

NORTHERN IRELAND POLICING BOARD

**MINUTES OF THE MEETING OF THE NORTHERN IRELAND POLICING BOARD
HELD ON THURSDAY 3 SEPTEMBER 2020 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

- (1)** Mr John Blair MLA*
Mr Tom Buchanan MLA
Mrs Joanne Bunting MLA
Mr Trevor Clarke MLA
Dr Janet Gray

Mr Edgar Jardine

- (2)** Mrs Dolores Kelly MLA
Mr Gerry Kelly MLA
Ms Liz Kimmins MLA*
Mr Seán Lynch MLA
Ms Carmel McKinney*

- (3)** Mr Frank McManus*
Mr Mike Nesbitt MLA
Mr Mervyn Storey MLA
Ms Deirdre Toner

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

- (4)** Mr Simon Byrne, Chief Constable
(4) Mr Mark Hamilton, Deputy Chief Constable
(4) Superintendent John McCaughan

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

Mrs Amanda Stewart, Chief Executive
Mr Adrian McNamee, Director of Performance
Ms Jenny Passmore, Director of Resources
Ms Dympna Thornton, Director of Partnership
Four Board Officials

**NORTHERN IRELAND
POLICING BOARD HUMAN
RIGHTS ADVISOR IN
ATTENDANCE:**

Mr John Wadham, Human Rights Advisor

*Attended meeting by video conference facility

- (1) Part item 8.3 to end (arrived at 10.45am).
- (2) Part item 11 to end (arrived at 11.15am).
- (3) Item 1 to part item 8.3. Item 11 to end (left meeting at 10.30am and returned at 11.15am).
- (4) Item 10 only.

1. APOLOGIES

Apologies were received from Mr Colm McKenna and it was noted that both Mr John Blair MLA and Mrs Dolores Kelly MLA would be late to the meeting because of Northern Ireland Assembly commitments.

The Chair welcomed Mr Mike Nesbitt MLA, the Ulster Unionist Party's representative, to his first Board meeting noting that Mr Nesbitt would be joining the Partnership and Performance Committees.

The Board agreed the Agenda for the meeting.

2. CONFLICTS OF INTEREST

No conflicts of interest were declared.

3. MINUTES OF THE MEETING HELD ON 2 JULY 2020

It was **RESOLVED**:-

- That the minutes of the Board meeting held on 2 July 2020 be approved.

4 BOARD ACTION LOG

Updates as detailed within the Action Log on the actions from the Board meeting held on **2 July 2020** were noted.

The Chief Executive provided Members with an update on a number of actions detailed within the Action Log. Updates as detailed within the Action Log from the Board meeting held on **4 June 2020** were noted in addition to the following verbal updates provided by the Chief Executive:

Action Point 1

Correspondence had been received from Department of Justice (DoJ) Officials, and a teleconference between DoJ Officials and the Chief Executive had taken place on the approach to the proposed stocktake of police oversight arrangements. The Chief Executive advised that it is her understanding that a discussion document would be drafted by DoJ Officials to further inform the proposed stocktake, and the Minister of Justice would meet with various stakeholders including the Board Chair, Board Members, Criminal Justice Inspectorate for Northern Ireland (CJINI) and the Office of the Police Ombudsman in the coming weeks.

Action Point 2

The Chief Executive noted that correspondence had been received from the Chief Constable dated 1 September 2020 in which he had requested time to reflect on the proposed Commission on Police Culture. A copy of the correspondence would be included in the Chair's Report to the Board in October 2020.

5. CHAIRPERSON'S BUSINESS

The Chair presented a report which advised Members of:

- The Chair's engagements, including meetings held by teleconference and video conference facilities during the period between 1 July 2020 and 2 September 2020.

- A list of correspondence received by the Chair during the period between 26 June 2020 and 19 August 2020.
- A list of correspondence issued by the Chair during the period between 26 June 2020 and 18 August 2020.

