed the staff sickness absence rates and noted that return to work protocols needed to be addressed. The Chief Executive advised that in preparation for agile working arrangements within James House staff should still be afforded the option to maintain a blended approach to enable staff to partially work from home, where possible.

In relation to the Board's Freedom of Information and General Data Protection Regulation statutory responsibilities and the backlog in processing requests, the Chief Executive noted that steps had been taken to bring in additional resources and it was being monitored by the Senior Management Team, but that the matter would be added to the Corporate Risk Register. **(AP4)**

A Member raised a query in relation to why the UK Financial Services Bill was not being extended to Northern Ireland – the Director of Performance agreed to check the position and revert to the Member. **(AP5)**

7. COMMITTEE REPORTS

There were no Committee Reports to discuss as no Committees have met since the previous Board meeting on 1 July 2021.

8. BOARD BUSINESS

8.1 CEO Appointment

This matter was dealt with under reserved business [see Annex 1].

8.2 Plans to Mark the 20th Anniversary of NIPB

The Director of Partnership presented a paper which outlined plans for a Youth Policing Panel event to take place in February 2022 as part of the arrangements to mark the Board's 20th Anniversary year. Members noted that the Youth Policing Panel event would be an opportunity for a group of young people to be selected to engage with a representative group of Board Members and members of the PSNI Senior Officer team.

Members noted the proposed format of the event including that the Youth Policing Panel would be cross-sectoral with a range of backgrounds and experiences.

Following discussion it was **RESOLVED**:

- That the event will take place in February 2022, with the format of the event to be progressed by Partnership Committee. **(AP6)**

8.3 South Armagh Policing Review

The Chief Executive presented a paper which asked the Board to consider the extent of the Board's role in overseeing the South Armagh Policing Review Recommendations and agree an approach for its oversight and accountability role in respect of the issues contained within the Report.

Members noted the South Armagh Policing Review included 50 recommendations for change across a number of key areas. The Board considered the options as detailed within the paper and Members agreed that oversight of the implementation of the Report's Recommendations could be progressed via the Board's three Committees.

After review and discussion of the options it was **AGREED** to:

- Maintain Oversight through the Board's Committees;
- In addition the Board agreed to write to the Chief Constable to request he provide an action plan on how he proposes to implement these recommendations.

Members also noted the invitation from Crossmaglen Rangers Gaelic Athletic Club to visit the area and discuss policing issues and agreed that the invitation would be considered by the Partnership Committee. **(AP7)**

Members noted a verbal update from the Director of Partnership regarding the South Armagh Community Stakeholder event which was organised by the PSNI on 31 August 2021. The event was designed to provide information to the local community about the South Armagh Policing Review and the future

development of policing in the area. The stakeholder event was attended by the Director of Partnership on behalf of the Board.

8.4 Report of Board Away Day

The Chief Executive presented a paper which outlined the structure and format of the Away Day, which took place in July 2021, and gave an overview of the matters which were discussed and issues arising from same. The Chief Executive noted the key challenges for the Board and also the Board's priorities.

Members were asked **to note** that:

- The issues raised will be developed into the Board and Committee programmes of work.
- Board officials to develop an action plan of areas to be progressed in the short and medium term by the Board, which would be considered at a future Board Meeting. **(AP8)**

8.5 Policing Plan Review Working Group

The Director of Performance presented a paper requesting the Board's approval for a proposal to reconvene a Policing Plan Review Working Group (PPRWG) to prepare the draft Performance Plan for 2022-23.

It was proposed to use a similar structure and membership as had been followed for the development of the Northern Ireland Policing Plan 2020-25 and Performance Plan 2021-22.

Following discussion it was **RESOLVED**:

- That the draft Terms of Reference be **approved** subject to the changes below:

- i) An additional point to be added at 4.6 – “Sub-groups proposed to be established by the Working Group will be subject to Board approval”
 - ii) Item 4.5 (Meetings and Reporting) is amended to remove the words “it is envisaged that” **(AP9)**
- Membership of the Policing Plan Review Working Group 2021-22 be **approved.**

9. KEY ISSUES OF PUBLIC INTEREST

The Board noted a paper which detailed recent issues of public interest which were relevant to the Board’s areas of work.

10. PRIVATE SESSION WITH THE CHIEF CONSTABLE INCLUDING CHIEF CONSTABLE’S REPORT

The Chair welcomed the Chief Constable, DCC Mark Hamilton, Pamela McCreedy, COO, and T/Assistant Chief Constable Bobby Singleton to the meeting.

The Chief Constable made introductory remarks on the South Armagh Policing Review Report noting that Memorials would not be removed from police stations. The Chief Constable further noted that in relation to the PSNI’s collaboration with An Garda Siochana the recommendations within the Report were intended to improve cross border collaboration and consistency for everyday policing and further the co-operation that existed under the Joint Agency Taskforce.

