

NORTHERN IRELAND POLICING BOARD

MINUTES OF MEETING OF THE PERFORMANCE COMMITTEE HELD 15 May 2025 at 9:30am

PRESENT:

Mr Gerry Kelly, Chair
Mr Les Allamby, Vice Chair
Mr Patrick Nelson*
Mr Thomas O'Reilly
Mr Cathal Boylan
Mr Frank McManus*
Mr Trevor Clarke
Ms Nuala McAllister
Ms Cheryl Brownlee

EX-OFFICIO MEMBER IN ATTENDANCE

Mr Brendan Mullan

POLICE SERVICE OF (1) NORTHERN IRELAND IN (1) ATTENDANCE:

Det Chief Superintendent Emma Neill
Det Chief Superintendent Eamonn Corrigan

OFFICIALS IN ATTENDANCE:

Ms Sinead Simpson NIPB CEO
Mr Adrian McNamee, Director of Performance
Mr John Wadham, Human Rights Advisor,
7 Officials

(1) Present for Item 6.1 only

*Attended via video conferencing

1. APOLOGIES

Apologies were received from Peter Osborne.

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 items were raised.

2. CONFLICTS OF INTEREST

No conflicts of interests were declared.

3 MINUTES OF THE PREVIOUS MEETING

The Committee considered the draft minutes of the Performance Committee meeting held on 10th April 2025.

It was **AGREED:-**

That Minutes of the Performance Committee meeting on the 10th April 2025 were agreed.

4. UPDATE ON ACTION LOG

The Director of Performance provided an update on the open actions listed on the Action Log.

The Director provided an update on AP2 from the meeting held on 13 February 2025 – PSNI to provide more information on the issues with the Health Trusts in agreeing a terms of reference for the Daily Risk Assessment

Management Meeting (DRAMM). Response received from PSNI and included at Item 4.1.

Following discussion it was:-

AGREED

Officials to draft a letter to Department of Health in relation to the DRAM pilot project. **(AP1)**

The Director provided an update on AP1 from the meeting held on 13 March 2025 - Officials to follow up with PSNI seeking further information and clarification on the issues for victim dis-engagement in the Evidential Difficulties (victim does not support) category and a further update on the PPS technical fix in this area. Correspondence issued to Det Chief Sup McKee on 20th March 2025 requesting the follow up information and a response was received. Members were content with the response.

The Director provided an update on AP4 from the meeting held on 13 March 2025 – following a response received Sir Brian Leveson on 29th April 2025.

Following discussion it was:-

AGREED

Officials to draft a letter from the Chair to Chief Constable in relation to IPCO response. **(AP2)**

Officials to draft a letter from the Chair to Chief Constable in relation to CHIS. **(AP3)**

The Director provided an update on AP1 from the meeting held on 10 April 2025 - Officials to follow up with ACC Jones seeking further clarification on Recommendations 2 and 9 within the Update Report on the use of Spit and Bite Guards and also request permission to publish the Update Report on the Board's website. Correspondence issued on 14 April 2025. Response received from ACC Jones on 1st May 2025 and included at Item 4.1. Members were content with the response and this item is now closed.

The Director provided an update on AP2 from the meeting held on 10 April 2025 - Officials to draft press statement highlighting the positive progress made on implementing the recommendations on Spit and Bite Guards in the PSNI's latest Update Report.

Following discussion it was:-

AGREED

Officials to finalise the Press Release in relation to Spit and Bite Guards and then issue. **(AP4)**

The Director provided an update on AP3 from the meeting held on 10 April 2025 - Officials to follow up with PSNI to submit a further draft of Code of Ethics with amendments. Further draft of the Code of Ethics is tabled at Item 6.2 of today's agenda. Members were content with the response and this item is now closed.

The Director provided an update on AP4 from the meeting held on 10 April 2025 - Chair of Performance Committee to respond to Chair of Resources Committee regarding the DCC decisions re: Basis for Suspension or Repositioning of Officers under investigation. A response was issued to the

Chair of Resources on 14th April 2025 and is included at Item 4.1. Members were content with the response and this item is now closed.

