

NORTHERN IRELAND POLICING BOARD

**MINUTES OF THE PERFORMANCE COMMITTEE MEETING HELD ON THURSDAY
8 SEPTEMBER AT 9.30AM WATERSIDE TOWER, BELFAST**

PRESENT:

Mr Nelson McCausland (Chairperson)
Ms Roisin McGlone (Vice-Chairperson)
Ms Joanne Bunting
Dr Paul Nolan
(2) Mr Gerry Kelly
Mr Keith Buchanan
Mr Raymond McCartney
(2) Mrs Deirdre Blakley
Professor Brice Dickson

PSNI IN ATTENDANCE

(1) ACC Hamilton
(1) D/Supt Murphy

**BOARD'S HUMAN RIGHTS
ADVISOR**

Ms Alyson Kilpatrick

OFFICIALS IN ATTENDANCE

Mrs Amanda Stewart (Chief Executive Officer)
3 Board Officials

- (1) Item 6.3 only
- (2) Open to part item 6.3

1. APOLOGIES, ETC

No apologies were received for today's meeting.

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

**2.1 DRAFT MINUTES OF PERFORMANCE COMMITTEE MEETING HELD ON
18 AUGUST 2016**

It was:

AGREED:

To approve the draft minutes of the Performance Committee meeting held on 18 August 2016.

3. MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD ON 18 AUGUST 2016

3.1 Legacy Investigation Branch (Item 3.2 of minutes refers)

The Committee noted that the PSNI Legacy Investigation Branch (LIB) Manual of Guidance had been forwarded to the Board following the 18 August 2016 Performance Committee and would be considered at agenda item 6.3. NOTED.

3.2 Human Rights Thematic Review (Item 5.1 of minutes refers)

The Committee noted that an update regarding the Human Rights Thematic Review would be provided by the Human Rights Advisor at agenda item 6.1. NOTED.

3.3 PSNI Briefing on Evaluation of Body Worn Video Pilot Scheme (Item 6.1 of minutes refers)

The Committee considered correspondence from the PSNI providing Members with an update on the evaluation of the Body Worn Video pilot project following the 18 August 2016 briefing to the Performance Committee.

The Committee discussed:

- The role of Cambridge University in the Body Worn Video pilot scheme evaluation;
- The timeline for the delivery of the final evaluation report;
- Communication arrangements between the PSNI and NIPB, and;
- PSNI consultation with the Board in respect of the post implementation review of the use of Body Worn Video to be complete by June 2018.

Following discussion,

It was:

AGREED:

- To bring to a future meeting of the Performance Committee the results of the review of the communication protocols between NIPB and PSNI;
- To issue correspondence to the PSNI requesting clarification of the role of Cambridge University in the evaluation of the Body Worn Video pilot scheme and to request the Board be consulted on the Terms of Reference for the post implementation evaluation of the use of Body Worn Video which is scheduled to be completed by June 2018.

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

The Committee noted a response received to a question submitted to the Chief Constable for the September Board meeting. NOTED.

4. CHAIRPERSON'S BUSINESS

4.1 PSNI response to HMIC Inspection of Crime Data Integrity

The Committee considered correspondence received from the PSNI regarding recommendations included in the HMIC Inspection of Crime Data Integrity. Members noted the very positive recent inspections regarding Crime Data Integrity and went on to discuss the PSNI's response to the HMIC recommendations. Following discussion, It was:

AGREED:

- A note of appreciation is issued from the Committee in relation to the very positive recent inspections in respect of Crime Data Integrity;
- To circulate to the Committee an up to date list of the offences for which a discretionary disposal can be issued and offences which may garner a Penalty Notice for Disorder;

- To circulate to the Committee the relevant section from the Race Hate Thematic Review which covers issues of informed consent and enhanced disclosure, and;
- To follow up with the PSNI in relation to Recommendation 7 of the HMIC's Inspection Report and clarify the extent of the training provided to officers.

4.2 PSNI response regarding the Destruction of a PSNI Service Weapon

The Committee noted correspondence from the PSNI dated 25 August 2016 regarding the destruction of a PSNI service weapon and the introduction of an IT solution to manage the holding of weapons. NOTED.

4.3 Correspondence from PSNI to DOJ regarding the transferral of police investigations to the HIU

The Committee considered correspondence between the PSNI and the Department of Justice regarding the police investigations which may in the future be transferred to the Historical Investigations Unit (HIU). Members noted several issues to raise with the PSNI during their briefing at agenda item 6.3. NOTED.