During the meeting Members discussed a number of issues with the Chief Constable including:

- Recent recruitment to the PSNI Communications Team. DCC Hamilton noted that a previous review of the capability and capacity of the PSNI Communications Team had been completed by PWC. The PSNI

Communications Team were intending to modernise in line with other police services.

- The format and content of the Chief Constable's Accountability Report to the Board. Board Officials would seek feedback from Members as to what information they would like see within the monthly report, and the Chief Constable noted he would welcome a formal reporting structure. **(AP10)**
- The progress being made by the PSNI regarding violence against women and girls. T/ACC Singleton updated the Board on the national engagement with the Home Office and the National Police Chiefs Council to develop a strategy that is in line with other UK police services.
- The recent INLA "show of strength" in Derry/Londonderry, DCC Hamilton provided an update on the incident and noted that the Police Ombudsman was considering investigating the incident.

In response to a Member's question about PSNI officer recruitment and the impact of a potential shortfall in officer numbers, the COO and DCC noted that while new officers were placed in Neighbourhood Policing Teams, there was risk as the funding was not recurrent. The DCC noted that while placing officers in the Neighbourhood Policing Teams was a priority, the PSNI had other operational pressures including serious crime investigation and investigation of child sex abuse/ exploitation.

The Chair thanked the Chief Constable, DCC, COO, and T/ACC Singleton for their private briefing to the Board.

11. QUESTIONS FOR THE CHIEF CONSTABLE

11.1 Committee Written Questions and Responses

No written questions had been submitted to the Chief Constable from the Committees.

11.2 Individual Members' Written Questions and Responses

The Board noted the responses provided by the Chief Constable to Members individual questions.

12. SCHEDULE OF MEETINGS/MEMBERSHIP OF COMMITTEES

12.1 Schedule of Meetings September 2021 – December 2021

The Chair noted the schedule of Board and Committee meetings from now until December 2021.

12.2 Updated list of Committee Membership

The Chair noted the updated list of Committee Membership following Mrs Linda Dillon MLA appointment to the Board and Mrs Carmel McKinney's move from Partnership Committee to Resources Committee.

13. COMMUNICATION ISSUES

The Chair noted confirmation of the new Chief Executive would be issued to coincide with the start date.

Members discussed the limited information that can be released to the public for ongoing live cases, and the Communications Manager agreed to consider possible wording that may be circulated to Members in respect of a corporate line Board Members may refer to.

14. ANY OTHER BUSINESS

No other business was conducted.

15. DATE OF NEXT MEETING

The next Board Meeting was scheduled for Thursday 7 October 2021 at 9.30am.

The meeting closed at 12.45pm.

The private meeting closed and the Board moved into public session at 12.45pm which was held by a video conference facility and livestreamed. A verbatim recording of the Board meeting in public is available on the Board's YouTube page @nipolicingboard

Corporate Services

Date: September 2021

Chair

CONFIDENTIAL ANNEX

ITEM 8.1 CHIEF EXECUTIVE APPOINTMENT

The Chief Executive provided a report to the Board on the process to appoint a new Chief Executive for the Policing Board. Members noted that a Panel of 6 Board Members¹, led by the Chair had been progressing the process to select a new Chief Executive. The Panel was supported in the process by Headstogether Consulting Ltd, the Board's retained Human Resources Advisor.

Members were advised that the competition launched on Monday 19 July 2021 and there were 5 applications received by the closing date of 9 August 2021. The eligibility and shortlisting held on 12 August 2021 resulted in 3 candidates being called for interview on Wednesday 2 September 2021. Shortlisted candidates were also invited to participate in a psychometric assessment and debrief with an occupational psychologist followed by a preliminary discussion focused on the job description and candidates' experience to date, with representatives from Headstogether Consulting. At interview, applicants were required to make a presentation to the panel on a previously provided presentation and this was followed by 8 minutes of questioning.

The Appointment Panel concluded that 1 candidate met and exceeded the agreed pass mark. The person who received the highest overall consensus panel mark is Mrs Sinead Simpson.

The Appointment Panel recommended to the Board that Mrs Simpson should be offered the post, subject to confirming satisfactory security clearance before the offer is confirmed. The Board also noted that in accordance with paragraph 3.4.2 of the Board's Management Statement and Financial Memorandum the Department had given its approval for the Board to proceed to complete the process on the basis of the existing NICS Terms and Conditions for Grade 5.

¹ Doug Garrett, Deirdre Toner, Colm McKenna, Trevor Clarke, Liz Kimmins, Dolores Kelly.

Following discussion it was **RESOLVED**:

- To agree the Appointment Panel's recommendation to appoint Mrs Simpson as Chief Executive of the Policing Board.