

NORTHERN IRELAND POLICING BOARD

**MINUTES OF MEETING OF THE PERFORMANCE COMMITTEE HELD ON
14 December 2023 AT 9:30am**

PRESENT:	Mr Gerry Kelly, Chair Dr Janet Gray, Vice-Chair Ms Linda Dillon Mr Brendan Mullan Mr Peter Osborne Ms Nuala McAllister Mr Mark H. Durkan Mr Mike Nesbitt* Ms Joanne Bunting
EX-OFFICIO MEMBER IN ATTENDANCE	Mr Edgar Jardine*
POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:	(1) Det Chief Superintendent Anthony McNally (1) C/Supt David Beck (1) 3 PSNI staff
POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:	(2) ACC Henderson (2) C/Supt Gary McDonald (2) Supt Gavin Kirkpatrick
OFFICIALS IN ATTENDANCE:	Mr Adrian McNamee*, Director of Performance Mr John Wadham, Human Rights Advisor 5 Board Officials

- (1) Present for Item 6.1 only
- (2) Present from Item 6.2 only
- (3) *Attended via video conferencing

1. APOLOGIES

Apologies were received from Les Allamby, Frank McManus and Trevor Clarke.

The Committee agreed the agenda for the meeting.

The Chair asked Members to advise of any items they wished to raise at Item 9 under "Any Other Business".

2. CONFLICTS OF INTEREST

No conflicts of interest were declared.

3. MINUTES OF THE PREVIOUS MEETING

The Committee considered the draft minutes of the Performance Committee meeting held on 9 November 2023.

It was **RESOLVED**:-

That Minutes of the Performance Committee meeting on the 9 November 2023 were agreed.

4. UPDATE ON ACTION LOG

The Director of Performance provided an update on the actions listed on the Action Log. Members noted the remaining current open actions and expected timeframes for these to be brought back to the Performance Committee.

NOTED.

The Director provided an update on AP6 from the meeting held on 14 September 2023 that Officials follow up with PSNI in relation to delay in Code of Ethics. Members were

informed that this issue was raised at a recent meeting with T/ACC Henderson on 18th October. This issue was also raised as a Chief Constable's question and this response is included at Item 4.1 on today's agenda. The Director of Performance advised this is still a work in progress as the PSNI is currently awaiting NPCC to launch their update to the Code of Ethics for England and Wales.

The Director provided an update on AP8 from the meeting held on 14 September 2023 requesting further information from PSNI in relation to a geographical breakdown of shoplifting. A full response was received from PSNI and the Performance Manager outlined the main points. Members were content with this response and this action is now closed.

The Director provided an update on AP11 from the meeting held on 14 September 2023 in relation to further Spit and Bite Guard usage. Correspondence issued to T/ACC Jones on 19th September 2023. Response received and included at item 4.1 on today's agenda. The Director outlined the latest figures on application and the Human Rights Advisor provided examples of recently viewed Body Worn Video of applications, particularly on children. Members agreed that Officials would write to T/ACC Jones regarding wider issues on Spit and Bite Guards and to arrange viewing of the BWV for Members.

The Director provided an update on AP12 from the meeting held on 14 September 2023 in relation to updating the current MOU with the NCA. The MOU with tracked changes issued to NCA on 16th October 2023 and it is currently being considered by NCA legal department and awaiting a response. It is intended to tabled response in the February 2024 committee.

The Director provided an update on AP3 from the meeting held on 12 October 2023 that Officials to write to PSNI requesting a response to the Annual report of the Independent Reviewer of the Justice and Security (Northern Ireland) Act 2007 and Officials to invite PSNI to future meeting to discuss issues in the report. PSNI provided a detailed response to the recommendations and Members agreed that this should be placed on as a future agenda item for the Committee. This is on the Committee's future work programme at item 6.8 of today's meeting.

