

NORTHERN IRELAND POLICING BOARD

**MINUTES OF A MEETING OF THE PERFORMANCE COMMITTEE MEETING
HELD ON 09 May 2019 at 10.00, WATERSIDE TOWER**

PRESENT:		Prof. Brice Dickson, Vice Chairperson
		Mr Keith Buchanan
	1	Mr Tom Frawley
		Mr Gerry Kelly
		Mr Philip McGuigan
	2	Mrs Deborah Watters, Board Vice Chair
POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:	3	Temporary Assistant Chief Constable Barbara Gray
	3	Detective Chief Superintendent Paula Hilman
	3	Detective Superintendent Anne Marks
	3,4	1 PSNI Official
	4	Assistant Chief Constable Alan Todd
	4	1 PSNI Officer

**OFFICIALS IN
ATTENDANCE:** Ms Jenny Passmore, Director of Performance
4 Board Officials

- (1) Item numbers : 4 -10
- (2) Item numbers : 1- 6.2
- (3) Item number : 6.2
- (4) Item number : 6.3

1. APOLOGIES

Apologies were received from Mrs Joanne Bunting, Mr Alan Chambers, Mrs Dolores Kelly, Mr Paul Nolan and Mr Mervyn Storey.

The Committee were advised that as the Chair had sent apologies, the meeting would be Chaired by Vice Chair Prof Brice Dickson.

The Committee noted that the apologies received from Mr Alan Chambers, Mrs Dolores Kelly, and Mr Mervyn Storey were a result of Members being engaged in other Board business.

Prof Dickson advised that as a minimum of five Members was required the meeting was not quorate. However as another Member was expected it was agreed to proceed with the meeting.

The Committee agreed the agenda for the meeting.

The Chair asked Members to advise of any issues they wished to raise at Item 9 under “Any Other Business”. No issues were declared.

2. CONFLICTS OF INTEREST

No conflicts of interest were declared.

3. DRAFT MINUTES OF MEETING OF THE PERFORMANCE COMMITTEE

The Board considered the minutes of the meeting held on the 11 April 2019. Agreement of the minutes was proposed by Mr Philip McGuigan and seconded by Mr Keith Buchanan.

It was therefore:-

RESOLVED:-

That the draft minutes of the Performance Committee meeting held on the 11 April 2019 were agreed.

Mr Tom Frawley joined the meeting so with five Members present the meeting was declared quorate.

4. UPDATE ON ACTION LOG

Officials advised Committee Members that two items of correspondence recorded in the Action Log would be considered under Item 5 – Chairperson’s Business.

Members were also advised that correspondence had been received on 8 May 2019 from the NCA in reply to the Committee’s request of changes to the Memorandum of

Understanding (MOU) between the Board and the NCA (April AP5). In the reply, NCA had also requested clarification on a number of other issues within the MOU. As the reply had not yet been shared with Members it was agreed to address this at the June Committee meeting. Members also noted other updated actions from the Committee meeting held on 11 April 2019. **NOTED**

It was therefore:-

AGREED:-

A paper on the MOU between the Board and NCA be brought to the June Performance Committee **(AP1)**

5 CHAIRPERSON'S BUSINESS

5.1 Correspondence NCA Code of Ethics (March AP3)

The Committee considered the NCA response regarding Code of Ethics training for Officers and the school Ambassadors programme. Members requested that the Committee is observant as to future location of schools taking part in the Ambassador programme to ensure it is spread rurally as well as among suburban areas.

5.2 Correspondence PSNI Human Rights Annual Report (March AP6/April AP2)

The Committee considered the PSNI response in relation to the Human Rights Annual Report and agreed the timescale with a view to publishing the report in September 2019.

6. ITEMS FOR COMMITTEE BUSINESS

6.1 PSNI Body Worn Video (BWV) – Evaluation

Members considered a paper on Body Worn Video and in particular the recent evaluation of its use provided by PSNI.

Members expressed concern that the evaluation did not include the overall impact of BWV on confidence in policing. Members felt that the evaluation appeared to focus more on the business plan and value for money and therefore did not provide a true reflection of the roll out of Body Worn Video.

Members also discussed the previous evaluation that PSNI had completed several years ago regarding the pilot of Body Worn Video in the Foyle area and were concerned that any lessons learned from that pilot and subsequent evaluation was not apparent in the current evaluation. Members also noted that the forecasted costings outlined in the evaluation were substantially over estimated and questioned the methodology and process used by PSNI in costing proposals.

During further discussion Members:-

AGREED:-

To compose a comprehensive list of further questions to PSNI arising from the May Committee meeting **(AP2)**.

Officials to provide Members with the previous Body Worn Video evaluation of the pilot in Foyle **(AP3)**.

6.2 PSNI Response to Child Sexual Exploitation (CSE) Thematic Review (PSNI in attendance)

Members considered the paper presented, in particular the response from PSNI in relation to the 12 recommendations as set out under the CSE Thematic. Members also noted that a significant amount of CSE cases involved modern slavery/human trafficking and Members expressed the view that they were keen to engage with PSNI on this issue with regards to safeguarding.

