

NORTHERN IRELAND POLICING BOARD

**MINUTES OF MEETING OF THE PERFORMANCE COMMITTEE HELD ON
19 JANUARY 2023 AT 9:30am**

PRESENT:

- Dr Janet Gray, Vice-Chair
- Mr Les Allamby
- Mr Peter Osborne
- Ms Liz Kimmins*
- Ms Nuala McAllister
- Mr Mark H. Durkan*
- Mr Frank McManus*
- Mr Mike Nesbitt

**POLICE SERVICE OF
NORTHERN IRELAND IN
ATTENDANCE:**

- (1) ACC Mark McEwan
- (1) D Ch/Supt Anthony McNally
- (1) C/Supt Davey Beck
- (2) ACO Aldrina Magwood
- (1-2) 4 PSNI staff

**OFFICIALS IN
ATTENDANCE:**

- Mr Adrian McNamee, Director of Performance
- 4 Board Officials

- (1) Present for Item 6.1 only
- (2) Present for Item 6.2 only

*Attended via video conferencing

1. APOLOGIES

Apologies were received in advance of the meeting from the Chair, Gerry Kelly. In his absence this meeting will be Chaired by Dr Janet Gray. Apologies were also received from Joanne Bunting.

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". No further items were declared.

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 8 December 2022.

It was **RESOLVED:-**

That Minutes of the Performance Committee meeting on 8 December 2022 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 10 March 2022. Members had requested further information on Arrest Rates and Community Background. This issue has been highlighted and updated within

the Human Rights Annual Report in Recommendation 5 on page 27 of the draft Report. Officials will request that ACC Chris Todd provides an update on this issue when attending the Performance Committee in February 2023.

The Director provided an update on AP3 from the meeting held on 8 September 2022 in respect of Spit and Bite Guards and the Human Rights Advisor's Recommendations and further monitoring data. A full report is due to come back to Committee in February 2023.

The Director provided an update on AP5 from the meeting held on 13 October 2022 in respect of the reduction in PSNI neighbourhood outreach programmes. A letter was issued to ACC McEwan requesting the information on 26 October 2022. Awaiting response.

The Director provided an update on AP1 from the meeting held on 10 November 2022 in respect of OCG's with Officials asked to follow up with PSNI on the issue of paramilitary groupings, to obtain PSNI's assessment of the strength of these organisations and the level of continuous recruitment. Officials are awaiting a response.

The Director provided an update on AP1 from the meeting held on 8 December 2022. A Member had requested that Officials follow up with the PSNI on the issue of Firearms & Explosives Branch resourcing, to request data showing ratio of staff in post to applications processed. Further information requested and supplied by the PSNI and it is presented at Item 4.1 and also at Item 6.3 as part of today's agenda.

The Director provided an update on AP2 from the meeting held on 8 December 2022. Members had requested that Officials write to OPONI, in response to a Member request, in respect of 'Annual Statistical Bulletin 2021/22' specifically, the section relating to 'Main Situations Giving Rise to Complaints' for 2021/22, to be detailed specifically by all districts. The

requested information provided by OPONI is included at Item 4.1 on today's agenda.

Members were content with the updates provided in relation to the Action Log.

5. CHAIRPERSON'S BUSINESS

The Vice Chair confirmed that no items of business have been received for discussion.

6. ITEMS FOR COMMITTEE BUSINESS

6.1 Policing Plan Measure 1.4.1 and 2.4.1 – Crime Trends and Crime Outcomes

The PPM Manager referred Members to the briefing paper noting that an attempt has been made to draw out the baseline data and draft impacts for each Measure. This section serves as a summary of the key data provided in the PSNI's report card to assist Members in the scrutiny of this area.

The PPM Manager referred to crime and anti-social behaviour (ASB) rates, the current crime rate of 57.3 per 1,000 population (as of December 2022) is the highest in the previous six years and the current ASB rate of 25.7 is the lowest in this period. However, Northern Ireland has the lowest crime rate of our Most Similar Forces (MSFs) at 56.7 (as of June 2022) leading to the conclusion NI is safer than other areas of the UK.

