

PROBATION BOARD FOR NORTHERN IRELAND  
**BOARD MEETING – FRIDAY 15 NOVEMBER 2019**

**9.30 AM – PBNI HEADQUARTERS**

**415th MEETING – 12<sup>th</sup> OF THE TWELFTH TERM OF OFFICE**

ATTENDANCE

Mr Dale Ashford (Chair)  
Mr Neil Bodger  
Dr Jonny Byrne (Items 1 – 14)  
Dr Kelly Clark  
Mr Kieran Donaghy  
Dr Theresa Donaldson  
Mr Paul Douglas  
Mrs Judith Gillespie  
Mr Gearoid OhEara  
Mr Max Murray  
Mr Dave Wall

Ms Sarah Bruce (Boardroom Apprentice)

OFFICIALS

Ms Cheryl Lamont, Chief Executive  
Mr Hugh Hamill, Director of Operations  
Mrs Gillian Robinson, Head of Human Resources  
Ms Catherine Teggart, Head of Finance  
Mr Michael Cox, Board Secretary  
Ms Joyce Mercer (Agenda item 22)  
Mrs Wendy Rodgers, Secretariat (Minutes)

GUEST

Mr Joe Dolan - Head of the Northern Ireland Cyber Centre

**1. WELCOME AND CONFLICTS OF INTEREST**

The Board Chair welcomed everyone to the meeting and introduced Mr Dolan, Head of Northern Ireland Cyber Centre.

Mr Dolan provided the Members and Officials with a presentation on cyber security. It is Mr Dolan's role to coordinate across government bodies and to collaborate with other devolved administrations on these matters. Members were informed that 'hacking' emails is a real risk as it is relatively straight forward to do so. It is normally carried out by organised criminal gangs for financial gain. Any email that goes to the 'cloud' is potentially vulnerable so sensitive information should not be sent via Hotmail or Gmail accounts. VPN is a much more secure way of sending such information.

Following the presentation, a question and answer session took place. The Board Chair thanked Mr Dolan for his presentation and that members had found it informative.

**Action: The Cyber Security Presentation to be sent to members (Secretariat)**

No conflicts of interest were declared.

## **2. APOLOGIES**

Apologies were received from Mr Alastair Ross, Member; Ms Patricia Keenan, Member; Dr Geraldine O'Hare, Director of Rehabilitation

## **3. MINUTES OF BOARD MEETING 18 OCTOBER 2019 (PAPER M10/19)**

The minutes of the previous Board Meeting held on Friday 18 October 2019 were agreed as a true and accurate record with some minor amendments

## **4. MATTERS ARISING FROM BOARD MEETING HELD ON 18 OCTOBER 2019 (90/19)**

Action 4 – 'Review of the Annual Seminar' has been deferred by the Policy & Practice Committee meeting on 18 December 2019 and is therefore not complete. All other actions have been completed.

The Board noted the paper.

## **5. BOARD CHAIR'S UPDATE (Verbal)**

The Board Chair advised that the Confederation of European Probation awarded PBNI the 'Best Innovative Award' for ECO. The Board recognises this achievement and sends its congratulations to the Chief Executive and the ECO Team.

Since the last Board, there had been a focus group with the CJI(NI) Inspectors. The results are awaited.

The Chair attended a Chairs' Forum event. The Chair and Chief Executive attended a Corporate Plan consultation with Judith Thompson, Victims Commissioner, which was useful.

The Chair attended the PPC meeting on 8 November 2019 in the Courthouse, Londonderry. The Committee took the opportunity to visit the Shipquay Street premises which will be open for staff in the near future. Judge McElholm and Marie Brown of Foyle Womens Aid, attended the meeting for a discussion on Domestic Abuse.

The Chair attended the Aspire Evaluation Launch on 14 November 2019. He has shared the Report of the Independent Reporting Commission (IRC) report with Board Members which made positive reference about Aspire.

The Chair, Ms Lamont and Ms McGreevy met to discuss the feedback on the Corporate Plan. Members were invited to send any outstanding comments to Ms McGreevy before the end of the month. The Draft Corporate Plan will be brought to the December Board Meeting for endorsement.

The Chair is consolidating any issues arising from the annual appraisals and will advise members when this work is complete.

A response to the DOJ's Sentencing Review Consultation is being prepared by officials to present to the Board Members at the December meeting. This will give them an opportunity to contribute to the response.

**Action: DOJ's Sentencing Review Consultation to be presented to Board Members at the December Board. (Officials)**

The Board noted the update.

**6. CHIEF EXECUTIVES UPDATE (Verbal)**

The Chief Executive advised that the Overview meeting with the DOJ had taken place on 4 November 2019. Maura Campbell was the lead official. There had been no issues or concerns raised. Ms Campbell had also noted that the Board has received three briefings on 'Brexit'. The Arm's Length Bodies and Partnership Review will be sent to DOF before Christmas. Ms Campbell had noted that the Board Seminar was widely regarded as a success.