The Chair noted that his Report to the Board included a copy of the PSNI's Horizon 2025 Strategy and Board Members would receive a briefing on this from the Chief Constable on 24 September 2020. The Chair also noted that in response to correspondence from the PSNI dated 30 July 2020, it had been agreed that Mr John Wadham, the Board's Human Rights Advisor, would be appointed as a Policing Board Representative and Independent Observer to the PSNI Gold Group, overseeing the plans and actions taken on site, to manage the ongoing situation at the Seapark complex relating to the particular concern of the integrity of the material held in the murder archive facility.

6. CHIEF EXECUTIVE'S REPORT

Members noted a report from the Chief Executive to the Board

The Chief Executive updated Members on the Board's business performance to the end of June 2020, details of which were included within the Chief Executive's Report to the Board and the financial position including declaring of an easement of £100,000 in the October Monitoring Round.

The Chief Executive provided an update to Members on ongoing competitions to recruit new staff members, the completion of a COVID-19 risk assessment, and arising from the Board's Effectiveness Review in 2019, the commencement of a review of the Board Committee structure by the Chief Executive and Board Vice-Chair.

Members noted the correspondence included with the Chief Executive's Report to the Board including correspondence about the establishment of a Memorandum of Understanding between various stakeholders on the management of bonfires. Members requested that the PSNI provide an updated organisation structure detailing the portfolios and responsibilities of each Assistant Chief Constables (ACC) and a glossary of names of all PSNI internal and external operations. **(AP1)**

The resourcing and Programme of Work for the Board's Human Rights Advisor including the ongoing thematic review of PSNI's response to COVID-19 was discussed, noting that the Resources Committee scrutinise the resourcing, allocation and spend and the Performance Committee are updated on the Human Rights Advisor's programme of work.

7. COMMITTEE REPORTS

7.1 Audit and Risk Assurance Committee 30 July 2020

The Vice-Chair of the Audit and Risk Assurance Committee (ARAC) updated the Board on matters considered by the Committee at its meeting on 30 July 2020 including consideration of the Annual Report and Financial Statements for the year ended 31 March 2020. The Board further noted the Committee's Annual Report to the Board.

7.1.1 NIPB Annual Report and Financial Statements for the year ended 31 March 2020

Board Officials presented the NIPB Annual Report and Financial Statements for the year ended 31 March 2020 to the Board for approval noting that the ARAC had recommended that the Board approve it.

It was **RESOLVED**:-

- That the NIPB Annual Report and Financial Statements for the year ended 31 March 2020 as recommended by the Audit and Risk Assurance Committee be approved.

7.2 Resources Committee 30 July 2020

The Board noted a report from the Chair of the Resources Committee which provided an update on the matters considered by the Resources Committee on 30 July 2020 noting that there were decisions from the Committee for the Board to consider later in the meeting.

It was **RESOLVED** that:

- The amendment to the Resources Committee Terms of Reference as detailed within the paper, and on the recommendation of the Resources Committee, be approved.
- The request to use an Executive Search Facility for the recruitment of the PSNI Chief Operating Officer, as recommended by the Resources Committee, be approved.
- The job descriptions and person specifications for the PSNI Chief Operating Officer and PSNI Director of People and Organisational Development were noted.

8. BOARD BUSINESS

8.1 NIPB Thematic Review of the PSNI's Response to COVID-19

The Board's Human Rights Advisor presented the draft report on the PSNI's response to COVID-19 noting that the draft report dealt with a number of issues including PSNI's deployment of spit and bite guards and the policing of Black Lives Matters protests during the COVID-19 period. The Board noted Officials further noted that in preparing the report the Board's Human Rights Advisor had engaged with various stakeholders including the PSNI.

Board Officials requested that Members provide feedback on the draft report so that it may be finalised; the final report would be brought to a future Board meeting for approval before publication.

8.2 Draft Response to DoJ Consultation: "A consultation on proposals to amend the legislation governing the retention of DNA and fingerprints in Northern Ireland"

Officials presented a paper that detailed the draft consultation response, on behalf of the Board, in reply to the DoJ's consultation on legislation governing the retention of DNA and fingerprints in Northern Ireland.

Members engaged in a discussion about the merits of the retention of DNA and fingerprints. The Chair put the response as presented in the paper to a vote, 9 Members voted in favour of the draft response and 5 voted against the draft response.