The PPM Manager recalled to Members that despite this positive statistic, all crime rates have increased against the baseline and only crime against older people is showing a decrease against the baseline. There are concerning increases in crime against children (25.4% up from the baseline and 4.4% since the previous report), violence against the person and sexual offences.

In comparison to our MSFs, NI has a higher rate for drugs offences than all other areas, apart from Merseyside. Considering the current rate of crime is the highest in the previous six years, Members may wish to ask the PSNI if NI is currently a less safe place to live than six years ago.

In relation to crime outcomes, the PPM Manager referred to the charge/summons rate has increased from the previous year however is still well below the baseline. Also of concern is the reported increase in the attrition rate for all crime (2.3%) and for domestic abuse (1%). Of particular concern is the data provided regarding reported rapes. 1,240 rapes have been recorded for the current rolling 12 months which is an increase of 74 (6.3%) and an increase of 13.2% in the number of domestic motivated rapes compared to the previous year. Only 3.5% of rapes and 6.4% of sexual offences have resulted in a charge or summons and 56.9% of rapes and 47% of other sexual offences have not yet been assigned an outcome. This would suggest that many of these types of sexual offence will not result in the perpetrator being prosecuted and is worth exploring with the PSNI.

The Vice Chairperson welcomed the PSNI to the meeting.

The Vice Chairperson invited the PSNI to brief Members on the work relating to Policing Plan Measures 1.4.1 and 2.4.1 Crime Trends and Crime Outcomes.

The PSNI presented information through their report card and provided a statistical commentary of their performance against Measures 1.4.1 and 2.4.1 Crime Trends and Crime Outcomes and discussed with Members the work carried out on a number of key areas including:

- The PSNI informed Members that overall the crime rate has increased however this may be reflective of the introduction of new offences relating to coercive control, stalking and harassment;

- It was highlighted to Members that acquisitive crime has also increased to pre-COVID-19 figures and it was suggested that this may be linked to the cost of living crisis;
- The PSNI referred to the increase in acquisitive crime and the decrease in ASB;
- The PSNI referred to the outcome rate for Charge / Summons which is 15.9% for overall crime, this is a one percentage point rise compared to the previous financial year to date (PFYTD) and is 1.6% lower than the baseline;
- In relation to Crime Outcomes and evidential difficulties, the PSNI referred to Children's offences, specifically peer on peer reporting from schools. The PSNI also discussed shoplifting, burglary and race crime as challenging areas to get an outcome; and
- Local policing and Crime Department work closely with regards domestic abuse and the higher charge rate reflects this organisational focus in this area;

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

- A Member referred to the increase in sexual crimes reported, the length of time victims wait for outcomes and queried if historic or recent child sexual offences that are reported are investigated with a criminal justice outcome provided quicker;
- Coercive Control and Stalking training provided to officers, a Member sought further information on crime outcome figures following this;
- Crimes against children, child on child incidents, a Member requested further breakdown on where this is happening and if in schools is it occurring at some schools more than others; what is the standard practice in schools when an incident occurs;
- Hate Crime statistics, a Member queried if this is being under reported and queried why this is; when will the independent review of the PSNI's end to

end Hate Crime processes conducted by representatives from the National Police Chiefs Council be published;

- Efficacy of Hate Crime legislation, a hate crime or hate incident and incident or a crime;
- The increase of 13.2% in the number of domestic motivated rapes in the current rolling 12 months was highlighted by a Member who asked what other agencies the PSNI are working with to reduce this; and
- Most Similar Forces data, the frequency this is updated.