The Director provided an update on AP5 from the meeting held on 12 October 2023 that Officials to write to the Departments of Justice and Health enquiring of the merits of carrying out a prevalence study in relation to violence experience by Women and Girls similar to the ongoing study in Ireland. The Chair has recently written to the Departments regarding any plans for similar research. Responses received on 20th November 2023 from the Head of the Civil Service and on 22nd November 2023 from the Permanent Secretaries of Health and Justice outlining their future plans for research in this area. Members were content with the response and agreed to close this action.

The Director provided an update on AP2 from the meeting held on 9 November 2023 that the Human Rights Advisor would follow up with the Chief Constable in due course on the issues of PACE and TACT arrests.

The Director provided an update on AP3 from the meeting held on 9 November 2023 that Officials to respond to the correspondence from T/ACC Jones on T10 CED device seeking information on PSNI's long term plans and to keep Board informed on future decisions on pilots or introduction of the devices. Correspondence issued to T/ACC Mel Jones on 13/11/23. PSNI have organised a T10 demonstration on 23 January and have invited Members to attend as per the correspondence at Item 4.1 today. The Director of Performance highlighted a clash with the Board away day. The Chair requested that officials follow up with PSNI to see if an alternative date could be identified for the demonstration.

The Director provided an update on AP4 from the meeting held on 9 November 2023 that Officials follow up with OPONI Officials to request a further breakdown of the 50 complaints at Inspector and above rank listed on Table 24 (Page 36) of the OPONI Annual Statistical Bulletin. Correspondence issued to Paul McAlister (OPONI) 15 November 2023 and we are awaiting a response.

The Director provided an update on AP5 from the meeting held on 9 November 2023 that Officials follow up with PSNI seeking further breakdown on the 183 Recommendations made to the Chief Constable by OPONI during 22/23 seeking information on how many were implemented and of those not implemented, what are the reasons for this.

Correspondence issued to Chris Kelly (PSNI) 15 November 2023. A response is included at item 4.1 on today's agenda outlining the implemented and rejected recommendations. Members were content with this response and action is now closed.

The Director provided an update on AP6 from the meeting held on 9 November 2023 that Officials to prepare a response from the Board Chair to the DoJ Permanent Secretary's letter on the Appropriate Adult Scheme dated 12 September 2023 to include members view on this issue. Correspondence was issued from the Board Chair on 29 November and is included for Members information at Item 4.1 today. The Department have confirmed that they are going to proceed with the scheme as previously implemented. Members were content with this response and action is now closed.

The Director provided an update on AP7 from the meeting held on 9 November 2023 that Officials compile a draft board position on the request from DoJ in relation to the remit of the Harbour Police for the December Board meeting. Members discussions were reflected in the Committee's Report to the Board for the December Board meeting and agreed. Correspondence was issued to DoJ to reflect Members views. Members were content with this response and action is now closed.

4.1 Accompanying Correspondence

Members discussed the correspondence received from the PSNI in relation to:

- AP 6 September 2023 – Code of Ethics;
- AP 8 September 2023 – Geographical breakdown in recent increase in shoplifting;
- AP 11 September 2023 – Further Spit and Bite Guard usage;
- AP 5 October 2023 – Prevalence study in relation to violence experienced against Women and Girls;
- AP 6 October 2023 – Annual report of the Independent Reviewer of the Justice and Security (Northern Ireland) Act 2007 in relation to PCSPs.
- AP 3 November 2023 – T10 CED Devices.
- AP5 November 2023 – OPONI recommendations
- AP6 November 2023 – Northern Ireland Appropriate Adult Scheme

Following discussion it was:-

AGREED

Officials to write to T/ACC Jones regarding wider issues on Spit and Bite Guards, to arrange viewing of the BWV to Members and to discuss the JSA Reviewer's recommendations. **(AP1)**

5. CHAIRPERSON'S BUSINESS

The Chair confirmed that there were no items of business.

6. ITEMS FOR COMMITTEE BUSINESS

6.1 Policing Plan Measure 1.2.1 Repeat Offenders

The PPM Manager outlined that is the first time in this reporting year that Members have scrutinised repeat offending with the previous time being December 2022.