It was **RESOLVED** that:

- The draft response as presented was passed by way of a majority vote.

8.3 PSNI Chief Officer Allowances

This item is dealt with by way of a confidential annex at Appendix A because the matter is considered OFFICIAL SENSITIVE.

8.4 PSNI Assistant Chief Constables' Terms of Appointment

The Chief Executive presented a paper which detailed the proposed terms of appointment for ACC Barbara Gray and ACC Mark McEwan who had been appointed following the conclusion of a selection process in June 2020. The Chief Executive noted that the decision taken by the Board at agenda item 8.3 would be incorporated into the terms of appointment for ACC Gray and ACC McEwan.

It was **RESOLVED** that:

- The Terms of Appointment for Assistant Chief Constable Barbara Gray and Assistant Chief Constable Mark McEwan be approved and any proposed changes would be referred back to the Board.

9. KEY ISSUES OF PUBLIC INTEREST

The Board noted a paper which detailed recent issues of public interest.

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

The Chair welcomed the Chief Constable and the Deputy Chief Constable (DCC) to the meeting.

The Chief provided an update to the Board on the ongoing challenges and PSNI's preparations in advance of the UK leaving the European Union on 31 December 2020, the completion of the PSNI Chief Superintendent promotion

process noting that a number of appointments had been made and the launches of the PSNI Automatic Number Plate Recognition (ANPR) Intercept Team, and a pilot programme with Translink, whereby police officers would patrol rail services to support staff and reduce anti-social behaviour.

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

- The arrests made as part of Operation Arbaica. The Chief Constable noted that it remained a live investigation and agreed to brief Members on the Serious and Organised Crime Act at a future meeting.
- The ongoing investigation by Cumbria Police Service Deputy Chief Constable Mark Webster into alleged breaches of COVID-19 restrictions at the funeral of Bobby Storey which remained an ongoing investigation.
- The deployment of an additional 400 officers into the Neighbourhood Policing Teams. The DCC updated Members on the deployment of the officers noting that it would be important to ensure that the officers had sufficient time to engage with people to problem solve.
- PSNI officers complying with National Police Chief Council guidance in wearing face masks.
- The Chief Constable's preference that the PSNI's funding be harmonised rather than receiving monies for different responsibilities from various sources.
- The availability of Conducted Energy Devices (Tasers) to PSNI officers. The DCC noted that Tasers were available for use by specially trained officers within the Armed Response Unit (ARU) only which limited their geographical use. Consideration was being given to increasing the numbers of officers within ARU who were trained in the use of Tasers to allow for greater geographical range of their use.

- Focus on PSNI talent management going forward to ensure that a diversity of staff and officers were given the opportunity to progress to more senior positions.
- The incident at a bonfire at Distillery Street, Belfast when a number of officers were injured while on duty. The Chief Constable noted that the matter was subject to a live investigation but that there had been an Operational Debrief. He agreed to brief Members further following the conclusion of the criminal investigation and any associated legal proceedings.
- The policing of Portstewart during the August Bank Holiday (Sunday 30/ Monday 31 August 2020) when large crowds gathered against COVID-19 Regulations. The Chief Constable agreed to update the Board about the policing operation. **(AP2)**

11 QUESTIONS FOR THE CHIEF CONSTABLE

11.1 Issues Arising from Committees

Members noted that there were no issues arising from recent Committee meetings for the Board's attention.

11.2 Committee Written Questions and Responses

There were no Committee written questions submitted to the Chief Constable for a response.

11.3 Individual Members' Written Questions and Responses

Members noted the written responses received in relation to five questions submitted to the Chief Constable from individual Members.

12. COMMUNICATION ISSUES

Members noted the issues that the Board Chair would be commenting on during his opening statement at the public Board meeting later in the afternoon.

13. SCHEDULE OF MEETINGS

The Board noted the Schedule of Meetings up to December 2020.

14. ANY OTHER BUSINESS

No other business was conducted.

15. DATE OF NEXT MEETING

The next Board meeting would be held on Thursday 1 October 2020.

The meeting closed at 12.20pm.

The private meeting closed and the Board moved into public session at 12.30pm, 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 2020

Chair:

