

NORTHERN IRELAND POLICING BOARD

**MINUTES OF MEETING OF THE PERFORMANCE COMMITTEE HELD
16th April 2026 at 9:30am**

- PRESENT:**
- (5) Mr Gerry Kelly, Chair
 - Mr Les Allamby, Vice Chair
 - Mr Trevor Clarke
 - Mr Frank McManus *
 - (4) Ms Cheryl Brownlee
 - (6) Ms Nuala McAllister
 - Ms Deirdre Hargey
 - Mr Thomas O'Reilly
 - Mr Patrick Nelson
 - (6) Mr Colin McGrath
- EX-OFFICIO MEMBERS
IN ATTENDANCE**
- Mr Brendan Mullan
 - (1) Mr Mukesh Sharma
- OPONI IN ATTENDANCE**
- (2) Hugh Hume, Chief Executive
 - (2) Jennifer Lamont, Director of Impact
 - (2) Tony Young, Senior Investigating Officer
 - (2) Gary Hewitt, Communications
 - (2) Estelle George, Analyst
- POLICE SERVICE OF
NORTHERN IRELAND IN
ATTENDANCE:**
- (3) ACC Anthony McNally
 - (3) Det Chief Superintendent Ruth McCrea
- OFFICIALS IN
ATTENDANCE:**
- Ms Sinead Simpson, NIPB CEO
 - Mr Adrian McNamee, Director of Performance
 - Mr Aonghus Kelly, Human Rights Advisor,
 - 7 Officials

*Attended via video conferencing

- (1) Attended up to Item 6.1
- (2) Attended for Item 6.1
- (3) Attended for Item 6.2 only
- (4) Attended from Item 6.2
- (5) Attended up to Item 6.2
- (6) Attended up to Item 6.4

1. APOLOGIES

No apologies were received in advance of the meeting.

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 interests were declared.

3 MINUTES OF THE PREVIOUS MEETING

The Committee considered the draft minutes of the Performance Committee meeting held on 12th March 2026.

Members discussed the PSNI pilot scheme, launching in April 2026, for Police Staff Investigators. These Investigators are not police officers, but who will have diluted powers under PACE legislation.

It was **AGREED**

Officials to seek clarity on the powers of the Police Staff Investigators, what diluted powers they have and who will manage them. **(AP1)**

The Minutes of the Performance Committee meeting on the 12th March 2026 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 AP3 from the meeting held on 11 September 2025 - Human Rights Advisor to respond to the letter from IPCO. Letter issued from HRA on 15th September. Board Chair has requested a meeting with Sir Brian Leveson. Letter issued to the Secretary of State on 12 February 2026 and a response was received and included at Item 4.1 on the agenda. Members acknowledged the response from the Secretary of State to close this item.

The Director provided an update on AP1 from the meeting held on 12 February 2026 – Officials to write to the PSNI to request a copy of their internal guidelines in respect of use of Covert Human Intelligence Sources (CHIS). A letter issued to ACC Beck on 12 February 2026. ACC Beck updated Members at the March meeting stating he is currently assessing how best to share this with Members. The Chair requested that a letter issue to ACC Beck to request the Guidelines and some additional information in relation to:

- How long have these Guidelines been in place?
- What internal processes do you have to ensure that the Guidelines are followed?
- What internal processes do you have to amend or change the Guidelines? And
- When were they last changed or amended?

This action remains open.

- The Director provided an update on AP3 from the meeting held on 12 February 2026 - Officials to write to DCC Singleton in respect of Members questions in respect of Recommendation 1, to clarify why

PSNI cannot accept this; and Recommendation 14, authorisations to use children as CHIS, this was used on four occasions times throughout the UK. Officials to request the jurisdictional breakdown for the four authorisations and to clarify whether a child used as a CHIS requires parental or guardian permission. Correspondence issued from Director of Performance to DCC Singleton on 18 February 2026. A response was received and Members discussed the requirements for an Appropriate Adult and the time delays PSNI experience in securing them.

It was **AGREED**

- Officials to provide Members with the updated Spit and Bit Guard and Strip Search 2025/26 figures when they become available. **(AP2)**
- HR Advisor to follow up on use of appropriate adult in custody. **(AP3)**

The Director provided an update on AP1 from the meeting held on 12 March 2026 – Officials to write to PSNI to request a copy of their Cyber Transformation Plan and request further detail on device risk assessment matrix applied in respect of digital forensics progression. A letter issued to ACC Beck on 19 March 2026 requesting this information. The Board is currently awaiting a response. This action remains open.

The Director provided an update on AP2 from the meeting held on 12 March 2026 – Officials to forward Members agreed response on the Notifiable Membership Consultation to Deputy Chief Constable. A letter issued to DCC Singleton on 13 March 2026 and a response was received. Following consideration of the response

It was **AGREED**

Officials to clarify when the Notifiable Membership 6 Month Review Report will be available and bring back to Committee.

(AP4)

The Director provided an update on AP3 from the meeting held on 12 March 2026 – Officials to share Members views on MoU with the NCA. Officials met with NCA Officials to provide feedback on the MOU and NCA are currently assessing the Members request for inclusion of additional wording.

The Director provided an update on AP4 from the meeting held on 12 March 2026 – A Final draft response to OPONI 5-year Review Consultation to be shared by written procedures with Committee Members prior to being tabled at the Board meeting on 2nd April 2026 for agreement. A draft was shared with Members for final comments by Wednesday 25 March. The final draft was tabled for Board approval at 2nd April Board meeting and subsequently submitted to OPONI. Members were content with this response and this action is now closed.

5.0 CHAIRPERSON'S BUSINESS

The Chair confirmed that there were no other items of Chair's business.

6. ITEMS FOR COMMITTEE BUSINESS

6.1 Office of the Police Ombudsman for Northern Ireland Report on Abuse of Position for Sexual Purposes

The Director of Performance informed Members that in February 2026, The Office of the Police Ombudsman for Northern Ireland (OPONI) published a

report entitled: “Abuse of Position for Sexual Purposes by PSNI Officers – Analysis and Emerging Findings”. Members were advised that a paper had been provided outlining the key findings of the OPONI Report along with a copy of the full report, a letter from the Justice Minister to the previous Chair of the Board and a response from the Chief Constables to OPONI’s report.

The Chairperson welcomed OPONI Chief Executive Hugh Hume and three OPONI officials and invited them to provide the Committee with an update on the Report on Abuse of Position for Sexual Purposes.

An OPONI Official provided Members with the background and the emerging findings from the Report.

OPONI provided the following information: -

- The indicative behaviours for Abuse of Position for Sexual Purposes (APSP) traits;
- That the report could inform policing and society on APSP. The purpose of the report is to highlight systemic issues;
- APSP is significantly underreported, victims do not always realise they are being preyed on as they think they are in a genuine relationship;
- The focus on three strategic issues within PSNI – Systems, Culture and Leadership. The need to support good policing and ensure that unacceptable behaviours are challenged;
- That APSP is not confined to policing but that there is a different power balance in policing in which officers are armed;
- OPONI are continuing to review cases and will publish another report with their findings. They are applying a consistent standard approach to all referred cases;
- Professor Duncan Morrow, Ulster University, reviewed OPONI’s findings and provided feedback as an independent academic adviser;

- OPONI reviewed 42 cases of alleged APSP cases from 1st January 2018 to 31st December 2024 and an additional 20 cases since 1st January 2025 where APSP either makes all or part of the complaint. Some cases were excluded from the datasets in order to avoid duplication making the actual sample size 36 cases;
- It was highlighted that in one case the youngest victim was 14 years old when the abuse started. It was also emphasised that in some instances it can be too difficult for the victim to continue with their case. It was also noted that not all APSP cases are historic;
- In the period covered by this review, 6 police officers have been dismissed or convicted for abusing their role for sexual purposes following investigations by OPONI. Misconduct outcomes have included criminal convictions, warnings and dismissal proceedings;
- OPONI stressed that the narrative that 86% of cases have no evidential evidence is based on a false assumption;
- OPONI highlight systemic issues within PSNI such as:
 - Supervisory – Unacceptable behaviours or attitudes to colleagues and the public being written off, perception that doing nothing is a choice;
 - Length of Service - not all APSP cases are new recruits, the average length of service is 9 years 9 months;
 - Culture issues - banter, jokes or it is just being part of the team, having the confidence to stand-up and challenge behaviour is not embedded within PSNI;
- PSNI must be safe and feel safe for staff and the people they serve;
- Issues have been identified in respect of silo working within PSNI leading to a lack of communication between different areas within the organisation resulting in a 'closed culture' in which safeguards can be missed;
- At present there are 34 ongoing APSP cases, 28 under investigation and 6 awaiting misconduct or trial;

- OPONI referred Members to the Criminal Justice System in England and Wales, and the specific section under paragraph 26 of the Criminal Justice and Courts Act¹ relating to ‘Corrupt or other improper exercise of police powers and privileges’, to challenge APSP. There is not a specific criminal offence in Northern Ireland and offences are addressed by way of the Common Law offence of Misconduct in Public Office (MIPO);
- The delay in within the Criminal Justice system in relation to criminal proceedings; and
- The delay in PSNI in relation to misconduct proceedings, highlighted in the Langdale review.

Members engaged in discussion with OPONI on the following:

- A Member sought further clarification on the 6 criminal cases with PPS, the threshold for MIPO cases and if they were dismissed the reasons why;
- A Member asked when officers resign instead of going through misconduct proceedings do PSNI complete references for them if predatory behaviour has been identified;
- A Member asked when a device is seized for separate issue if PONI have legal basis for carrying out an investigation due to the way the evidence is found;
- A Member queried is it enough that the vast majority of cases are referred by PSNI and what more could be done by PSNI to be proactive;
- A Member sought further analysis around the opportunistic ‘Gull Typology’ profiling category;
- A Member noted the delays in the Justice System asked if anything could be done collectively to improve this and queried how many cases were abandoned and how many dismissed;

¹ <https://www.legislation.gov.uk/ukpga/2015/2/section/26>

- A Member asked if more victims had come forward or if OPONI expected more victims to come forward as a result of this report;
- In relation to the key findings in the report, a Member asked if this could be fed into PSNI's NICHE system to allow PSNI leadership to complete a dip sample on officers dealing with vulnerable people;
- In relation to the three themes of System, Culture and Leadership, a Member asked if ACC Crime Department had responded to the report and if there are any 'game changers' to look for;
- A Member referred to sitting on Police Appeal Tribunals (PAT) and queried if any action would be taken against those individuals supporting the actions of other officers;
- A Member asked in practical terms if there was anything the Board could do and provided some observations in terms of what to highlight in future work such as including under 18 and 18-24 age categories in report;
- A Member queried how PSNI and the Board can drive for cultural change within middle management; and
- A Member asked if OPONI have been able to seek other resources to solve the backlog of cases.

OPONI provided the following responses to Members: -

- Criminal charges must prove beyond reasonable doubt to meet the threshold of MIPO. If this is not met, then misconduct proceedings would be considered on the balance of probability;
- OPONI advised that cases can be dismissed if there is insufficient evidence or case dismissed as in normal criminal cases. The case may not be substantiated, the victim may not co-operate and lack of digital evidence due to the time lag between the incident and when allegation reported;
- In relation to references being provided for resigning officers, OPONI advised that they come across these cases and look at the terms,

methodology and look at previous how the officer left the service was it with integrity;

- There is no issue when devices are seized by OPONI under a criminal investigation. If a device is seized for a misconduct investigation and subsequently material relating to a criminal act is found this is treated as a separate matter. OPONI work with PSNI and a warrant can be obtained to seize the device for a criminal case;
- OPONI highlighted that their 5-year Review of Legislation identified that criminal offence is not fit for purpose today and the Hillsborough Law would be a 'game changer.' The 5-year review recommends that the Sex Offenders law should apply and officers being put on the sex offenders register would send a powerful message;
- OPONI advised Whistleblowing of APSP behaviour should be supported by PSNI. Presently, there is a gap in the law that prohibits officers reporting directly to PONI;
- OPONI advised that in Northern Ireland the Chief Constable's APSP referrals are voluntary but in England and Ireland the law has been changed to make referrals compulsory;
- The need for better in-service vetting that address intelligence and risk when officers moving posts;
- In relation to prevention strategies and the opportunistic 'Gull Typology' category, there were 5 identified cases of engaged or alleged engaged APSP. OPONI are still investigating data on this issue, considering how to relay to authorities the tipping point between appropriate and inappropriate behaviour;
- OPONI advised that there has not been an increase in referrals from victims since the report and they are looking at why victims don't want to report to PSNI. They will provide figures on how many cases were abandoned and how many dismissed;
- In relation to justice system delays, APSP does not always have a sexual element. OPONI engaged in discussions with the PPS and it

was agreed that any APSP cases with a sexual element would be referred to the Serious Case Unit that deals with sexual offences and they are seeing some small improvements in delays;

- OPONI advised that Body Worn Video (BWV) is already used for checking officers contact with vulnerable people, this was a Langdale review recommendation and there are already NICHE audits so if there was an anomaly then these should be identified;
- OPONI advise that investments in front line supervisors is key;
- OPONI advise that action would be taken against those perverting the course of justice and they would start an own motion investigation into these;
- OPONI advise that they can only make recommendations and there is no mandate for PSNI to accept or implement them;
- The statistical information used and the decision around inclusion of age categories was based on numbers of victims identified but they will look at expanding in the future;
- OPONI would like to see greater collective stakeholder working with DoJ, PPS and include victims voices so that they are heard;
- In relation to cultural change within PSNI leadership, OPONI referred Members to Baroness Casey's review of the Metropolitan Police culture and standards of behaviour and the number of recommendations made in relation to front line leadership;
- OPONI suggest that there needs to be active encouragement by Sergeants to stop inappropriate behaviour, recruiting people with integrity, changing the culture on the ground to empower and support officers to come forward and challenge behaviour and all supported through legislation;
- In relation to case backlogs, OPONI advise that the current legislation is restrictive. There is a large volume of service level complaints that require an OPONI investigation but if an internal resolution could be

agreed then these could be handled by PSNI allowing OPONI to focus on real harm issues;

- All complaints to OPONI are triaged; and
- OPONI advised on the need for evidence-based metrics to show if there is an impact on business and confidence before asking for additional funding or considering if there needs to be a change to the current business model.

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

Following discussion Members: -

AGREED

OPONI to provide further statistics in relation to victims. **(AP5)**

6.2 PSNI Legacy Investigation Branch Update

The Chairperson welcomed Assistant Chief Constable McNally and colleagues to the meeting. He invited them to brief Members on the work relating to the PSNI Legacy Investigation Branch.

The PSNI delivered a presentation and provided a statistical commentary on the work carried out within the Legacy and Disclosure Branch.

The PSNI provided the following overview: -

- PSNI highlighted the Cases Allocation Model (CAM) and the four pillars used to allocate cases – Chronological, Forensically, Contemporary person of interest and Legal/litigation;

- The PSNI provided a breakdown of figures in relation to the Legacy Support Unit;
- The PSNI highlighted demands within the Litigation Team such as management of staff resources and funding;
- The PSNI updated Members on the work of Sensitive Disclosure Unit who manage PSNI Information Archive Service (IAS), sensitive trial disclosure and disclosure of information to the Police Ombudsman for Northern Ireland;
- The PSNI updated Members on the Victims Payment Scheme, from September 2021 to February 2026 PSNI have processed 11,004 evidence requests and researched 22,317 incidents. PSNI advise they are currently processing evidence requests ahead of the 28 day return schedule;
- PSNI advised Members that significant resources due to demand are required for servicing Public Inquiries. The PSNI are currently making provisions in respect of the Patrick Finucane Public Inquiry to ensure efficiency and effectiveness as they move into a further large scale inquiry; and
- PSNI advised Members on legacy costs, the requirements for upskilling and resources, the difficulties with systems not being linked and the amount of papers documents to search through.

At 12.10 pm the Chairperson informed Members that he had to leave the meeting, and the Vice-Chair took over the chairing of the remainder of the meeting.

Members engaged in discussion with PSNI on the following:

- A Member referred to civil cases and queried what is driving these forward and the associated costs and budgets;
- A Member referred to the new legislation not changing much, the requirement to redact information to Legacy Commission. It was also

- queried if there are any particular ramifications for LIB, such as following the Thompson case, with greater input of the Secretary of State, in respect of the decision to disclose gists of information;
- A Member queried what the Chief Constables position was on ICRCR getting Developed Vetted (DV) access to PSNI information;
 - A Member asked for clarification that the figures proved were before the 31st March 2026 and what the current backlog figures are;
 - A Member queried the costing in relation to lawyers and if cases could be dealt with sooner; and
 - A Member referred to the protracted discovery process and what level of conversation was being had with justice system.

The PSNI provided the following responses to Members: -

- In relation to civil cases, PSNI referred to limited resources and how the litigation team seeks to be efficient;
- The PSNI highlighted to Members that they are mindful that due to sensitivity and age of cases they do not want families dragged through the courts and they are working as expeditiously as they can to establish liability and agree settlements;
- In relation to redaction of documents, PSNI advised under Schedule 4 of the new legislation they have to classify documents before sending them to the Independent Commission for Reconciliation and Information Recovery (ICRCR);
- PSNI informed Members that ICRCR covert inquires do not have the remit or resources if going to require PSNI action on the ground and that their business case should reflect clear funding for PSNI and that there should be shared information systems;
- In relation to potential ramifications of the Thompson case, Public Interest Immunity (PII) and statement of approval from Secretary of

State, they are working through these issues to find pragmatic solutions;

- PSNI confirmed that statistics provided to Members were last years and will update figures on the current backlog; and
- PSNI do not feel there is a protracted evidential process, and they are aware that action needs to be taken in relation to resources and IT systems in the near future.

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

6.3 Human Rights Advisor Update

The Human Rights Advisor provided Members with an overview of areas within his current work programme during the period March/April 2026 including; McCullough Review; Research and consideration of oversight and accountability gaps and how the Board can obtain assurance on PSNI's use of Covert Human Intelligence Sources and Preparatory work on the Human Rights Annual Report 2025/26. The Human Rights Advisor informed members of meetings held with various stakeholders.

The Human Rights Advisor also outlined his work plan for April/May 2026 including Board and Performance Committee and assisting with preparation of other reports, further research and consideration of oversight and accountability gaps and the various meetings that he has planned. He will also be attending training on human rights with new PSNI recruits and is also making preparations for a visit to London to meet Angus McCullough KC, John Wadham, the National Crime Agency, attend at the IPT, view utilisation of LFR technology by the Met Police Force and meet academics working on AI and LFR matters.

The Human Rights Advisor also highlighted the following areas as emerging as main themes further to his work to date including meetings, reading in and discussions with various stakeholders.

1. Surveillance – McCullough and the way forward from it including issues with lawyers and journalists;
2. AI and Privacy – Live Facial Recognition (LFR) – panels at PSNI working on both matters and have invited him to join same;
3. Community Background for PSNI statistics;
4. Racism – report planned, Travelers to be included;
5. Custody – independent custody visits (ICVs), spit and bite guards and strip searches of those under 18.

Members engaged in brief discussion:

- AI and Privacy – (LFR) and the PSNI MOU covering all work;
- Use of BWV in relation to Stop and Search;
- The McCullough Review;
- In terms of oversight and accountability, whether the HR Advisor feels the Performance Committee could do anything differently; and
- Community Background questions being rolled out under PACE stop and searches.

Following discussions it was: -

NOTED

Members were content with the Human Rights Advisors Update Report and the remaining schedule of work for May 2026; and

AGREED

HR Advisor to provide an initial impression on oversight and accountability gaps for Members. (**AP6**)

6.4 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 decide on a Business Interest Appeal from a PSNI officer.

Members were asked to note that the officer applied to continue a Business Interest on 27 November 2025, in relation to being a bus driver, and it was rejected on the grounds of the officer being on suspension. Members were requested to consider the recommendation made by the Board official to uphold the decision of the Business Interest Panel and the Appeal decision to uphold the decision of the PSNI Business Interest Panel and the Appeal decision of the Assistant Chief Officer and that the Officer's Business Interest Appeal is rejected.

