

NORTHERN IRELAND POLICING BOARD

**MINUTES OF THE PERFORMANCE COMMITTEE MEETING HELD ON THURSDAY
27 JULY 2016 AT 9.30AM WATERSIDE TOWER, BELFAST**

PRESENT:

Mr Nelson McCausland (Chairperson)
Ms Roisin McGlone (Vice-Chairperson)
Ms Nichola Mallon
(4) Ms Joanne Bunting
(3) Dr Paul Nolan
Mr Gerry Kelly
Mr Keith Buchanan
Mr Raymond McCartney
(5) Ms Debbie Watters

PSNI IN ATTENDANCE

(2) ACC Kerr
(1) D/C/Supt Cargin
(1) D/Supt Taylor
(1) 1 PSNI Officer

OPONI IN ATTENDANCE

(1) Mr Adrian McAllister (Chief Executive)
(1) Mr Tim Gracey
(1) Ms Caroline Hickey

GUESTS IN ATTENDANCE

(2) Ms Jenny Bell
(2) Mr Liam Vernon
(2) Mr Rob Burgess

OFFICIALS IN ATTENDANCE

Mrs Amanda Stewart (Chief Executive Officer)
Miss Jenny Passmore (Temporary Director of Policy)
6 Board Officials

- (1) Item 6.1 only
- (2) Item 6.2 only
- (3) Item 3.2 to close
- (4) Item 5.1 to close
- (5) Item 5.1 to 6.4

1. APOLOGIES, ETC

Apologies for today's meeting were received from Mrs Deirdre Blakley and Professor Brice Dickson.

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 16 JUNE 2016

It was:

AGREED:

To approve the draft minutes of the Performance Committee meeting held on 16 June 2016.

3. MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD ON 16 JUNE 2016

3.1 Legacy Investigation Branch (Item 3.2 of minutes refers)

The Committee considered a reply received from PSNI to correspondence issued in respect of the Legacy Investigation Branch and when the Board should expect to receive a copy of the LIB Manual of Guidance. Members noted that the PSNI would be invited to the August meeting of the Performance Committee to discuss the work of the LIB and following discussion,

It was:

AGREED:

Correspondence is issued to the PSNI requesting a timescale for the receipt by the Board of the Legacy Investigation Branch Manual of Guidance.

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

The Committee considered a response received from the PSNI to a question submitted in respect of changes to the administration process in applying for a firearms licence. PSNI will be invited to the August 2016 meeting of the Performance Committee to further discuss this issue with Members.

4. CHAIRPERSON'S BUSINESS

4.1 Correspondence

The Committee considered 2 items of correspondence, one from the PSNI dated 7 July 2016 in relation to the PAVA Irritant Spray Trial and another from the PSNI regarding changes to the governance procedures surrounding the destruction of PSNI service weapons. Members noted that the only outstanding aspect of the process in respect of procedures surrounding the destruction of PSNI service weapons is the implementation of an IT solution which is currently being progressed. Following discussion,
It was:

AGREED:

Correspondence is issued to the PSNI requesting further information as to when the IT updates will be complete order to facilitate the implementation of the changes in respect of the governance procedures surrounding the destruction of PSNI service weapons.

5. ITEMS FOR DECISION

5.1 Human Rights Thematic Review

The Committee was briefed on a paper asking Members to consider an area for thematic review by the Board's Human Rights Advisor.

Members noted that the current thematic review of the PSNI response to race hate crime is likely to be published within the next few months and identified other areas such as Child Sexual Exploitation, Missing Persons, and Mental Health and Complex Need in Custody as possible areas for future thematic review.

The Committee discussed that the HMIC Reports on PSNI Efficiency and Effectiveness (PEEL) would shortly be published and are due for

consideration at the 4 August 2016 Board meeting. Members were of the view that consideration of the HMIC reports could further inform their decision on an area for thematic review and following discussion, were minded to defer a decision on a thematic review area pending consideration of the HMIC PEEL Reports. The Committee also discussed that a summary report from the Board's Human Rights Advisor would assist Board Members in their consideration of the HMIC PEEL Reports. Following discussion, It was:

AGREED:

- To progress arrangements for the Board's Human Rights Advisor to provide a summary report to Board Members on the HMIC Reports on PSNI Efficiency and Effectiveness ;
- Following consideration of the HMIC PEEL Inspection Report, to bring to a future meeting of the Performance Committee a paper for Members consideration and decision on an area for thematic review by the Board's Human Rights Advisor.