The PSNI provided the following responses:-

- The PSNI referred to the timeliness of justice commenting that the delays in the wider criminal justice system is beyond their control;
- In relation to sexual crimes the PSNI referred to the work of Public Protection Branch who investigate these offences. The PSNI welcomes the increase in reporting, but that more investigations places more pressure on resources.
- The PSNI referred to the Violence Against Women and Girls (VAWG) Strategy and supporting action plan, the joint PPS – DOJ - DOH Strategy and Gillen Working Group in relation to policy surrounding sexual crimes. A pilot scheme in response to a Gillen recommendation regarding sexual crimes against under 13's has seen a fast-track multi-agency approach applied;
- Allegations of sexual abuse against young people is investigated by child abuse specialists who have received specific training for this role. Current and historic sexual abuse is investigated by two dedicated teams. Domestic Abuse and sexual violence cases can take longer to investigate particularly when a child or vulnerable adult is involved;
- The PSNI referred to the role of the PSNI Youth Diversion Officers (YDOs) who are deployed across all districts to whom incidents involving under 15's is referred to. These officers seek to identify and engage with young people through early intervention to tackle ASB;

- The PSNI assured Members that in relation to child abuse investigations the decision to create district teams has been influenced by feedback from victims and officers;
- There is no time limit on when a victim can report a crime regardless of when the offence occurred, getting the support in place for the victim as part of the criminal justice outcome is important. The PSNI referred to advocacy support provided to victims of domestic and sexual abuse through AssistNI and efforts to keep victims engaged with the criminal justice system;
- Training for the new offence of Coercive Control has been provided to 6,000 officers and Stalking training has been provided to 5,000 officers. As a consequence, officers are now better informed and are able to identify specific offences as opposed to labelling an incident as anti-social behaviour.
- The PSNI also referred to the current MARAC Review, Stalking Orders to be introduced in 2023 and Domestic Abuse Protection Orders which are being introduced in 2024;
- It is not standard practice for schools to contact the PSNI in relation to child peer to peer incidents, if police do become involved, following a complete check, they contact the parents to make them aware. Neighbourhood policing work closely with schools and YDOs identify trends and address issues at a local level. If a repeat problem is identified a multi-agency intervention may be required with the most appropriate agency taking the lead;
- The National Police Chiefs Council (NPCC) audit report on the PSNI's end to end Hate Crime process has been received. The PSNI accept that there is significant challenges and work to be done with regards Hate Crime, but refer to the positive problem solving work undertaken at local policing level;
- Increased community empowerment to encourage victims to come forward and report racist hate crime is welcomed by the PSNI. There is a concerted effort by the PSNI to outreach and understand the challenges

of minority communities. The issue of victim attrition remains with many victims not remaining in the criminal justice process. The PSNI continues to engage with the community through Community Safety Engagement Team to create better understanding and build relationships especially with those whose interaction with police in their country of origin was not good;

- The PSNI comment that there is no ambiguity with regards crime or incident referring to the motivation that will define whether a hate crime has occurred. The quality of the local policing response to Hate Crime is important as is their understanding of the impact on the individual and wider community;
- The PSNI referred to multi-agency working in relation to domestic abuse citing the MARAC process, which is currently under review, work with Women's Aid, Men's Advisory Project, Health, Probation and other statutory/non-statutory bodies to work collaboratively to support and prevent a victim becoming a repeat victim; and
- The MSF data is updated annually for England and Wales, the latest figures were provided to Members in December 2022.

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

Following discussion it was:-

AGREED

Officials to follow up with PSNI on Crime Outcomes to provide statistics on arrests and prosecutions following the introduction of the new offences on coercive control and stalking. **(AP 1)**

Officials to follow up with PSNI to provide a geographical breakdown in relation to the recent increase in crime against children. **(AP 2)**

6.2 PSNI Presentation on the PULSE System, Management Information and Official Statistics

The Director of Performance informed Members that the PSNI have been invited to the Performance Committee today to provide Members with further information on the PULSE Management System and also to discuss statistics and management information issued by the PSNI.

The Director of Performance stated that over recent months Members have queried the validity and accuracy of some of the information and statistics provided to Members by the PSNI. In particular, a Member was not satisfied with information provided in error by the PSNI in relation to the number of strip searches in custody of children under 18. This information was provided as a response to a question to the Chief Constable in October 2022.

As a result of this error, Members requested that PSNI representatives attend the Performance Committee to provide an overview of how PSNI collect data via the PULSE System and also how this data is then presented as either Management Information or Official Statistics to Board Members and the wider public.

The Chair welcomed Aldrina Magwood, Assistant Chief Officer responsible for Strategic Planning and Transformation, and her colleagues to the meeting and invited them to brief Members.