The PPM Manager informed Members that the overall picture regarding repeat offending shows a marginal increase in the number and rate of repeat offenders compared to both the previous reporting period and the baseline. As displayed in the graph in the report card, the repeat offending rate has remained steady over the past year, fluctuating between 20.9% and 22.1%. However, as this Measure aims to reduce repeat offending, Members may wish to ask PSNI if their current strategies are working and if a rethink is required. That said we should be aware that levels of repeat offending and therefore repeat victims are also a result of the wider criminal justice system e.g. sentencing impact.

The PPM Manager informed Members that in relation to domestic abuse, the trend appears to be increasing as the rate is now 30.3% compared to the baseline of 26.5% in

March 2022. This is shown in the graph in the report card 'Repeat Victims of Domestic Occurrences'. Members may wish to obtain further information from the PSNI on the reason for this increase and ask what incentives and strategies they are implementing to combat this increase.

The Chairperson welcomed the PSNI to the meeting. He invited them to brief Members on the work relating to Policing Plan Measure 1.2.1 Repeat Offenders.

The PSNI presented information through their report card and provided a statistical commentary of their performance against Measure 1.2.1 Repeat Offenders and discussed with Members the work carried out on a number of key areas including:

- The PSNI informed Members that this years report on Repeat Offenders broadly mirrors that of 2022 figures. The PSNI added that in one sense this stability is positive however they would like to drive this down;
- 21.9% of offenders are committing 49.1% of crime and for high level of offending 8 people are linked to 20 or more incidents. These 8 people will be managed by a robust process;
- It was highlighted that the repeat offending rate has been steady over the past year and the vast majority (60-80%) of Repeat Offenders tend to be male. Analysis of the data suggest that reasons for repeat offending can be as a result of adverse childhood experiences i.e. Domestic Abuse in the home;
- The repeat offending rate for domestically motivated offences equates to 16.5%. Of the 645 offenders linked to these repeat offences 563 are male;
- The PSNI informed Members that legislation around the harassment offence is now more extensive which further aids helping to convict Repeat Offenders;
- The PSNI also informed Members that the conditional element within the non fatal strangulation act has now been removed and it is now a stand alone crime. This strengthens PSNI's options in dealing with perpetrators. It has been used 372 times, 170 have been charged and it has an outcome rate of 31%;
- The PSNI stated that every 16 minutes they received a call about Domestic Abuse and 21% of all crime is Domestic Abuse related which will increase in the run up to Christmas;
- It was highlighted to Members that there is a continued focus on the Domestic Abuse campaign right to ask/power to tell;

- PSNI advised members that the MARAC review concluded that Domestic Abuse & Violence Disclosure Scheme is not fit for purpose. There has been a review commissioned with a recommendation that it is a statutory law. PSNI advised that the scheme needs to be looked at in totality; both offenders and victims. A letter has been drafted to DoH regarding funding and there is a meeting with DoJ in the New Year;
- PSNI also advised that the MARAC review in relation to Operation Encompass faces challenges in terms of information sharing and is something they are working on;
- PSNI referred to the Repeat Offending Units which is comprised of 139 persistent repeat offenders. PSNI reflected on the ongoing work with the Youth Diversion Officers in trying to divert offenders away from crime and entering the criminal justice system; and
- PSNI recalled to members that Operation Seasons Greetings and Operation Vigilant, like every year, will be their primary focus over the holiday period.

Members engaged in discussion with PSNI and sought clarity on a number of issues including: -

- A Member expressed their view that statistics shared on Operation Encompass need to be considered in the wider context that 1/3 of all referrals relate to a domestic violence incident. The Member asked whether the Department of Education have been helpful and if this area of work is safeguarded in terms of funding;
- Further clarity was sought on Repeat Offender rates not reducing and what analysis PSNI has undertaken at a strategic level to ensure learnings are taken. What are the successes and where are they not seeing success;
- A Member expressed their concern regarding Operation Encompass which they view as a multi agency issue and need to use their influence to take this up separately;
- A Member asked whether the trend for Domestic Abuse is due to increased reporting which is a positive; and
- In respect of repeat offenders, a Member expressed his view that reporting appears to be limited as year on year statistics aren't that helpful without seeing longer term trends and that PSNI may consider research on international initiatives to help tackle repeat offenders.