5.2 Human Rights Event

The Committee considered a paper seeking Members agreement in respect of the arrangements for an event to mark the Launch of the Human Rights Annual Report 2015 which was published in March of this year. The Committee noted that the event will take place on the morning of Wednesday 7 September 2016.

Members considered the public launch of the Human Rights Annual Report to be central to the Board's work in this area and were also of the view that the Board's Human Rights Advisor should present the report ahead of any panel discussion at the event.

In addition, Members also discussed:

- Proposed venues and formats for the launch of the Human Rights Annual Report 2015;

- The perception of human rights issues in different communities, and ;
- The need to ensure representation and engagement of both communities at the launch event.

Following discussion,

It was:

AGREED:

Arrangements are progressed for the Launch of the Human Rights Annual Report 2015 and associated event at Crumlin Road Gaol on Wednesday 7 September 2016.

5.3 Protocol between Office of the Police Ombudsman and Northern Ireland Policing Board

The Committee considered a paper seeking Members views on the adoption of a draft protocol between the Office of the Police Ombudsman and the Northern Ireland Policing Board. Members noted that the existing protocol had been in existence since 2005 and requested officials provide a copy of the 2005 protocol for comparison purposes.

Committee Members highlighted a few inconsistencies and typographical errors within the draft protocol and were also of the view that the draft protocol could be amended to provide more comprehensive agreement on arrangements between OPONI and NIPB. Following discussion,

It was:

AGREED:

- To provide to Committee Members a summary of the differences between the 2005 Protocol between OPONI and NIPB and the draft updated protocol;
- To bring to a future meeting of the Performance Committee the proposed amendments to the draft protocol which would provide

more comprehensive agreement on arrangements between OPONI and the NIPB;

- To clarify with OPONI the language used at paragraph *iv* in relation to *'some police staff'*;
- To highlight to OPONI some inconsistencies and typographical errors within the protocol.

5.4 Performance Monitoring against the Annual Policing Plan 2016/17

The Chairperson advised the Committee that following consultation with Board officials, he would like to request Members agreement that the paper on Performance Monitoring against the Annual Policing Plan 2016/17 be referred back to a meeting of the Policing Performance Monitoring Sub-Group prior to further consideration by the Committee.

Members were of the view that the proposals for the monitoring of PSNI performance against the Policing Plan 2016/17 outlined in the paper required further consideration by the Policing Performance Monitoring Sub-Group ahead of any framework being agreed by the Committee. The Committee also noted that a paper by Board Member Dr Paul Nolan in respect of PSNI Performance Monitoring had previously been considered by the Policing Performance Monitoring Sub-Group. Following discussion, It was:

AGREED:

- Arrangements are progressed for a further meeting of the Policing Performance Monitoring Sub-Group, and;
- To circulate to all Board Members the paper by Board Member Dr Paul Nolan in respect of PSNI Performance Monitoring.

6. ITEMS FOR DISCUSSION

6.1 Briefing on Professional Standards Annual Statistics

The Committee considered a paper providing Members with a report on PSNI performance against the Board's Professional Standards Monitoring Framework during the period April 2015 – March 2016.

The Chairperson welcomed representatives from OPONI and the PSNI to the meeting and invited them to brief the Committee on the key findings in respect of the Professional Standards Annual Statistics.

Mr McAllister gave the Committee a brief overview of OPONI's work in the previous year including key ongoing and recently completed investigations such as the Loughinisland investigation. He advised the Committee that 2015/16 had been a successful year for both OPONI and PSNI which had seen a downward trend in complaints. Members also noted that there had been an increase in referrals from the Chief Constable, that Policing Plan targets in respect of allegations of failure in duty, oppressive behaviour and incivility had all been met, and that 57 policy recommendations had been made by OPONI throughout the year.

In response to Members questions the PSNI and OPONI also discussed:

- The impact, during the pilot scheme in 'G' District of the use of Body Worn Video on interactions between the public and the PSNI;
- The potential, if any, for investigative opportunities to be progressed by OPONI/PSNI following the publication of the Loughinisland Report;
- OPONI engagement with young people;
- The number of days lost due to officer suspension, how this is reviewed and the impact on operational effectiveness and rest days of other officers;
- PSNI systems in place to address the number of statute barred cases and their impact on public confidence;
- Ongoing work in respect on informal resolution, and;
- The inappropriate disclosure of information by officers.

The PSNI also provided the Committee with an update in respect of the OPONI recommendation regarding flagging and linking by officers responding to domestic incidents. Members noted the process in place to ensure responding officers are aware of any relevant history prior to arrival at the scene.

