

NORTHERN IRELAND POLICING BOARD

MINUTES OF THE MEETING OF THE NORTHERN IRELAND POLICING BOARD HELD ON THURSDAY 6 JUNE 2024 AT 9.40AM IN NIPB HQ, JAMES HOUSE, BELFAST

PRESENT:

- Mr Mukesh Sharma (Chair)
- Mr Brendan Mullan (Vice Chair)
- (1) Mr Cathal Boylan MLA
- (1) Mr Peter McReynolds MLA
- Mr Gerry Kelly MLA
- Mrs Linda Dillon MLA
- (1) Mrs Cheryl Brownlee MLA
- (2) Ms Nuala McAllister MLA
- Mr Peter Osborne
- Mr Les Allamby
- Dr Kate Laverty
- Mr Frank McManus
- Ms Marian Cree
- Mr Tommy O'Reilly
- (3) Mr Patrick Nelson
- (4) Mr Alan Chambers MLA*

POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:

- (5) Mr Chris Todd, T/Deputy Chief Constable
- (6) Ms Pamela McCreedy, Chief Operating Officer
- (6) Mr Bobby Singleton, Assistant Chief Constable
- (6) Mr Mark McNaughten, Assistant Chief Officer
Corporate Services
- (6) Ms Aldrina Magwood, Assistant Chief Officer
Strategic Planning & Transformation
- (6) Ms Clare Duffield, Assistant Chief Officer
People & Organisational Development
- (6) Ms Melanie Jones, T/Assistant Chief
Constable
- (5) Mr Davy Beck, T/Assistant Chief Constable
- (6) Mr Ryan Henderson, T/Assistant Chief
Constable
- (6) Four Officials

NATIONAL CRIME AGENCY IN ATTENDANCE:

- (5) Mr Graeme Biggar, Director General
- (5) One Official

**NORTHERN IRELAND
POLICING BOARD
OFFICIALS IN
ATTENDANCE:**

Mrs Sinead Simpson, Chief Executive
Mr Sam Hagen, Senior Director of Resources
Mr Adrian McNamee, Director of Performance
Mrs Natalia McMahon, T/Director of Police
Pensions & Injury Benefits
Four Officials

**OTHER OFFICIALS IN
ATTENDANCE:**

Mr John Wadham, Human Rights Advisor

- (1) **Left at 1.30pm**
- (2) **Left at 12.20pm**
- (3) **Left at 2.45pm**
- (4) **For private Members session only**
- (5) **Items 10 and 11 only**
- (6) **Item 11 only**

* Attended the meeting via video conference.

The Chair opened the meeting and advised Members the programme had been adjusted to reflect purdah conventions and the pre-election period, and that following careful consideration of guidance issued by The Executive Office (TEO) there will be no public session at today's meeting with the PSNI and National Crime Agency.

Members raised the following concerns in respect of the decision taken to cancel the public session of today's meeting:

- Overly cautious approach for Westminster Election and that other public bodies and NI Assembly Committees will continue to hold all or part of their meetings in public during purdah.
- Importance of transparency and consistency of approach as public organisations appear to be interpreting the TEO guidance in different ways.

- Members were now unable to raise matters of public interest relating to policing in the public domain, and the need to find a resolution to avoid this situation recurring in the future.
- Whether the decision can be reassessed or there were plans to reschedule the public session for another date.

Members also noted that, while unhappy with the decision in relation to the Board meeting, a similar approach was being taken across other parts of the public sector and that perhaps a discussion was needed by political parties about the overarching TEO guidance.

The Chair and Chief Executive advised Members that in relation to Board business, there would be scope for an additional public session after the election and that the decision to cancel the June public session was based on previous custom and practice to cancel the public sessions of Board meetings during purdah, including for Westminster elections. He added that in taking the decision he had been mindful of the issues raised by members and that he had carefully considered the TEO Election guidance circulated to all Civil Servants by the Head of the Civil Service. The Chair also noted that it was for each organisation to determine the specific application of the guidance mindful of the specific work of that organisation, and how their role is performed, so there would be differences in approach.

The Chair agreed to provide TEO Election guidance to all Members and advised that Board officials will explore Member availability for a suitable date to hold a public session of the Board following the Election in July or August. **(AP1)**

1. APOLOGIES

Apologies were received from Mr Keith Buchanan MLA, Mr Mark H Durkan MLA, and Mr Trevor Clarke MLA.

The Chair welcomed Mr Alan Chambers MLA to his first Board meeting and Members agreed the agenda for the meeting.

2. CONFLICTS OF INTEREST

No conflicts of interest were declared and Members did not indicate any items they wished to raise under 'Any Other Business' at agenda item 14.

3. DRAFT MINUTES OF THE BOARD MEETINGS HELD ON:

3.1 Thursday 2 May 2024

It was **RESOLVED** that: -

- The minutes of the Board meeting held on Thursday 2 May 2024 be approved for publication.

