

NORTHERN IRELAND POLICING BOARD

MINUTES OF MEETING OF THE NORTHERN IRELAND POLICING BOARD HELD ON WEDNESDAY 6 FEBRUARY 2019 AT 1.30PM AND THURSDAY 7 FEBRUARY 2019 AT 10.00AM IN WATERSIDE TOWER

PRESENT:

- Mrs Anne Connolly (Chair)
- Ms Deborah Watters (Vice-Chair)
- (1) Mr John Blair
- Mr Keith Buchanan
- Mrs Joanne Bunting
- (2) Mr Alan Chambers
- Prof Brice Dickson
- Mrs Linda Dillon
- Mr Tom Frawley
- Mr Doug Garrett
- Mrs Dolores Kelly
- Mr Gerry Kelly
- Mr Philip McGuigan
- Mr Colm McKenna
- Mr Gary Middleton
- Dr Paul Nolan
- Mrs Wendy Osborne
- Mr Mervyn Storey

POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE

- (3) Mr George Hamilton, Chief Constable
- (3) Mr George Clarke, T/ACC Legacy and Legal Department
- (3) Ms Barbara Gray, T/Assistant Chief Constable, Crime Operations Department
- (3) Mr Mark Hamilton, Assistant Chief Constable, District Policing
- (3) Mr Tim Mairs, Assistant Chief Constable, Innovation and Standards Department
- (3) Mr Alan Todd, Assistant Chief, Operational Support Department
- (3) Mr Mark McNaughten, T/Director of Finance & Support Services & Human Resources
- (3) Ms Yvonne Cooke, Head of Human Resources
- (3) Ms Leanne Barnett, Corporate Communications Department
- (3) Superintendent Andrew Freeburn, Command Secretariat
- (3) One PSNI Staff Member

**OFFICIALS IN
ATTENDANCE:**

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

- (1) Item number 1 – part item number 7.4 & item numbers 10 – 13 (left at 3.45pm on 6 February 2019)**
- (2) From part item number 6 to close (arrived at 1.40pm)**
- (3) Part item number 10**

1. APOLOGIES

No apologies were received.

The Board agreed the agenda for the meeting.

The Chair asked Members to advise of any issues they wished to raise at item number 12 under “Any Other Business”. No issues were declared.

2. CONFLICTS OF INTEREST

The Chair asked Members to declare any conflicts of interests arising from the agenda. Mr Tom Frawley and Mr Mervyn Storey declared a potential perceived conflict of interest regarding item number 7.3 on the agenda as they had relatives serving in the PSNI. No other conflicts of interest were declared. NOTED.

Mrs Joanne Bunting advised the Chair that she wished to declare a potential perceived conflict of interest in relation for the public session regarding the arrest of two journalists over the alleged theft of documents from the Police Ombudsman’s Office. NOTED.

3. MINUTES OF MEETING HELD ON 24 JANUARY 2019

The Board considered the draft minutes of the Board meeting held on 24 January 2019.

It was:-

RESOLVED:

That the draft minutes of the Policing Board meeting held on 24 January 2019 be approved.

4. UPDATE ON ACTION LOG

Members noted an update on the action log from the Board meeting held on 24 January 2019. **NOTED.**

With regard to number AP10 on the action log, the Chief Executive proposed that the May 2019 Board meeting should be cancelled as the Local Government Election was taking place on 2 May 2019. The Board agreed with this proposal.

Regarding number AP11 on the action log, Members noted the correspondence which had been received from two PSNI Staff Members. The Chief Executive advised that she would respond to the correspondence on behalf of the Board.

NOTED.

5. CHAIR'S BUSINESS

The Chair presented a report to the Board which advised Members of:-

- The Chair's engagements during the period 5 December 2018 – 31 January 2019.
- A letter dated 6 December 2018 from the Northern Ireland Office regarding Non-Jury Trial Provisions: Public Consultations 2018/19.
- Letters dated 20 November and 4 December 2018 from the National Crime Agency and a response dated 19 December 2018 from the Chief Constable regarding co-ordinated tasking to tackle firearms in the UK.

- A letter dated 4 January 2019 from the Chief Constable regarding an update on PSNI resources required following Brexit.
- A letter dated 25 January 2019 from the Secretary, Grand Orange Lodge of Ireland requesting a meeting.
- A letter dated 28 January 2019 from the Chief Constable advising the Board of his retirement from the PSNI in June 2019.
- A letter dated 17 December 2018 to the Secretary of State regarding the re-constitution of the Board.
- Letters of congratulations to six recipients of awards in the New Years' Honours List.