The PSNI provided the following responses:-

- With regards to Operation Encompass, PSNI advised that there are 33,000-36,000 domestic incidents in a year which will have children present and 27% of all domestic abuse is a parent/child situation. They would email the school who have trained safeguarding officers. In relation to the Department of Education, they are extremely cooperative and helpful, however, they have expressed that it is impacting on work loads and it in itself is a full time role. They are now looking at an automated solution. PSNI also advised that funding gaps means this initiative is not protected and is not sustainable from a policing perspective;
- In terms of Repeat Offender rates and statistics PSNI stated that it is a multi faceted issue. PSNI referred to the broader funding piece which ultimately has an adverse impact on offender management with regards to resourcing et cera. In terms of evaluating success, Domestic Abuse has been increasing and there could be an integrated offender model. There is also the VAWG strategy. This is not an issue solved by arrests. Strategically, they focus on the higher level offenders i.e. the 8 people above 20 incidents, however, they are approximately 330 officers short and have exceeded the overtime budget;
- Regarding increased reporting with Domestic Abuse, the Home Office counting rules have changed so only single offences are counted, however, it is positive that reporting has increased which hopefully is linked to confidence in the police. The PSNI added there is a very low level of reporting to MARAC from Education and Health as the PSNI and Women's Aid make the most referrals; and
- With regards to repeat offenders yearly data and consulting international initiatives, the PSNI informed Members that an International Organisation Model has been consulted but this alone does not provide assurances as Northern Ireland is unique in terms of policing.

The Chairperson thanked the PSNI for their attendance and briefing and they left.

Following the discussion it was:-

AGREED

PSNI to share a copy of their correspondence to the Department of Health about joined up government and response to be discussed further by Committee regarding potential role for advocacy by the Board. **(AP2)**

Officials to consult with PSNI and consider if it is possible to add 3/5/10 year trends to Measure Report Cards. **(AP3)**

6.2 PSNI six-monthly report on Human Rights Review of the Strip Searching of Children and Young People in Police Custody

A Board Official informed Members that this paper provides Members with PSNI's first six monthly report on the implementation of the recommendations from the Human Rights Review of Strip Searching of Children and Young People in Police Custody published in June 2023. Members are asked to note that PSNI will be attending the Committee to brief Members.

Members were requested to note that a total of nine strip searches of under 18s occurred during July 23 – November 23 inclusive in custody with two individual under 18's searched twice.

- Five males
- Four females

On a positive note, the Appropriate Adult was present on every occasion except the first search and that was at the request of the detained person.

The Chairperson welcomed the PSNI to the meeting. He invited them to brief Members on the delivery of Human Rights based community focussed policing.

PSNI discussed with Members the work carried out on a number of recommendations including:

- Recommendation 1 PACE – PSNI advised there are no issues with this recommendation and that DOJ will be progressing a review of PACE;
- Recommendation 2 – PACE Codes A & C - This recommendation refers to the Code of Practice. PSNI expressed a desire to develop this policy in absence of legislation. The code of practice is currently with DoJ Policing Policy and legislation team. An early draft will be available end of January 2024;
- Recommendation 3 & 4 – With regards to recommendation 3 PSNI informed Members that new record keeping systems have been implemented and staff training needs reinforced. Recommendation 4 – Appropriate Adult – PSNI informed Members no strip searches have taken place without the presence of an Appropriate Adult excluding one case where it was refused by the detainee;
- Recommendation 5 – Publication of data on Strip Searches – PSNI have agreed to conduct a quality assurance exercise for a period of 2 months, to ensure data collected is accurate. Figures will be published by NISRA with the next report due May/June 2024;
- Recommendation 6 – Additional training with a focus on strip searching. PSNI advised that a review of training was undertaken with CPD training days held in October and November 2023 along with webinars hosted by ACC Todd specifically focused on Strip searching;
- Recommendation 7 – Role and expectations of Appropriate Adult. PSNI have drafted guidance on the role and expectations of the Appropriate Adult. Forms will be presented to the AA on arrival as custody. This is currently under review with an expected finalised date of January 2024;
- Recommendation 8 – Custody Scrutiny Panel. PSNI have finalised training days with ICV members with the meetings being held on a 3 monthly or 6 monthly basis;
- Recommendation 9 – Child Rights Impact Assessment (CRIA). PSNI advised this is not a legal requirement in NI but from a statutory perspective under Act 75 of the NI Act 1998 guidance will be created; and
- Recommendation 10 – Implementation of recommendations and update provided by PSNI. This has been actioned.