Members discussed the merits of the case and noted the protracted nature of the process.

Following discussions it was:-

AGREED;

To uphold the decision of the PSNI Business Interest Panel and the Appeal decision of the Assistant Chief Officer and that the Officer's Business Interest Appeal is rejected; and

AGREED

Officials to write to PSNI to provide Members feedback on Business Interest Appeals process. (**AP7**)

It was also: -

NOTED

Not all Members agreed. Two Members, Trevor Clark and Cheryl Brownlee registered that they disagreed with the decision to uphold the decision of the PSNI Business Interest Panel.

6.5 Committee Evaluation – Final Performance Committee Annual Report 2025/26 and Members Effectiveness Review

The Director of Performance provided Members with a final draft of the Performance Committee's Annual Report for the 2025/26 year. Members provided feedback on the first draft of the report at the Committee's March meeting and the Director outlined the changes that have now been made to the final draft.

As part of the Annual Assessment process, Members of the Performance Committee were asked to complete an effectiveness evaluation. Four Members completed and returned the evaluation to officials and the analysis of the returns is attached at Annex B.

Following discussions it was:-

AGREED;

Members approved the final Performance Committee Annual Report 2025/26.

NOTED

Members noted the analysis of the feedback in the Members Effectiveness Review.

6.6 National Crime Agency National Strategic Assessment 2026

The Director of Performance outlined to Members that National Crime Agency National Strategic Assessment 2026 (NCA) is presented in a new way this year and was provided to Members for information. The Director of Performance advised Members that the Committee will be looking at Organised Crime in May under Policing Plan indicator 2.4.

Members engaged in discussion on:

- A Member expressed their disappointment that the report was focused on England and Wales statistics leaving a gap for Northern Ireland and Scotland; and
- The Human Rights Advisor commented that there was no mention of the land border in the report.

The Director of Performance informed Members that two items of feedback were provided on the MOU to NCA officials which they are currently considering. This will be brought back to Board for agreement in June 2026.

7. QUESTIONS FOR THE CHIEF CONSTABLE

7.1 Members wished to ask the following 2 questions to the Chief Constable;

Question 1 – Abuse of Power for Sexual Purposes (APSP) –

As there is legislation in England, Wales and Ireland that Chief Constables must refer all cases of potential APSP to the IOPC/Ombudsman, can the Chief Constable confirm that he would automatically refer cases of potential

APSP to OPONI? And if not, how many times has the Chief Constable used discretion not to refer potential cases of APSP to OPONI in each of the past three years?

Question 2 – Whistleblowing –

Can the Chief Constable confirm what changes if any have been made during the past few years to ensure that there is a robust culture of promoting whistleblowing within PSNI and that whistle blowers receive the necessary support for doing so and that there are procedures and policies in place to promote whistleblowing and state how many cases of whistleblowing there been in PSNI in the last 5 years?

7.2 RESPONSES RECEIVED FROM THE CHIEF CONSTABLE

A response from the Chief Constable was received to a Members question in respect of the number the number of PSNI officers and staff, who have been charged with a domestic violence offence, in the last five years including (i) the number of those who had access to a firearm; and (ii) the number of those who retained access to a firearm, after being found guilty.

Following discussion, a Member asked a follow up question to the Chief Constable:

Of those 11 officers, what was the outcomes in terms of disciplinary or other action including a breakdown of how many continue to remain within PSNI either under suspension, performing different duties or returned to work. In any of these instances has the officer's firearm been returned?

8. COMMUNICATION ISSUES

There were no communication issues arising from the meeting.

9. ANY OTHER BUSINESS

There was 1 item of other business arising from the meeting. The Director of Performance informed Members of a visit to the PSNI's Public Protection Branch which has been arranged for Thursday 28th May 2026.

10. DATE OF NEXT MEETING

It was agreed that the next Performance Committee meeting would take place on the Thursday 14th May 2026 at 9:30am.

Meeting closed at 13.43pm.

PERFORMANCE DIRECTORATE

16 April 2026

Chairperson