6. CHIEF EXECUTIVE'S REPORT

The Chief Executive updated Members on the Business Plan Performance Update, finance, human resources, corporate risks, NIPB legal cases and other significant issues within the Board.

A Member referred to indicator 2.1.1 in the Business Plan Performance Update which indicated that the target regarding increasing public awareness and satisfaction of the Board had been achieved but pointed out that the satisfaction rate was 4% points lower than in 2017. The Chief Executive undertook to amend the update to reflect this. **(AP1)**

Members discussed the performance and effectiveness of PCSPs; increasing public confidence in policing; research which had been undertaken regarding young people and anti-social behaviour; research which had been carried out in relation to PCSP effectiveness; under representation in the PSNI; organisational risks; and a case management system for the Board's Police Administration Branch.

7. BOARD BUSINESS

7.1 Appointment of Chief Constable

The Board considered a paper which provided an overview and planned approach for the appointment of a Chief Constable for PSNI.

During discussion, Members discussed other PSNI Senior Officers and Civilian Staff vacancies and the timescales for bringing permanency to a number of positions that have arisen within the PSNI Service Executive Team over the past 2 years.

Members discussed the number of posts which had been filled in the PSNI on a temporary basis for a long period of time and agreed that legal advice should be sought regarding the Police Officers and Civilian Staff's employment rights. **(AP2)**

In concluding the discussion the Board:-

AGREED:

- To the appointment of a new Chief Constable.
- That the Chief Constable appointment should take immediate priority. The sequencing of other positions that are currently filled on a temporary basis should also be considered, but the Board should take time to consider the future requisite structure and configuration of the PSNI Service Executive Team.
- That a paper should be brought to the Board on the portfolios and time frames for the appointment of Chief Officers.

- To progress with a procurement exercise to appoint an Occupational Psychologist and External Policing Advisor to support the Board in the appointment of the Chief Constable.

There is no requirement to appoint a Human Resource Advisor as the Board has the facility to avail of such advices within its existing human resources contract. The advisors would support the end to end design of the selection process for a new Chief Constable.

- That a business case should be drawn up outlining the options for the Board to consider and approve in relation to a relocation package/provision of accommodation for a new Chief Constable should this be required.
- That the Chief Constable should be asked to extend his tenure for a short period to facilitate the appointment of his successor.
- That a special Board meeting should be arranged to consider the appointment of a Chief Constable. A paper should be provided for this meeting.

(AP3)

Members noted that there was merit in commencing other Chief Officer appointment processes although this had significant resource implications for both Staff and Members. This would be explored and further advice provided to the Board. **(AP4)**

The Chief Executive referred to the composition of Selection Panels to progress the appointment of the Chief Constable, Deputy Chief Constable, Assistant Chief Constables and Human Rights Advisor(s)

and asked Members to complete an expression of interest form regarding their preferences to sit on each Panel. **(AP5)**

7.2 Selection Panel for the appointment of a Human Rights Advisor(s)

The Board noted a paper which sought nominations from Board Members to form a selection panel for the appointment of a Human Rights Advisor(s). The selection of the Panel would be taken from the expression of interest forms which Members had been asked to complete at item number 7.1.

7.3 Board's Written Submission to the Police Remuneration Review Body

The Board considered a paper regarding the annual review of pay and conditions for the PSNI, the process undertaken by the Police Remuneration Review Body (PRRB) and the need for Board input.

Members discussed the formation of a small working group from the membership of the Resources Committee to work with Officials to draft and finalise the Board's written submission to the PRRB by 18 February 2019.

It was:-

AGREED:

- That the Working Group should comprise of Mr Keith Buchanan, Mr Gerry Kelly, Mrs Wendy Osborne and Officials.
- To give authority to the Working Group to approve the Board's written submission and to finalise the written submission to PRRB by 18 February 2019.

A Member referred to the proposed dates of the Resources Committee meetings for February – June 2019 and suggested that consideration should be given to moving the date of the Committee meeting from the fourth Thursday in each month due to its close proximity with the full Board meeting. It was agreed that the matter should be considered by the Resources Committee. **(AP6)**

7.4 Board assessment of PSNI's performance against the Policing Plan for 2017/18

The Board considered a draft performance summary of the Board's assessment of the Chief Constable's performance in 2017/18 as required by virtue of section 28(5A) of the Police (Northern Ireland) Act 2000.

Members discussed the draft performance summary and suggested a number of amendments to the summary and its format.