Members engaged in discussion with PSNI Officials and sought clarity on a number of issues including: -

- A Member queried if the CRIA is being consulted with NGO's before it is published;
- A Member discussed the reasonable suspicion test and sought further information on how reasonable suspicion is defined and how it is used as it appears to a grey area;
- With regards to the NICHE red flag system; when is this applied and when and who determines it can be removed;
- Members voiced their concern on the Strip Search Scrutiny Panel and whether it is appropriate for a Board Official to serve on the panel. The general consensus of the Committee was that a Board Official should only undertake an observation role; and
- A Member queried if there was any demographic data which highlights if there is a particular trend/pattern on the type of person who would be more likely to be classed as reasonably suspicious.

The PSNI provided the following responses:-

- In relation to the Childs Rights Impact Assessment and NGO consultation the PSNI official stated that it is their ambition to consult non-governmental offices. A draft guidance is due by January 2024;
- PSNI acknowledged that Reasonable Suspicion is not clearly defined. PSNI assured the Board that reasonable suspicion is not used on grounds of expediency. The evidence and intelligence to date supports the use of reasonable suspicion;
- PSNI advised that the red flag system is used when police officers are alerted to particular behaviours of a juvenile person which may cause self-harm or harm to others. All custody staff can put flags on the system however, in terms of removing flags this policy is unclear at present;
- In relation to the scrutiny panel PSNI have no objection to a Board Official not being present on the panel and will reconsider its position; and
- The PSNI advised that in terms of reasonable suspicion the data set is relatively low in numbers but more precise. There is the ability to focus on stations and officers involved to better understand trends and patterns.

Following discussion it was:-

AGREED

Officials to request a copy of the PSNI's policy regarding adding flags to the NICHE system. **(AP4)**

Officials to share the Terms of Reference for the Custody Scrutiny Panel with Members. **(AP5)**

6.3 HMICFRS Inspection report 2022/23

The Director of Performance reminded Members that the Board has a statutory duty to hold the PSNI to account for the delivery of an effective and efficient policing service for the whole community. One of the key ways of doing this is through inspections by His Majesty's Inspectorate of Constabulary and the Fire and Rescue Service (HMICFRS).

The Director of Performance informed Members that the Board and the Department of Justice commissioned HMICFRS to undertake an inspection for 2022/23 entitled "The Policing Service of Northern Ireland – An Inspection of police effectiveness, efficiency, vetting and standards". A final report on this was recently published on 10th October 2023. The report was tabled at the Board Meeting on 2nd November for information and an opportunity for Members to provide initial feedback on the report. Members agreed to refer the report to the Performance Committee for further scrutiny.

The Director of Performance asked Members to consider the recent HMICFRS Inspection Report – "An Inspection of Police Effectiveness, Efficiency, Vetting and Standards" 2022/23 and to provide any initial feedback, consider the PSNI's response to the HMICFRS Report and provide any further comments.

Members received an update from PSNI staff on their views of the recommendations made within the report. Members then discussed the content of the HMICFRS Inspection Report for 2022/23 and made the following points:

- Mounting pressures facing PSNI;
- Vetting decisions require further analysis;
- Innovative ways to make policing easier;

- PSNI approach to records management – is there one?
- Profiling re vetting process;
- Misconduct cases - does the senior officer have to be ranked ACC or above? There is a need to explore more options.

