

**NORTHERN IRELAND POLICING BOARD**

**MINUTES OF A MEETING OF THE NORTHERN IRELAND POLICING BOARD  
HELD ON TUESDAY 26 FEBRUARY 2019 AT 10.00AM IN WATERSIDE TOWER**

**PRESENT:**

Mrs Anne Connolly (Chair)  
Ms Deborah Watters (Vice-Chair)  
Mr John Blair  
Mr Keith Buchanan  
(1) Mrs Joanne Bunting  
Mr Alan Chambers  
Mrs Linda Dillon  
Mrs Dolores Kelly  
Mr Gerry Kelly  
Mr Philip McGuigan  
Mr Gary Middleton  
Dr Paul Nolan  
Mrs Wendy Osborne  
Mr Mervyn Storey

**POLICE SERVICE OF  
NORTHERN IRELAND IN  
ATTENDANCE**

(2) Mr George Hamilton, Chief Constable  
(2) Mr Stephen Martin, T/Deputy Chief Constable  
(2) Mr George Clarke, T/ACC Legacy and Legal  
Department  
(2) Ms Barbara Gray, T/Assistant Chief Constable,  
Crime Operations Department  
(2) Mr Tim Mairs, T/Assistant Chief Constable,  
Innovation and Standards Department  
(2) Superintendent Andrew Freeburn, Command  
Secretariat  
(2) One PSNI Staff Member

**OFFICIALS IN  
ATTENDANCE:**

Mrs Amanda Stewart, Chief Executive  
(3) Mr Tim Logan, Director of Resources  
(3) Mr Adrian McNamee, Director of Partnership  
(3) Ms Jenny Passmore, Director of Performance  
(3) 2 Board Officials  
1 Board Official

- (1) Part item number 3 to close (arrived at 12.05pm)
- (2) Part item number 3
- (3) Item number 3 to close

## **1. APOLOGIES**

Apologies were received from Prof Brice Dickson, Mr Tom Frawley, Mr Doug Garrett and Mr Colm McKenna. Mrs Joanne Bunting had advised that she would be late for the meeting.

## **2. CONFLICTS OF INTEREST**

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

## **3. LEGAL ADVICE REGARDING THE CHIEF CONSTABLE APPOINTMENT**

The Board considered legal advice which was circulated at the meeting regarding the Chief Constable appointment process following recent political commentary in the media.

During discussion Members discussed:-

- The recruitment process for the Chief Constable appointment which had to be based on the key principles of merit, fairness and openness.
- The commentary in the media regarding the appointment of a Chief Constable.
- The position of Members sitting on other PSNI Senior Officer and Civilian Staff Appointment Panels.

Before reaching a decision on how to take the Chief Constable appointment process forward it was:-

**AGREED:**

That the Crown Solicitor would be asked to provide further advice and attend the Board meeting to discuss the Chief Constable appointment process and other Senior appointments in the PSNI. **(AP1)**

#### **4. PSNI FAILING TO DISCLOSE SENSITIVE MATERIAL TO THE POLICE OMBUDSMAN**

The Board considered a report which had been received from the PSNI which outlined details of the circumstances of the PSNI's failure to disclose sensitive material to the Police Ombudsman's Office in legacy disclosure. The report highlighted a series of issues which centre on system failure, resourcing, IT, skills and training issues in relation to the PSNI meeting its disclosure responsibilities in respect of the Sean Graham Bookmaker's atrocity and potentially other cases.

Members noted the Terms of Reference for a review which would be undertaken by the PSNI to examine the disclosure failings identified by the Police Ombudsman.

Members also noted that the Department of Justice (DOJ) had requested Criminal Justice Inspection Northern Ireland (CJINI) to carry out an independent review on how the PSNI discloses information on legacy cases to the Office of the Police Ombudsman.

The Chair welcomed the Chief Constable and his colleagues to the meeting.

The Chief Constable briefed the Board on the issues raised by the Police Ombudsman in relation to the disclosure of material by the PSNI in the Sean Graham Bookmakers case. He outlined details of how the disclosure failure had occurred and the immediate steps and actions which would be taken to address the situation and restore confidence in the PSNI approach. The Chief Constable reminded the Board about the impact that lack of progress in

dealing with the past is having an impact on policing and challenges which the PSNI faces when meeting its diverse disclosure obligations.

During discussion the following main points were discussed with the Chief Constable and representatives from the PSNI:-

- How the PSNI failed to disclose sensitive information to the Office of the Police Ombudsman.
- Legacy issues continuing to have a detrimental impact on policing and public confidence and particularly on the victims and families.
- IT systems in the PSNI which require to be upgraded including the cost of upgrading these systems and a business case which had been submitted by the PSNI to DOJ during the previous year for funding.
- Back record conversion and digitisation of documents.
- A report by CJINI on an inspection of the arrangements in place in the PSNI to manage and disclose information in support of the coronial process in Northern Ireland and additional resources required to expedite legacy coronial requests.
- The PSNI review to examine the disclosure failing identified by the Police Ombudsman and the Terms of Reference for the review.
- The resources required by the PSNI to meet its disclosure responsibilities.
- Funding to deal with legacy inquest arrangements.
- The storage of documents in PSNI sites in Northern Ireland.
- CJINI review on how the PSNI discloses information on legacy cases to the Office of the Police Ombudsman.
- Engagement with victims' families.
- The continuing failure to make progress on the Historical Investigations Unit.

In conclusion Members asked the Chief Constable to provide updates on a monthly basis on the measures outlined in the Terms of Reference for the

PSNI review regarding the disclosure failings identified by the Police Ombudsman.

The Chair thanked the Chief Constable and his colleagues for attending the meeting and they left.

Members discussed the circumstances of the PSNI's failure to disclose sensitive material to the Police Ombudsman's Office on legacy disclosure and it was:-

**AGREED:**

- That a meeting should be arranged with the Chief Inspector, CJINI to discuss the CJINI remit, terms of reference and scope of the review and timescale for completion.
- That the Board should be provided with the draft Terms of Reference which was agreed previously by the Board for a review of the role of PSNI in supporting legacy inquests.
- That the PSNI report on the circumstances of the PSNI's failure to disclose sensitive material to the Police Ombudsman's Office on legacy disclosure should be published on the Board website.
- That letters should be sent to the Secretary of State and the DOJ regarding funding for legacy issues and the establishment of the Historical Investigations Unit.
- That a meeting should be arranged with the Police Ombudsman.
- That the PSNI should be invited to provide briefings on legacy issues through the Board and its Committees.

**(AP2)**

The Board considered a draft news release in relation to the report from the Chief Constable regarding PSNI failings to disclose sensitive material to the Police Ombudsman's office on legacy disclosure and suggested a number of amendments. Subject to the amendments being made the Board:-

**AGREED:**

That the news release should be issued.

**(AP3)**

**5. ANY OTHER BUSINESS**

No other business was discussed.

**6. DATE OF NEXT MEETING**

The date of the next meeting was agreed.

(Meeting closed at 2.05pm)

**CORPORATE SERVICES**

**MARCH 2019**

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**Chairperson**