The PSNI statisticians provided an overview on a number of key areas of work including:

- The Structure of the Strategic Planning and Transformation Department including Strategic Planning and Performance Branch;

- Supporting the shift from performance monitoring to performance management;
- Providing meaningful performance information for decision makers at all levels;
- Improvements to data presentation; bringing better analysis to the 'why and how' PSNI develop and review strategy, manage resources, task and co-ordinate and patrol, respond and co-ordinate;
- Official Statistics in PSNI, Code of Practice for statistics, trustworthiness, quality and value;
- Office for Statistics Regulation, compliance checks and other regulatory tools;
- PSNI Official Statistics published reports, recent assessments and compliance checks, statistics regulation and focus on quality; and
- Pulse strategic performance and insight, supporting operational decision making, performance portal and building capacity and capability.

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

- Accuracy of reporting of under 18's in custodial settings, explanation for how this occurred;
- The correlation between NICHE and PULSE;
- Use of Force reporting and improvements made to PULSE to ensure information is captured;
- Quality and timeliness of the information input, accuracy of data and margin of error; and
- Value of the Stop and Search statistical information if community background data is missing.

The PSNI staff provided the following responses:-

- Human error may account for data discrepancies, officers may have incorrectly or not ticked a box. These mistakes are rectified retrospectively by the officer upon notification of an error;
- Regular training is part of the assurance process;
- PULSE is the system culmination for all data. This is sourced from several core systems such as NICHE. It provides a visualisation of data;
- If a Use of Force is recorded on the new Origin system, officers will be prompted to complete the requisite form;
- Management Information (MI) is extracted from the live system and is not subject to quality assurance checks. Official statistics cover a specific time period and are subject to validations prior to publication;
- Regular quality assurance is completed. The focus is on timeliness not compromising accuracy; and
- Crime Data Integrity Unit provide training to student and other officers. There are checks throughout the process such as dip sampling which checks the information provided by officers;

The Chair thanked Aldrina Magwood and her colleagues for attending the Committee and their presentation to Members.

Following discussion it was:-

AGREED

Officials to follow up with the PSNI to provide a full assessment on the over-reporting of Under 18's in custodial settings, to include an explanation of how this happened and what steps have been taken to prevent over-reporting in future. **(AP 3)**

6.3 Engagement with the British Association for Shooting and Conservation (BASC)

The Director of Performance provided Members with some background information on recent issues raised directly with the Board and the Chief Constable in relation to the performance of the Firearms and Explosives Branch (FEB). In May 2022, PSNI declared a “Critical Incident” on Firearms and Explosives Branch recognising a growing backlog and increased community dissatisfaction. The incident recognised that demand far exceeded resources and that additional resources were needed to clear the backlog.

The Director of Performance reminded Members that representatives of the British Association for Shooting and Conservation wrote to the Chair of the Board in September 2022 requesting to meet with the Performance Committee to discuss a number of issues in relation to the performance of FEB. This letter highlights concerns that include:

- The failings of the PSNI’s on-line application system for processing firearms licences;
- A PSNI declared “Critical Incident” due to protracted backlogs;
- The potential detrimental impact on the local economy, particularly, for Firearms dealers; and
- The detrimental impact on the reputation of the PSNI.

The Director of Performance outlined to Members that further information has been obtained from the PSNI and also a response from the Chief Constable to issues raised by the DAERA Minister was included within Members papers.

The Chair welcomed Tommy Mayne, Director of BASC, Ronan Gorman, CEO Country Sports Ireland and Gary McCartney, Countryside Alliance Ireland to the meeting and invited them to brief Members.

An overview on a number of key issues including:

- The economic impact of licensing delays on business and individuals;
- The DOJ Ministerial Directive restricting firearms dealers in respect of the stock held on premises;
- Firearms Order (Northern Ireland) 2004 legislating the ownership, use and possession of firearms in Northern Ireland; and
- Interactions to date with the PSNI Firearms and Explosives Branch concerning license application delays.

The Chair thanked Tommy, Ronan and Gary for attending the Committee and for their presentation to Members.