The Director provided an update on AP5 from the meeting held on 10 April 2025 - Officials to consider adding a section entitled 'Lessons Learnt/Impact' into annual performance assessment. Officials have added a Key Findings section and summary. A new draft of the Annual Assessment is tabled at Item 6.3 of the agenda. Members were content with the response and this item is now closed.

5. CHAIRPERSON'S BUSINESS

The Chair confirmed that there were no items of business.

6. ITEMS FOR COMMITTEE BUSINESS

6.1 Policing Plan Indicator 2.4 – The Effectiveness in Tackling the Threat posed by Terrorism, Paramilitaries And Serious Organised Crime Groups

A Board official informed Members that this measure was previously monitored and evaluated in the Policing and Performance Plans (2020-2025) under measure 1.2.2 to 'reduce the capacity and capability of organised crime groups (OCG's) and paramilitary organisations to engage in criminal activity.

Members were informed that the new Policing and Annual Performance Plans published in April 2025 have moved to an improved 4-tier RAGG model (Red/Amber/Green/Green). The new model will be used to evaluate all future performance.

The Chairperson welcomed PSNI Detective Chief Superintendents to the meeting. He invited them to brief Members on the work relating to Indicator 2.4 *'The Effectiveness in Tackling the Threat posed by Terrorism, Paramilitaries and Serious and Organised Crime Groups (OCGs)'*.

PSNI began by informing Members that its report card covers the period April 2024 to March 2025. The PSNI self-assessment for indicator 2.4 indicates adequate progress. This is reflected in the report card which illustrates that they are investigating 42 OCGs in comparison to 53 from last year. From March 2024 to March 2025 the number of OCGs currently investigated by PSNI has decreased by 31%. The total number of OCGs with paramilitary links has decreased to 8 (of 42) and equates to 19% of all OCGs currently investigated by PSNI. The PCFT is operating with a 27% real terms funding gap against what is needed and teams were reconfigured from three to two. The number of people charged and reported in connection with OCGs is 198 in comparison 300 from last year which is a 34% reduction and this is indicative of the complex nature of the investigations, timelines and resourcing and financial pressures. The PSNI expressed their concerns around funding of the PCTF and the challenges and implications this will have on communities and officers.

The PSNI explained that there are significantly more drugs in Northern Ireland not just in the local domestic market but also transiently. The PSNI reported that the current threat assessment is SUBSTANTIAL - an attack is likely. The overall number and percentage of security related arrests under S41 of the Terrorism Act 2000 has fallen and arrests are down to 60 from the previous year figure of 102 which is a decrease of 41%. The number of people charged fell to 8 from 23 the previous year and this is due to officers being more cognisant of PACE and TACT powers of arrest. The PSNI also provided an update on the significant number of cases being investigated and the increase in Extreme Right-Wing Terrorism (ERWT) and international terrorism cases. The PSNI made reference to Operation Embellec where PSNI deployed officers

to airports to intercept individuals travelling from UK into NI with drugs with officers seizing 130kg of cannabis in one operation.

Members engaged in discussion regarding the following areas with the PSNI Chief Superintendents:

- A Member sought further clarification regarding PCTF and staffing numbers in real time and if existing investigations namely Ards and North Down are still ongoing;
- A Member sought further explanation on the increase in the value of drugs and if this is in terms of price or quantity;
- In relation to PACE vs TACT a member asked if the PSNI could quantify this;
- In relation to Predatory money lending a member queried what initiatives are in place;
- In relation to Human Trafficking a member voiced their concern that restructuring of teams will result in a lower impact being made;
- With regards to Organised Crime a member queried if this is growing outside of NI by linking with other groups;
- A member queried what is the current value of the drugs scene in NI;
- A member highlighted that the overall picture in Organised Crime reflects a decline in statistics and asked for an assessment of the overall impact;
- A member asked for further information on collaborative work with stakeholders i.e. HMRC; and
- A member referred to use of MORILE assessment in determining impact on the policing plan indicators and the need to enable a more strategic discussion.