In terms of DOJ's strategic issues forward planning continues with a one-year budget cycle within a three-year planning period. Discussion ensued on the temporary funding streams and that the Department are aware of PBNI's financial commitments to projects.

The Chief Executive thanked members for their emails of congratulations on the CEP award for ECO which was under the Rehabilitation category.

The Chief Executive advised of the IRC Report and was pleased to note that Aspire had been described as 'exemplary'. Ms Lamont thanked the Board Members for attending the recent Aspire event in launching the Research.

The Chief Executive invited the Head of HR to update members on NNC/SCCOG. Mrs Robinson, Head of HR, advised that this was ongoing and she was looking at the revalorisation of pay scales and the formal adoption of them. The DOF had turned down a request to meet directly as a means of expediting the approval process. The DOJ has responded to any queries from DOF on Probation's behalf and has advised that the business case will go forward to Sue Gray, DOF Permanent Secretary, in the immediate future for approval. The Chief Executive advised that both Mrs Robinson and Ms Teggart had worked tirelessly and professionally on this issue. Mrs Robinson hoped to be able to advise staff before Christmas hopefully with good news. A discussion ensued on the impact of pay issues on staff morale. It was agreed that a resolution needed to be achieved at the earliest opportunity.

Members were informed that a Statement of Claim had been received in relation to the ongoing NILGOSC issue. It refers back to actions taken in 1983. Barristers are reviewing the Statement of Claim and will provide their opinion in due course. Mrs Robinson will update the Board when this is received.

Mrs Robinson, Head of HR, advised that a number of posts have been advertised as the previous 'list' has been exhausted. It was noted that 50 posts have been filled in the last 3 months. There is inexperience with the new recruits but training is being provided to close identified gaps.

The Director of Operations advised that the Business Continuity Plan will be coming to December Board meeting for noting. In the normal course of events the Plan would have been brought first to ARAC for noting, however given timings issues associated with internal audit, the Board agreed that it should come to the December meeting.

Chief Executive and Mr Hamill, Director of Operations will attend the Social Work Awards later today with the staff members who have been nominated. Two projects have also been

nominated, the Substance Misuse Court and Aspire. The Board congratulated the Chief Executive on all the nominations.

The Board noted the update.

#### **7. CORRESPONDENCE (PAPER 91/19)**

No correspondence was presented.

#### **8. CORPORATE RESOURCES COMMITTEE UPDATE**

The Chair of the Committee confirmed that there had not been a meeting of the Committee since the last Board and therefore there was no emerging business in the interim. The next meeting of the Committee will be 6 December 2019 in the Armagh Office.

#### **9. FINANCIAL OUTTURN SUMMARY (PAPER 92/19)**

The Head of Finance set out the financial position at the end of October. There was an underspend of £694k or 6% which is largely due to IT Assist costs. These costs have now been received and this will allow for a £500k accrual to be posted next month which will reduce the underspend in non-pay. At this point, the forecast is that the budget will be on target for year end. The Capital underspend to date is due to delays in the refurbishment of the premises at Shipquay Street and Duncairn Gardens. Members were informed that the 2020-2021 budget has not been notified, as yet, which makes financial planning very challenging. The Prompt Payment Performance Targets are slightly below target. This is due to one supplier who was invoicing for goods before they had been received.

The Board noted the paper.

#### **10. HUMAN RESOURCES (PAPER B – 93/19)**

The NNC and SCCOG update and the NILGOSC update were reported on under agenda item 6.

#### **11. MANAGING ATTENDANCE (PAPER 94/19)**

Members were advised that this paper is currently not available due to a software issue following the migration to IT Assist. Mrs Robinson advised that absence was still high. It was agreed that this would be discussed at CRC.

**Action: Attendance Management to be discussed at CRC. (CRC)**

The Board noted the update.

#### **12. ESTATES AND BUSINESS CASES (PAPER – C - 93/19)**

Ms Teggart provided an update on Estates and Business Cases as set out in the paper provided. She highlighted that there was an issue with staff moving in to the Shipquay building due to delays in IT lines being laid. The Members discussed the issue and agreed that BT should be encouraged to promote PBNI up their priorities. The meeting was informed that there are no other alternative properties at this time. The Board Chair advised that he had received an email from a resident in Crawford Square asking why PBNI had not vacated the property as yet. Mrs Teggart advised that due to the delay with BT, and finalisation of a move to Richmond Chambers, for staff currently based in Crawford Square.

The Board noted the paper.

### **13. INFORMATION SYSTEMS (PAPER D – 93/19)**

Mr Hamill advised that a change control notification for the ECMS has been approved at the Project Board meeting on 14 November.

Members were informed that email addresses will be switched to 'probation-ni.gov.uk' as g.s.i. and initials will no longer be used. To ensure a smooth transition for the whole organisation it is scheduled for the email addresses to go live week commencing 13 January 2020.

The Board noted the paper.

### **14. POLICY & PRACTICE COMMITTEE UPDATE**

The Chair of the Committee informed members that the PPC had met on 8 November 2019 in the Courthouse, Derry. Prior to the meeting, members had visited the Shipquay Street premises. Members were informed that a number of agenda items were not covered because of time pressures at the meeting and therefore a further meeting has been arranged for 18 December 2019.