Following a brief discussion it was:-

AGREED

Officials to ask ACC Chris Todd to address the issues raised by BASC, their concerns relating to delays in firearms licensing at the next Performance Committee meeting. **(AP 4)**

6.4 Human Rights Advisor Update Report December 2022

The Human Rights Advisor provided Members with an overview of areas within his current work programme in December 2022 including, finalising the Human Rights Annual Report 2021/22, publishing the Human Rights of Police Officers Report, finalising the Use of Force Report on CEDs (TASER) and scoping and drafting the Privacy and Policing Report.

The Human Rights Advisor updated Members on a range of meetings he attended in December including; Performance Committee, Board meetings, JSA Reviewer, Police Ombudsman, the previous Justice Minister, NGOs (for

the Privacy Report), ICO, Deputy Chief Constable, Police College, PSNI lawyers, PSNI officers and various meetings with Board officials.

He also informed Members of his January work plan including, launching the Human Rights Annual Report and the Use of Force report (TASER use); scoping and drafting the Privacy and Policing Report including meetings with Human Rights NGOs, NIHRC and PSNI and the PSNI Facial Recognition project. During January the Human Rights Advisor also plans to meet with the Deputy Chief Constable and PSNI officers. The Human Rights Advisor will also attend Board and Performance Committee and assist with preparation of reports.

The Human Rights Advisor referred to the successful launch of the Human Rights Annual Report and Use of Force Report on 18th January 2023 and the useful discussions with panel participants.

The Human Rights Advisor has been considering the recent discussion regarding the strip searching of children and young people and presented a short paper for Members' consideration on further work to address this issue. Members discussed the proposal and agreed for the need for a review of the strip searching issue. A Member proposed that the Board should carry out a wider thematic review into all PSNI's interaction with children and young people. The Director of Performance stated that a larger report would have a significant impact the agreed Three Year Human Rights Programme of Work.

Following discussion it was:-

AGREED

That the Officials would prepare an options paper on a review of policing of children and young people, including impact on human rights work

programme, costs and timeline and bring it back to Members for discussion at the February Performance Committee meeting.

7. QUESTIONS FOR THE CHIEF CONSTABLE

7.1 No questions were identified by Members at the December 2022 Performance Committee meeting.

7.2 Identify any questions arising out of this meeting which Members wish to raise with the Chief Constable at the next Board Meeting.

Members identified the following questions to ask the Chief Constable:

To ask the Chief Constable for an update on the unit based at Seapark that is responsible for the destruction of weapons, including any recent delays and/or difficulties, together with plans to address same.

From the information presented in the PSNI report card for Measure 1.4.1, the general trend for 2022 crime rates indicates an overall increase. The crime rate is the highest since 2015/2016. Therefore, could the Chief Constable clarify why there is an increase and if this indicates that Northern Ireland is currently a less safe place to live in compared to 5 years ago?

At the Performance Committee meeting in January 2023, Officers made reference to an Audit of Hate Crime Report. Could the Chief Constable provide a timeframe for when this report can be shared with Committee members?

As we have seen recently in England and Wales, misconduct by a few can affect the levels of confidence the public has in policing as a whole. It is important that the PSNI takes seriously, and is seen to be taking seriously, the

challenges of any inappropriate internal cultures. In November 2022, the Board published a report on a Review of PSNI Professional Standards and made several recommendations relating to cultural audits, whistleblowing, vetting procedures and the abuse of positions by individuals. Could the Chief Constable outline if there is a further need to review and update PSNI policies and procedures on standards, and to accelerate the communication of expected standards throughout the organisation?

Could the Chief Constable outline the outcome of the reported recent review of procedures regarding the strip searching of children?

Could the Chief Constable provide the total number of persons under 18 years of age who were held in police custody between October 2021 and October 2022?

8. COMMUNICATION ISSUES

There were no communication issues arising from the meeting.

9. ANY OTHER BUSINESS

There was no further business.

10. DATE OF NEXT MEETING

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

Meeting closed at 1:40pm.

PERFORMANCE DIRECTORATE

19th January 2023

Vice-Chairperson