



**Northern Ireland  
Assembly**

## **COMMITTEE FOR JUSTICE**

### **MINUTES OF PROCEEDINGS**

TUESDAY 4 FEBRUARY 2014  
Senate Chamber, Parliament Buildings

Present: Mr Paul Givan MLA (Chairman)  
Mr Raymond McCartney MLA (Deputy Chairman)  
Mr Sydney Anderson MLA  
Mr Stewart Dickson MLA  
Mr Tom Elliott MLA  
Mr William Humphrey MLA  
Mr Seán Lynch MLA  
Mr Alban Maginness MLA  
Ms Rosaleen McCorley MLA  
Mr Patsy McGlone MLA  
Mr Jim Wells MLA

In Attendance: Mrs Christine Darrah (Assembly Clerk)  
Mrs Sinead Kelly (Assistant Assembly Clerk)  
Mrs Julie Devlin (Clerical Supervisor)

*The meeting commenced at 1.00 p.m. in public session.*

#### **1. Apologies**

None.

#### **2. Review of the Criteria for the Appointment of the Chief Constable of the PSNI**

Mr David Ford MLA, Minister of Justice, Anthony Harbinson, Director of Justice Delivery and Karen Pearson, Deputy Director, Reducing Offending Division, Department of Justice joined the meeting at 1.00 p.m.

The Minister of Justice outlined his position in relation to a number of issues and questions that had been raised regarding his decision to change the minimum criteria for the appointment of the Chief Constable of the PSNI.

A detailed question and answer session followed covering issues including: the importance of the post of Chief Constable; the need for the role of Chief Constable to be independent; the consequences of any perceived interference by the Minister of Justice in the appointment of the Chief Constable; whether the Minister regarded his proposed changes to the minimum criteria for the appointment of the Chief Constable as an intervention; the nature, timing and outcome of the Minister's informal pre-consultation with the Policing Board, the staff association, the PSNI and the Justice Committee; whether he had undertaken the required consultation; the response/advice received from the Chief Constable on the matter;

*1.19 p.m. Mr Tom Elliott joined the meeting.*

whether the Minister acted unilaterally on the proposed change to the minimum criteria for the appointment of the Chief Constable; the Minister's interpretation of the positions of the Policing Board and the Justice Committee regarding the proposed change to the criteria for appointment of the Chief Constable; the advice the Minister received from the Equality Commission and whether the advice was shared with anyone outside the Department of Justice; whether in hindsight the Minister would have managed the announcement differently given the public and political reaction to his decision; the nature of any advice received by the Minister from his officials regarding his decision to change the minimum criteria and the handling of the announcement; whether there is potential for a legal challenge to the Minister's decision; the timing of discussions at the Policing Board regarding the recruitment of a new Chief Constable and whether the Minister's announcement has compromised the process; how the Policing Board and the Justice Committee were informed of the Minister's decision to change the minimum criteria; whether the Minister could have been criticised if he had not acted to change the criteria following the pre-consultation process;

*1.48 p.m. Ms Rosaleen McCorley left the meeting.*

the timing of the Minister's decision and announcement; the importance of openness, fairness and transparency to ensure confidence in the recruitment process; the mechanism to make the change; and whether the Minister accepted it was now a decision for the Executive.

*1.58 p.m. Mr Patsy McGlone left the meeting*

*1.59 p.m. Mr Tom Elliott left the meeting.*

The briefing was recorded by Hansard.

The Minister of Justice undertook to provide a copy of the response from the Equality Commission on the matter to the Committee.

The Chairman thanked the Minister of Justice and his officials and they left the meeting.

Agreed: The Committee agreed to write to the Executive Ministers and the Northern Ireland Policing Board to convey its opinion that it is not appropriate to change the criteria for the appointment of the Chief Constable of the PSNI when there is a pending vacancy to be filled, the current status should

therefore be maintained and the timing of the Minister of Justice's announcement undermines confidence in the process and the PSNI.

One Member expressed the view that it was unnecessary to write on the matter.

### **3. Date, Time and Place of next meeting**

The next meeting will take place on Thursday 6 February 2014 at 2.00 p.m. in Room 30, Parliament Buildings.

*The meeting was adjourned at 2.12 p.m.*

Mr Paul Givan MLA  
Chairman, Committee for Justice