The PSNI provided the following responses to Members: -

- With regards to staffing numbers in real time and the ongoing investigation into the North Down and Ards feud the PSNI advised that there is no diminishment in terms of commitment to the work however, officers won't necessarily be ring fenced to specific cases. Workload has to be prioritised in regard to threats posed;
- With regards to the increase in the value of drugs PSNI explained this refers to the volume of drugs in circulation and the growing market. They highlighted there is a growing drugs threat with an emerging transnational threat in respect of mixing drugs;
- With regards to predatory money lending and initiatives at play in the community the PSNI informed members that there is a work in progress with an increase in intelligence reporting. Their focus is on diverting people away the use of illegal money lenders through educating and highlighting the dangers. This piece of work is funded externally via HM Treasury;
- In relation to Modern Slavery and Human Trafficking and the reconfiguring of staff, the PSNI informed members the number of officers in this area has greatly reduced due to factors such as retirement and sickness. Staff resourcing issues meant there was no capability to fulfil these roles. PSNI continue to look at alternative ways to be proactive in this area i.e. better training, online capabilities;
- With regards to the Organised Crime scene growing the PSNI advised that domestic market appetite is growing and is now moving towards a transnational arena. NI is not always the end destination with drugs regularly moving through the island of Ireland;
- In relation to the current value of the NI drug scene the PSNI informed members that it is difficult to quantify due to multi value commodities;
- The PSNI explained to members that they can clearly show progress in relation to the overall impact by PSNI on Organised Crime. They referred to higher levels of sophistication in terms of capabilities of

OCG's and also the delays in examination systems. The PSNI stressed that comparative figures should not be used in isolation;

- With regards to collaboration with HMRC the PSNI advised that this remains ongoing with good results; and
- PSNI agreed to look at MORILE assessment with a more strategic led approach.

Following discussion it was: -

AGREED

PSNI to provide further information on HMRC output in relation to the Paramilitary Crime Task Force. **(AP5)**

6.2 Update on Code of Ethics

The Director of Performance reminded Members that the revised draft Code of Ethics was submitted to PSNI on 20th March 2025 for consideration and the Deputy Chief Constable attended April's Committee meeting to discuss the proposed amendments. At April's Committee meeting it was agreed that PSNI would submit a further draft of Code of Ethics with their proposed amendments and this would be reviewed by the Working Group Members before being brought back to May's Performance Committee.

PSNI have considered all the comments provided by Members and provided their proposed amendments on 28th April 2025. The Working Group considered PSNI's proposed changes and accepted the majority of these except for articles 1.9, 1.12 and 6.2. Members were provided with an amended draft Code for consideration today.

Members were asked to note that the PSNI has informed officials that they are content with the Working Group's amendments to Articles 1.9 and 1.12. They have expressed concern with term gender identity for Article 6.2 but wish to work with Members to agree on the correct term to be used.

Members were asked to agree the draft Code of Ethics and recommend to the Board that the revised draft Code of Ethics be approved for key stakeholder Consultation.

Members engaged in discussions regarding Article 6.2. There was agreement from the majority of Members to use the term 'gender identity'. A member requested sight of a draft Chair's Foreword prior to the draft Code being submitted to the Board in June.

Following discussion it was:-

AGREED

Officials to add Chair's foreword to the Draft Code of Ethics prior to its submission to the Board for approval. **(AP6)**

6.3 Annual Performance Assessment

A Board official outlined the Board's statutory duties in producing an Annual Performance Assessment of the Policing Plan. In order to fulfil these duties, an Annual Performance Plan is produced each year to track the progress towards delivering on the Policing Plan outcomes. This document also forms part of the Board's Annual Report and Accounts and is subject to an annual audit by the Northern Ireland Audit Office.