5. ITEMS FOR DECISION

5.1 PSNI response to HMIC PEEL Inspection

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

6. ITEMS FOR DISCUSSION

6.1 Verbal update from the Board's Human Rights Advisor

The Committee noted a paper providing Members with an update on the work of the Human Rights Advisor including the PSNI response to recommendations from the Human Rights Annual Report 2015.

The Human Rights Advisor updated the Committee on progress towards the publication of the Race Hate Thematic Review and also advised Members that, following discussion at the 18 August 2016 Performance Committee, the amended Terms of Reference for the agreed Child Sexual Exploitation Thematic Review would be circulated for their reference. The Committee received a confidential oral briefing from the Human Rights Advisor regarding Recommendation 7 of the Human Rights Annual Report 2014.

Following discussion,
It was:

AGREED:

- The amended Terms of Reference for the Child Sexual Exploitation Thematic Review are circulated to Committee Members;
- To progress arrangements for PSNI to be invited to the November meeting of the Performance Committee in respect of TACT arrests, charges and conviction rates;
- To circulate to Committee Members a summary of the statistics referred to by the Board's Human Rights Advisor during her confidential briefing to the Committee;
- To request further information from the PSNI in respect of their usage of Small Unmanned Aircraft (SUA);
- To circulate to Committee Members the rules/guidance for the destruction and retention of footage captured by SUA.

6.2 Progress Report on the Board's Continuous Improvement Project 2016/17

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

6.3 PSNI Briefing on Legacy Investigation Branch

The Committee considered a paper providing Members with information on a number of issues relating to PSNI Legacy Investigation Branch (LIB) following which the Chairperson welcomed ACC Hamilton (Head of Legacy & Justice Department) and his colleague D/Supt Murphy to the meeting. The PSNI were invited to update the Committee on the work of the LIB.

ACC Hamilton provided a brief synopsis of the work carried out within the LIB including review cases forwarded following the closure of the HET, ongoing investigations following referral by the Director of Public Prosecutions and the work carried out by the Review Teams and Investigation Teams.

In response to questions from Members the PSNI discussed:

- The Legacy Investigation Branch Manual of Guidance and proposed revised wording to be included within the Manual and the Case Sequencing Model;
- Referrals from the Director of Public Prosecutions under Section 35(5) of the Justice (Northern Ireland) Act 2002 and the PSNI's obligations regarding Article 2 ECHR investigations;
- The Case Sequencing Model through which cases are prioritised for review and/or investigation;
- LIB's progress regarding the ongoing review of the On the Runs cases, and;
- The self-declaration process by which conflicts of interest are declared by those working on individual cases.

The Chairperson thanked ACC Hamilton and D/Supt Murphy for their attendance and they left the meeting. Following discussion, It was:

AGREED:

- Correspondence is issued to the PSNI requesting they provide updated figures in relation to their progress regarding the

ongoing review of the On the Runs cases and confirmation of the revised wording to be included in the Case Sequencing Model and Legacy Investigation Branch Manual of Guidance. Members also agreed to request a diagrammatic representation of the Legacy Investigation Branch structure;

- The Committee is to be provided with an overview of the avenues by which legacy case referrals can be made to the PSNI;
- The Committee is to be provided with the linked documentation highlighted in the Manual of Guidance, particularly regarding the self-declaration of conflicts of interest.

6.4 Performance Committee Programme of Work.

The Committee noted the updated Performance Committee Programme of Work 2016/17. NOTED.

7. QUESTIONS FOR THE CHIEF CONSTABLE

It was:

AGREED:

Questions are issued to the Chief Constable from the Performance Committee regarding:

- The PSNI response to the recommendation on stop and search policy by the Independent Reviewer of the use of the Justice and Security (Northern Ireland) Act 2007, and;
- Whether or not it is a criminal offence to invite/encourage people to join a proscribed organisation via a poster or mural and how such incidents are investigated by the PSNI.
- The work of the Legacy Investigation Branch since January 2016.

8. COMMUNICATION ISSUES

No communications issues were raised.

9. ANY OTHER BUSINESS

A Member sought clarification on the number of domestic abuse referrals from PSNI.

It was:

AGREED:

The Committee is to be provided with information regarding domestic abuse referrals from PSNI.

A Member also sought clarity on the Board's process for informing Board Members of PSNI station closures in their constituencies.

It was:

AGREED:

The Committee is to be provided with guidance on Board processes in relation to communication of information to Members regarding PSNI station closures.

10. DATE OF NEXT MEETING

The next meeting of the Performance Committee will be held on Thursday 13 October 2016 at 9.30am.

(Meeting closed at 2.15pm)

BOARD SUPPORT

September 2016

Chairperson

304268