Judge McElholm and Marie Brown provided an insight into the issues around domestic abuse and how the Courts and Women's Aid work together to provide an integrated family-based approach. It was also discussed the Mental Health Legislation from the 1980s was no longer fit for purpose. It was clear that both the Judge and Ms Brown are driven by value and belief in their work. The strength of their partnership was impressive. Also discussed was the fact that 3 to 6 month sentences do not allow for effective rehabilitation.

The Board noted the update

### **15. SERIOUS FURTHER OFFENCES (SFOs) (PAPER A- 93/19)**

The Members were advised that there were no SFOs to report.

The Board noted the update

### **16. POLICY & PRACTICE TERMS OF REFERENCE (PAPER 95/19)**

This item was deferred by PPC to the meeting scheduled for 18 December 2019.

The Board noted the update.

### **17. COMMUNICATION AND ENGAGEMENT (PAPER – E – 93/19)**

Mr Hamill provided the Members with an update on the current communications and engagement as laid out in the paper.

The Board noted the update.

### **18. CONSULTATION UPDATE (PAPER f – 93/19)**

Mr Hamill provided an update on the current consultations, as laid out in the paper. A member commented on the apparent public perception that community sentences are an easy option. It was agreed that there was a need for discussions with colleagues across the Justice

System to promote public confidence in it generally and in community sentences in particular. The Consultation process on the Sentencing Review should promote public engagement, which is central to this.

#### **19. DOMESTIC VIOLENCE AND ABUSE WORKPLACE POLICY AND PROCEDURES (PAPER 96/19)**

Mr Wall advised that the Committee had considered this policy and had recommended approval to the Board. The Board discussed the Policy and agreed that it was positive for the organisation to have such a policy for staff. Mrs Robinson commented that, based on the statistics of the prevalence of this type of behaviour, there was not the take up that might be expected. It was noted that the Organisation had won the ONUS award for having a staff policy.

The Board approved the Domestic Violence Workplace Policy

#### **20. DOMESTIC ABUSE (OPERATIONAL) POLICY (PAPER 97/10)**

Mr Wall advised that the Committee had considered this policy and had recommended approval to the Board.

The Board approved the Domestic Abuse (Operational) Policy.

#### **21. HATE CRIME POLICY (PAPER 98/19)**

Mr Wall advised that the Committee had considered this policy and recommended approval to the Board.

The Board approved the Hate Crime Policy.

#### **22. CRIMINAL JUSTICE TRENDS – SEPTEMBER 2019 (PAPER 99/19)**

The Board Chair welcomed the DP Statistician to the meeting. Ms Mercer advised that the Chief Executive had initially requested this report to better understand trends across the Criminal Justice System. It was noted that none of our justice partners produce such a report. Ms Mercer took members through the highlights of the Report. In particular, it was noted that the remand population has increased but the custody population has decreased over the same period. The Public Prosecution Service is also experiencing a rise in the number of files it is required to process. Probation's caseload has remained steady but this is masking the number of community sentences. Caseload relating to community sentencing is higher as it is influenced by ECO and the Drugs' Court.

Members discussed reoffending rates and the impact on the statistics. Ms Mercer advised that DOJ reconvictions rates were released on 14 November and she had requested further data which relates to Probation, she will provide a paper on reconviction for a future meeting. Also discussed was the rise in the number of female offenders which the PPC will be discussing further.

The Board noted the paper.

#### **23. AUDIT AND RISK ASSURANCE COMMITTEE**

The Chair of the Committee confirmed that there had not been a meeting of the Committee since the last Board and therefore there was no emerging business to report.

## **24. BOARD SECRETARY'S BUSINESS**

### **24.1 Board Meeting dates 2020/21 (Paper 100/19)**

The Board Secretary presented the proposed dates for Board Meetings during 2020/21. In the main the Board meetings will take place on the third Friday each month with the exception of April and July 2020. The Committee dates will be confirmed once the Terms of Reference have been agreed. It was agreed that the meeting scheduled for 18 December 2020 would remain for the staff Christmas function.

The Paper was approved by the Board.

## **25. EQUALITY AND GOOD RELATIONS ANNUAL REPORT (PAPER 101/19)**

At the outset, Dr Donaldson advised that she was a member of the Equality Commission but she did not see that this would present as a conflict of interest. The Board Chair noted Dr Donaldson's comments. Mrs Robinson advised members that the Report has come to Board for information. Under Section 75 responsibilities the Report would be sent to the Equality Commission for consideration.

The Board noted the update

## **26. OTHER BUSINESS**

The Board Chair reminded members that after the Board meeting on 13 December 2019, there would be the staff function in the Conference Room.

### **DATE OF NEXT MEETING**

The next Board Meeting will take place on Friday 13 December 2019 at 9.30 am, Activity Room 1, Ground Floor, PBNI HQ

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**Dale Ashford QFSM**  
**BOARD CHAIR**

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**Date**