Members were reminded that a first draft of the Annual Assessment was shared with Members at the April Performance Committee. At this committee Members provided feedback regarding the length of the document and suggested adding a key facts section. Officials have revised the document to include a “Key Findings” section and adjusted the RAG status summary table to include the rationale for each assessment. The supporting evidence base has also been removed. In addition, Measure 1.3.1 People Feeling Safe was changed from Amber (Partially Achieved) to Green (Achieved) and Measure 2.1.1 Confidence in Policing was changed from Red (Not Achieved) to Amber (Partially Achieved).

Following discussion it was:-

AGREED:

Members approved the final draft of the performance plan assessment 2024/25 for inclusion in the Boards annual Reports and Accounts.

6.4 Draft Annual Committee Report

The Director of Performance reminded members the draft Performance Committee Annual Assessment Report 2024/25 was discussed at April Performance Committee. Feedback was provided by Members at the Committee Meeting and via the short Member’s Self Evaluation returns.

Two Members returned the self-evaluation form to officials. These returns highlighted a number of issues for members to consider at today’s Committee.

Members were requested to approve the final draft Performance Committee Annual Assessment Report and identify areas of focus for the Committee over the next 12 months that may require a deep dive/strategic focus for consideration in the Committee's future work programme.

Members were also asked to note that Officials will be bringing forward a work programme for the Committee for the period September 2025 to March 2026 to the June 2025 Performance Committee. Members may wish to consider the long list identified and select potential areas for the Committee focus on over the next 12 months.

Members engaged in discussions on the statutory duties of the Committee, the need for good quality progress reports at Committees as reporting will be once a year on Policing Plan Indicators, the possibility of looking at academic experts to report on specific areas of work, Spit and Bite Guards, the use of AI and disciplinary procedures. Members indicated that more time was required in order to agree on the Committee's priorities and themes for further investigations.

Members agreed that the reference to the NCA be removed from the Committee's Terms of Reference as NCA no longer report directly to the Performance Committee but to the Board.

Following the discussion the Director of Performance agreed to consider this discussion and bring a draft future work programme to the next Committee meeting with some option analysis on strategic projects that Members could consider further.

6.5 Human Rights Advisor Report – April 2025

The Human Rights Advisor provided Members with an overview of areas within his current work programme during April 2025 including:

- Finalising the Human Rights Annual Report 2024/25;
- McCullough Review: attending the regular stakeholder group as an observer and keeping in touch directly with Angus McCullough;
- PSNI stop and search team;
- DOJ officials to discuss ICVs access to custody records;
- BBC journalist making a podcast on PSNI surveillance;
- Previous JSA reviewer;
- ICRIR deputy head of investigations; and
- Head of Terrorism Investigation Unit.

The Human Rights Advisor also outlined his work plan for May 2025.

Following discussions it was:-

NOTED

Members were content with the Human Rights Advisors Update Report and the remaining schedule of work for May 2025.

6.6 DoJ Consultation on Article 53A of PACE

Members engaged in discussion on the DoJ PACE Consultation on the contents of the list of qualifying offences as specified under Article 53A of the Police and Criminal Evidence (NI) Order 1989. Members sought further clarification on the list of qualifying offences namely, old defences and the retention of DNA and fingerprints of children.

Following discussion it was:-

AGREED

Officials to draft a response to the DoJ PACE Consultation and bring back to June Committee. **(AP7)**

7. QUESTIONS FOR THE CHIEF CONSTABLE

7.1 No questions were identified for the Chief Constable.

8. COMMUNICATION ISSUES

No other communication issues were identified.

9. ANY OTHER BUSINESS

The Chair referred members to correspondence received from DfC in relation to the Westminster Public Authorities (Fraud, Error and Recovery) Bill and the Board's position on allowing the use of similar PACE powers for Department for Communities investigators?

The Committee were in agreement this was not an issue for the Board to consider.

10. DATE OF NEXT MEETING

It was agreed that the next Performance Committee meeting would take place on **Thursday 12th June 2025** at **9:30am**.

Meeting closed at 1:40 pm.

PERFORMANCE DIRECTORATE

15th May 2025

Chairperson