It was:-

AGREED:

That Officials should make the amendments to the draft performance summary of the Board's assessment of the Chief Constable's performance in 2017/18 and bring the summary back to the next meeting of the Board for approval. **(AP7)**

7.5 Board consultation response to the preliminary Report from Sir John Gillen

The Board considered a paper which sought Members views on a draft letter of response to the consultation on a preliminary report from Sir John Gillen on criminal justice arrangements in Northern Ireland in relation to serious sexual offences.

The Board considered an analysis of the Gillen Report. Members discussed the content of a draft letter from the Board to the consultation on the Gillen report and suggested a few amendments to the draft letter.

It was:-

AGREED:

Subject to these amendments being made that the letter to the consultation on the preliminary report from Sir John Gillen on criminal justice arrangements in Northern Ireland in relation to serious sexual offences should be issued from the Board Chair.

(AP8)

7.6 Local Policing Review 2018 – Independent Analysis Report

A paper on the results and analysis of the “Local Policing Review 2018” Public Consultation was deferred to the Partnership Committee meeting on 21 February 2019. **(AP9)**

8. CHIEF CONSTABLE’S REPORT

Members noted a monthly report from the Chief Constable to the Board.
NOTED.

9. QUESTIONS FOR THE CHIEF CONSTABLE

The Board agreed questions to be raised with PSNI at the meeting on 7 February 2019.

10. PRIVATE SESSION WITH THE CHIEF CONSTABLE

The Chair welcomed the Chief Constable and the Service Executive Team to the first meeting of the newly constituted Board.

In response to a question from a Member, the Chief Constable advised the Board that the PSNI continues to operate in an environment of continually shrinking budgets and explained that over the past five years the PSNI had witnessed a reduction of £150m. Despite the financial strain, the PSNI were projecting a break-even position by year end, but this had only become achievable due to significant additional funding received during the year from the Department of Justice. The representatives from PSNI explained that the PSNI had not received the policing budget for 2019 – 2020 and the lack of clarity places the PSNI in a difficult position when making decisions about the allocation of resources, cost reduction and service levels.

The PSNI discussed with the Board several matters relating to the PSNI budgetary position and referred to the challenges encountered in meeting the budget and the risks involved.

In response to a question from a Member, the representatives from PSNI explained the background to the establishment of the PSNI Legacy Investigations Branch and provided the Board with an update on a number of legacy cases which had been completed. The PSNI briefed Members on the disclosure demands on a number of legacy inquests and as a result 25 Police Officers had to be redeployed from other areas to meet these demands and to avoid being found in contempt of court.

A Member referred to a recent bomb attack on the Court House in Derry/Londonderry and the subsequent series of hoax devices and paid tribute to the PSNI for their work in responding to the attack and the hoax devices.

The PSNI then discussed with the Board several matters relating to the investigation into the bomb attack and the hoax devices and explained that when more information was available regarding the device it would be shared with the Board.

In response to a question from a Board Member, the representatives from PSNI briefed Members on the results of the PSNI Christmas Drink Driving Campaign and the action which PSNI were undertaking proactively to combat drink driving offences throughout the year. The Northern Ireland Road Safety Partnership which operates the speed detection vans and administered by PSNI is seeing a rise in speed detections of approximately 21% year to date. A Member referred to the death of an American tourist after a crash near the Dark Hedges and put on record his appreciation for the work which was carried out by PSNI following the accident.

In response to questions from Members regarding how PSNI were tackling increased road rage against cyclists, the representatives from PSNI explained that as cyclists start using more technology when cycling it was expected that more incidents would be reported. They also referred to the highway code and the rules of the road covering cyclists.

The representatives from PSNI then gave a presentation to the Board on the PSNI's readiness for the EU exit. A copy of the slides used during the presentation are attached at Appendix "A".

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

- The Impact of exit from the European Union on community safety and police response.
- The PSNI resource implications of policing the Borders.
- European Arrest Warrants.
- Impact of EU exit on crimes against European Economic Area Nationals.

The Chair thanked the Chief Constable and his Service Executive Team for attending the meeting and they left.

The Board considered and agreed the questions for the PSNI at the meeting in public.

11. COMMUNICATION ISSUES

The Chair agreed that news releases should be issued regarding the Chief Constable Appointment Process and the first meeting of the newly constituted Board with the Chief Constable.

12. ANY OTHER BUSINESS

No other business was discussed.

13. DATE OF NEXT MEETING

Members noted a schedule of events for February 2019.

The date of the next meetings were arranged for 6 & 7 March 2019.

The meeting moved into public session. A verbatim recording of the Board meeting in public is available on the Board's Facebook page at www.facebook.com/policingboard.

(Meeting closed at 1.45 pm).

CORPORATE SERVICES

Date: February 2019

Chair