The Director of Performance also informed Members that HMICFRS Inspectors would like to meet with Members in January 2024 as part of their current inspection. Three Committee Members agreed to meet with the inspectors.

Following discussion it was:-

AGREED

Officials to prepare options paper on Legally Qualified Chairs for disciplinary panels within PSNI. **(AP6)**

Official to confirm details of meeting with HMICFRS in January 2024 and make arrangements with Committee members. **(AP7)**

Officials to write to PSNI regarding whether personal profiling is carried out on officers as part of the vetting process. **(AP8)**

6.4 Human Rights Advisor Monthly Report – November 2023

The Human Rights Advisor provided Members with an overview of areas within his current work programme in November 2023 including, Continuing the drafting the Five-Year Review and Human Rights Annual Report and scoping and drafting the Children and Young People and Policing Report.

The Human Rights Advisor updated Members on his attendance at a range of meetings over the last four weeks. He also informed Members of his December work plan including, Drafting the Five-Year Review and Human Rights Annual Report; Drafting the Children and Young Persons Report; Board and Performance Committee and assisting with preparation of other reports and meetings with PSNI officers and others.

The Director of Performance asked Members to note that the Advisor wrote to PSNI regarding their lack of response to previous Human Rights reports. The correspondence and response is attached at **Annex A**.

Following discussion it was:-

NOTED

A Member voiced their concern regarding PSNI pressures and felt the Board were unrealistic in their views on what can be expected of PSNI in the current climate.

Members were content with the Human Rights Advisors Update Report and the remaining schedule of work for December 2023.

6.5 Human Rights Five Year Review

The Human Rights and Professional Standards (HR&PS) Manager reminded Members that as the Human Rights Advisor's term of office will finish in July 2024, it was agreed that this was an appropriate time to carry out a wider review, looking back over the past five years and reflecting on progress made and the areas where progress remains outstanding.

The HR&PS Manager directed Members to the first draft of the Human Rights Five-year Report, attached at Annex A. The HR&PS Manager informed Members that in the report ten key areas are examined:

- Victims
- Stop & Search
- Community Background
- Arrest & Custody
- Public Order
- Use of Force
- Legacy
- National Security
- Privacy
- Levers of Change

Members were asked to note that there has been considerable difficulty in accessing substantive and up to date responses to recommendations from previous Human Rights Annual Reports and Thematics from PSNI. Members will note the correspondence with PSNI (appended to the Monthly Report of the Human Rights Advisor) which was been followed up last week in person with the T/DCC.

Members were requested to consider the Report and provide comments. Members commented on the length of the report and asked Officials to consider if all the detail was required and to also consider presenting the

information in a more user friendly manner. Officials agreed and stated that the conclusions to the report need to be inserted when a full response and update is received from the PSNI. Officials confirmed that an updated version of the Report will be brought back to the Committee in February 2023 with the final version being brought to the Board meeting in March 2023 with the aim to seek Board approval for publication thereafter.

Following discussion it was:-

NOTED

An updated version of the Report will be brought back to the Committee in February 2023 with the final version being brought to the Board meeting in March 2023 with the aim to seek Board approval for publication thereafter.

Following discussion it was:-

AGREED

Officials to reissue Human Rights Five - year Review Report for further comments. **(AP9)**

6.6 Business Interest Appeal

The Human Rights and Professional Standards (HR&PS) Manager provided Members with background information and all the relevant papers to enable Members to make a decision on an appeal from a PSNI officer. The Officer is currently on sickness absence from duty and has appealed to the Board for permission to engage in work whilst on sickness absence, in accordance with the relevant Regulations and the Service Instruction Off Duty Standards, the

decision by the Chief Constable not to permit a business interest to work whilst on sickness absence.

PSNI officers who wish to engage in a business interest are required to give written notice of that interest to the Chief Constable as set out in the PSNI Northern Ireland Regulations 2005¹ section 7 (**Annex A**). PSNI Discipline Branch oversees the business interest process on behalf of the Chief Constable. The Service Instruction on Off Duty Standards² (**Annex B**) sets out the application process and factors to be taken into consideration. The factors to be taken into consideration have been identified by the Association of Chief Police Officers (ACPO).