The PSNI also extended an invitation to Committee Members to visit PSNI Discipline Branch to observe the work of the branch.

The Chairperson thanked OPONI and the PSNI and they left the meeting. Following discussion,
It was:

AGREED:

To consider arrangements for a visit by Performance Committee Members to PSNI Discipline Branch.

6.2 Briefing on NCA NI Quarter 4 Performance Narrative and Warrant Review Closing Report

The Committee considered a paper providing Members with an update on NCA performance and activity in Northern Ireland during the period January – March 2016 and a copy of the NCA Warrant Review Closing Report.

The Chairperson welcomed representatives from the NCA and the PSNI to the meeting and invited them to brief the Committee on the Quarter 4 (January – March 2016) NCA Northern Ireland Performance Narrative.

The NCA outlined the six priorities set by NCA Director General following her engagement with the devolved administrations and discussed the NCA's Performance Framework with Members, highlighting the importance of narrative as well as figures in the reporting of criminal outcomes. The Committee noted that officers have a collective understanding of terminology an example of which was provided in relation to the Disruption of Organised Crime gangs.

Members were advised of the National Control Strategy Threats including Child Sexual Exploitation, high-end money laundering, firearms threats and organised immigration crime and noted the questions within the Performance Framework which are applied against every threat.

Regarding the Quarter 4 NCA Northern Ireland Performance Narrative, the NCA highlighted their close working relationship with the PSNI particularly in relation to cybercrime, and outlined work and progress in relation to several ongoing local operations.

The PSNI provided a brief update from the local perspective following which Members questions focused on:

- The possible impact of Brexit on the current arrangements;
- The NCA/PSNI/An Garda Siochana relationship;
- The impact on local communities of low level drug dealers and the sharing of information regarding these individuals between the NCA and PSNI;
- The over-complication of current governance structures and accountability arrangements, and;
- Interaction between the PSNI and NCA in respect of Human trafficking.

The Chairperson thanked the NCA and PSNI representatives and they left the meeting.

6.3 Performance Committee Programme of Work

The Committee noted a paper providing Members with a draft Programme of Work for Members consideration. NOTED.

6.4 Human Rights Advisor Report

The Committee noted a report from the Board's Human Rights Advisor. NOTED.

6.5 Stop and Search Statistics 2015/16

The Committee noted a paper providing Members with the Stop and Search Annual Statistics for 1 April 2015 to 31 March 2016. Members discussed the key issues arising from the report and also matters relating to the context and presentation of the information provided by the PSNI. Members were of the view that a briefing from the PSNI in relation to the statistics could further assist the Committee.

Following discussion,

It was:

AGREED:

Arrangements are progressed for the PSNI to be invited to a future meeting of the Performance Committee in respect of the Stop and Search Annual Statistics for 1 April 2015 to 31 March 2016.

In addition, Members noted that the Independent Reviewer of Terrorism Legislation and the Independent Reviewer of the Justice and Security (NI) Act 2007 would be in attendance at a future meeting of the Performance Committee and that the PSNI would be attending the August 2016 Performance Committee to discuss PSNI progress in relation to the monitoring of community background during stop and search.

6.6 DOJ Consultation on Witness Charter

It was:

AGREED:

To circulate to all Board Members the DOJ Consultation on the Witness Charter requesting views and comments from Members to inform the Board's response to the consultation.

6.7 DOJ consultation on Draft NI Human Trafficking and Modern Slavery Strategy 2016/17

It was:

AGREED:

To circulate to all Board Members the DOJ Consultation on the Draft NI Human Trafficking and Modern Slavery Strategy 2016/17 requesting views and comments from Members to inform the Board's response to the consultation.

6.8 Custody Visiting Statistics for January to March 2016

The Committee noted a paper providing Members with a summary of the key issues relating to the operation of the Custody Visiting Scheme between 1 January 2016 to 31 March 2016. NOTED.

7. QUESTIONS FOR THE CHIEF CONSTABLE

No questions were issued to the Chief Constable.

8. COMMUNICATION ISSUES

To include in Policing Matters an update on the Professional Standards Briefing received by the Performance Committee from OPONI and PSNI.

9. ANY OTHER BUSINESS

No further business was conducted.

10. DATE OF NEXT MEETING

The next meeting of the Performance Committee will be held on Thursday 18 August 2016 at 9.30am.

(Meeting closed at 1:35pm)

BOARD SUPPORT

July 2016
300021

Chairperson