**OTR Policy Oversight Board – Terms of Reference**

The Board has been set up in the light of the Hallett Report into On The Runs, and its remit is strictly limited to the issues and recommendations raised by that report.

**Function**

* The primary objective of the OTR Policy Oversight Board (the Board) is to provide assurance to Ministers, the Attorney General and the Chief Constable that:
  + policy issues raised by the Hallett report are being addressed;
  + the relevant recommendations of the Hallett report are being implemented with the appropriate degree of co-ordination; and
  + any errors identified in individual cases are dealt with by the responsible authorities.
* The Board also provides:
  + the means for the police and prosecuting authorities to raise any particular issue with HM Government and the Attorney General’s Office that requires the investigation of potential errors identified by the Hallett Report;
  + the means for all parties to agree approaches to legal advice in order to deal with such issues as may arise through the police and prosecuting authorities’ processing of cases. These issues may be global (relating to all OTR cases), thematic (relating to groups of OTR cases) or specific (relating to a single OTR case).
* Operational independence of the police and prosecuting authorities, as well as complete independence of decision-making by those authorities, is hard-wired into the system.
* The Board **does not**:
  + interfere with, replace or otherwise affect any existing lines of reporting and responsibility to which Board members, consultees or observers are accountable.
  + provide any means of Government “oversight” of the operation or decision-making of the independent police or prosecuting authorities, beyond a purely information-sharing mechanism between HMG and those authorities.

**Operation**

* The Chairmanship and secretariat for the Board are provided by the Northern Ireland Office (NIO). However, this does not create or imply any reporting or accountability requirement on Board members, consultees or observers to the NIO.
* The Board Secretariat will maintain working papers and a risk register, and will provide administrative support to Board meetings.
* The Board may agree to direct sub-groups to complete discrete packages of work. This may include establishment of sub-groups with appropriate membership made up of the organisations represented on the Board, supplemented with other organisations as necessary. For instance, two workstreams the Board may consider for sub-group consideration could be legal issues, and error identification/correction.
* The Board shall operate for as long as necessary to work through the issues raised by the Hallett report, and those issues raised by operational work carried out by the police and prosecuting authorities in relation to individual cases. In the first instance, the Board shall operate for up to one year with meetings held approximately every six weeks (as required), and with sub-groups meeting as frequently as required.

**Membership**

* Board membership is recommended at Director/SCS2/ACC level, with sub-group membership as appropriate.
* The following bodies should be represented on the Board:
  + Northern Ireland Office (NIO) – also providing Chair and secretariat function
  + NIO Legal Advisers (HOLAB)
  + Police Service of Northern Ireland (PSNI)
  + Attorney General’s Office (AGO)
  + Home Office (HO)
* The following bodies are also engaged:
  + *[CONSULTEE] Public Prosecution Service (PPS NI)*
  + *[OBSERVER] Department of Justice (DoJ NI)*
  + *[As necessary] Metropolitan Police / ACPO TAM*
  + *[As necessary] Crown Prosecution Service (CPS)*

**OTR POB Secretariat**