Members were requested to consider the recommendation made by the Board's Official to uphold the decision of the Business Interest Panel and the Appeal decision of the Assistant Chief Constable and recommend to the Board that the Officer's Business Interest Appeal is rejected. Following discussion Members agreed with the recommendation.

6.7 Business Interest Appeal

The Human Rights and Professional Standards (HR&PS) Manager provided Members with background information and all the relevant papers to enable Members to make a decision on a second Business Interest appeal from a PSNI officer. The Officer is currently on sickness absence from duty and has appealed to the Board for permission to engage in work whilst on sickness absence, in accordance with the relevant Regulations and the Service

¹ Section 7 of [Police Service of Northern Ireland Regulations 2005 \(legislation.gov.uk\)](http://legislation.gov.uk)

² [Off duty standards \(psni.police.uk\)](http://psni.police.uk)

Instruction Off Duty Standards, the decision by the Chief Constable not to permit a business interest to work whilst on sickness absence.

PSNI officers who wish to engage in a business interest are required to give written notice of that interest to the Chief Constable as set out in the PSNI Northern Ireland Regulations 2005³ section 7 (**Annex A**). PSNI Discipline Branch oversees the business interest process on behalf of the Chief Constable. The Service Instruction on Off Duty Standards⁴ (**Annex B**) sets out the application process and factors to be taken into consideration. The factors to be taken into consideration have been identified by the Association of Chief Police Officers (ACPO).

Members were requested to consider the recommendation made by the Board's Official to uphold the decision of the Business Interest Panel and the Appeal decision of the Assistant Chief Constable; and recommend to the Board that the Officer's Business Interest Appeal is rejected. Following discussions Members agreed with the recommendation.

6.8 Committee programme of work February – June 2024

The Director of Performance directed Members to a draft Programme of Work that has been developed based on the Committee's Terms of Reference in order to guide the Committee's work over the next six months. This programme will allow officials to plan the business of the Committee and invite the appropriate PSNI officers to attend meetings. However, this also allows for scope to tackle emerging issues as they arise throughout the year.

The Director of Performance reminded Members that the Committee's Terms of Reference were recently updated and agreed at the Committee's meeting of 14th September 2023. The Committee's items of business have focussed on its areas of responsibility as outlined in Section 5 of the Committee's

³ Section 7 of [Police Service of Northern Ireland Regulations 2005 \(legislation.gov.uk\)](https://legislation.gov.uk)

⁴ [Off duty standards \(psni.police.uk\)](https://psni.police.uk)

Terms of Reference in relation to:

- PSNI Governance and General Matters;
- Other Police Performance;
- Human Rights;
- Police Professional Standards; and
- National Crime Agency.

The Committee's Draft Programme of Work from February to June 2024 has been drafted to reflect these five areas. The Programme is constantly evolving and including issues that emerge from the work of the PSNI therefore it is prudent to revisit the Programme of Work on a regular basis so that it can be updated with emerging issues for the Committee.

The Director of Performance referred Members to the updated Draft Programme of work for February to June 2024 attached at **Annex B** and welcomed Members' feedback on this draft and in particular if any major areas are missing and need included.

Following discussion it was:-

AGREED

Members to review the Draft Programme of Work again at February Committee following Members discussion at away day in January.

(AP10)

7. QUESTIONS FOR THE CHIEF CONSTABLE

7.2 Members noted the responses from PSNI that had been provided to the previous Chief Constable questions.

8. COMMUNICATION ISSUES

No communication issues were identified.

9. ANY OTHER BUSINESS

10. DATE OF NEXT MEETING

It was agreed that the next Performance Committee meeting would take place on **Thursday 8th February 2023** at **9:30am**

Meeting closed at 1:15pm.

PERFORMANCE DIRECTORATE

14th December 2023

Chairperson