The Chair welcomed T/ACC Barbara Gray, D/C/Supt Paula Hilman and D/Supt Anne Marks who presented in relation to their portfolio of work in respect of CSE within the Public Protection Branch (PPB) of the PSNI. T/ACC Barbara Gray introduced the team and their particular roles. ACC Gray advised that the branch, which sits under Crime Operations Department, is now fully resourced with 350 Officers and 50 staff and she provided an outline of the structures within the Branch. Responding to questions from Members, the PSNI team discussed;

- The three main areas of work involving Policy, Partnership and Investigation
- Officers and staff are located across the province in areas co-terminus with the

five Health Trusts;

- All PPB work undertaken is family and victim centred;
- Cyber protection is a growth area within PPB;
- 47% of CSE cases are historical;
- Partnership working is of key importance including working with a number of agencies such as Health Trusts, Social Services, NCA, and other statutory, community and voluntary organisations with safeguarding a central issue;
- A representative of the Branch is a member of the Safeguarding Board NI;
- The Branch is currently considering the recently published Gillen Report and are developing an action plan to implement the recommendations contained therein including the five key themes: Disclosure, Delay, ABE interviews, Training, Engaging with Marginalised Communities;
- Although there is no specific policy on tenure of officers, protocols are in place for safeguarding and looking after staff wellbeing with a more formalised Well-being Strategy currently in development;
- The Branch is currently working in partnership with the Home Office to develop digital solutions for viewing and categorisation of CSE images;
- Definitions and differences between Child Sexual Exploitation and Child Sexual Abuse were outlined and discussed.

The Chair and Members thanked PSNI Officials and they left the meeting.

6.3 Stop and Search Key Issues

Members considered a paper summarising the emerging issues regarding PSNI's use of powers to stop and search. The paper also highlighted key issues emerging from the Committee's recent discussions with Joanne Hannigan BL and Dr. John Topping as well as the recent findings of the Independent Reviewer of Justice and Security (NI) Act 2007, Mr David Seymour CB. This theme was agreed by the Committee as one of its priority areas at its meeting on 14 February 2019. Members discussed issues around accountability, stop and search statistics, the recent Ramsey Judgement, the use of Body Worn Video, and issues around the recording of community background monitoring. Members were advised that Officials had contacted Police Scotland and were awaiting a response in relation to the technology they use in capturing community

background information as a model of best practice. **NOTED.**

The Chair welcomed ACC Todd and another PSNI Officer who presented in relation to their portfolio of work.

Responding to questions from Members, the PSNI team addressed the following:

- Reasons why PSNI at present do not have the capability to capture and record community background monitoring information which was a recommendation from the Board's Human Rights Annual Report. Other parts of the UK can record this information due to the use of Ethnicity Visible Models which are not applicable in N. Ireland and therefore comparisons between N. Ireland and parts of the UK cannot be made. New changes to GDPR legislation have also acted as a barrier PSNI collecting and collating this information;
- While information is recorded on the location of the stop and search operations, Members were advised that caution must be taken when examining this data as many of the interactions are in the centre of towns and it is therefore not reasonable to infer community background information from that particular data set;
- A Service Instruction on the use of Body Worn Video is currently in draft form to ensure more officers to use Body Worn Video in all stop and search occurrences as highlighted by the Independent Reviewer. After a direction was given that BWV **must** be used in all stop and search encounters the usage has increased from 38% to 70% and an exercise is underway to establish why the figure is not higher.
- Complaints to the Police Ombudsman in relation to Stop and Search have reduced by 20% compared to the 18/19 year;
- In relation to the Ramsey case the PSNI are awaiting the decision of their cross appeal and, as it does not agree with the findings, will not implement any changes until conclusion of the case;
- PSNI have developed a draft Stop and Search Policy which will be circulated to key stakeholders for consultation. The policy focuses on stop and search involving children and young people, conscious and unconscious bias and the oversight responsibilities of police officers;
- Although mindful that arrest rates arising from Stop and Search under JSA are

lower in Northern Ireland than that of the UK, ACC Todd pointed out this was due to difference in approach of arrests in Northern Ireland and rest of UK. PSNI are mindful of the usefulness of Community Resolution Notices and accessing community and voluntary organisation interventions as a more effective tool than arrest.

It was therefore:-

AGREED:-

Officials to obtain a map of areas in which Stop and Search occurred from ACC Todd and share with the Committee **(AP4)**

7. QUESTIONS FOR THE CHIEF CONSTABLE

Members were informed that as there was no Board meeting in May the responses to the Chief Constable's questions arising out of the April Performance Committee will be provided at the June Board meeting.

Members discussed further questions for the Chief Constable and it was:-

AGREED:-

1. Body Worn Video has been rolled out across the Service during the Chief Constable's tenure. Can the Chief Constable provide his views on the impact it is having on policing services, whether he believes it represents value for money and what, if any, issues remain unresolved?
2. Could the Chief Constable please explain why the rate of stops and searches carried out under PACE and the Misuse of Drugs legislation has not reduced in recent years, contrary to the trend in England and Wales, and why the arrest rate following such arrests is so low compared with that in England and Wales? On a more general note can he also provide his views on the benefits of the range of stop and search powers, what learning points have arisen and what, if anything, he would change going forward?

8. COMMUNICATION ISSUES

Members agreed for parts of the Committee to be recorded without sound which will then be published on the Boards website.

9. ANY OTHER BUSINESS

There was no other business.

10. DATE OF NEXT MEETING

It was agreed that the next meeting would take place on Thursday 13th June at 10.00am.

**PERFORMANCE DIRECTORATE
MAY 2019**