4. BOARD ACTION LOG

Members **NOTED** the action log and updates from the Board meetings held on 2 May 2024, 11 April 2024, and 7 March 2024.

In relation to the open action points from the meeting on 2 May 2024, the Chief Executive provided the following updates:

- Action point 1 – the Chief Constable's Individual Performance Review objectives have been agreed and a copy has been attached to the Chief Executive's report at agenda item 6, and this action can now be closed.
- Action point 2 - options available to the Board in respect of the Chief Constable's accounting officer responsibilities will be considered further by the Board's Resources Committee, and this action can now be closed.

In relation to the open action points from the meeting on 11 April 2024, the Chief Executive provided the following updates:

- Action point 2 – correspondence has been received from the Justice Minister in response to matters raised in relation to Ill Health Retirement and Injury on Duty processes. This matter will be considered further by the Board’s Resources Committee and this action can now be closed.
- Action point 3 – Members were advised of no further update in respect of scheduling a meeting between the Chairs and Vice Chairs of the Board and the NI Assembly Justice Committee, and a meeting between the Board and Justice Minister has been scheduled for the Board meeting in September 2024.
- Action point 4 – following the review of additional material by the Board’s Human Rights Advisor in respect of PSNI surveillance on journalists and lawyers, these matters will be discussed with Members at today’s meeting under agenda item 8.1, and this action can now be closed.
- Action point 14 – an action plan to take forward proposals from the Board Members development session in January 2024 will be presented to Members at today’s meeting for consideration at agenda item 8.8, and this action can now be closed.

In relation to action point 6 from the meeting on 7 March 2024, this action will remain open as work takes place to schedule a Board meeting with key stakeholders as soon as schedules allow to discuss the findings of the interim Operation Kenova report.

5. CHAIRPERSON’S BUSINESS

5.1 Chair's Report

The Chair asked the Board to **NOTE** the Chair's report which advised Members of:

- The Chair's engagements carried out during the period 1 May 2024 to 30 May 2024.
- A full list of correspondence issued and received by the Chair during the period 1 May 2024 to 4 June 2024.

A Member referenced correspondence jointly received from the Committee on the Administration of Justice and Amnesty International in respect of the Chief Constable's plans to commission a counsel-led investigation into PSNI deployment of covert surveillance against journalists, lawyers and others.

A Member highlighted correspondence from the Justice Minister in response to matters raised regarding the Injury on Duty Scheme & Joint Guidance for Medical Practitioners, and Members were advised these matters will be taken forward by the Board's Resources Committee, as outlined in Board's the action log.

The Chair highlighted a meeting attended by the Vice Chair during the reporting period with the Information Commissioners' Office (ICO) in relation to the PSNI data breach, following which a public statement was released by the Board.

At the meeting the ICO Commissioner highlighted the positive, non-defensive approach displayed by PSNI in response to the data breach in August 2023. He advised that due to the scale of the breach, a financial penalty was necessary but that ICO was open to representations about the scale of the penalty which focus on the high level of support provided to those directly impacted.

The Commissioner advised the report is now subject to factual checks and appeal, and the Chair noted that the ICO also confirmed that his report was in

step with findings of the independent review commissioned by PSNI and published in December 2023.

In relation to other correspondence issued and received, the Chair did not highlight any specific items, noting that full details were included in the report.

Finally, the Chair highlighted the impact of purdah on Board business, following the recent announcement of a UK General election to be held on 4 July 2024. Members were advised that the July Board meeting, also scheduled for 4 July 2024, had been cancelled as it falls on the same day as the Election, and the next full Board meeting will take place in September 2024.

Members **NOTED** the update provided.

6. CHIEF EXECUTIVE'S REPORT

The Board **NOTED** a report from the Chief Executive which provided an overview of governance and other organisational issues currently ongoing and to inform the Board of key items of correspondence relating to Board business.

The Chief Executive advised of a matter not included in the correspondence in respect of complaints received by the Police Ombudsman's office in relation to covert investigations by PSNI, and that an Ombudsman investigation has commenced.

A Member referred to the annual review of the Terms of Reference (TOR) for the Board's Standing Committees and whether the TOR for the Chair's Advisory Group and Special Purposes Committee can be combined under one name for the group/ Committee, and it was agreed to explore this matter further. **(AP2)**

A Member also highlighted correspondence received from Department of Justice on 8 May 2024 in respect of the Police Officer Misconduct process and

it would have been beneficial to bring this matter to Members earlier due to the time bound nature of the consultation process referred to in the correspondence. Officials advised Members that the correspondence is being considered by the Performance Committee and a draft response has been prepared for Member views.

Members **NOTED** the update provided.

7. COMMITTEE REPORTS

The Chair offered his congratulations to the Independent Members recently elected to Chair and Vice Chair positions of the Board's Committees, including Dr Kate Lavery as new Vice Chair of Partnership Committee, Mr Patrick Nelson as the new Chair of Audit and Risk Assurance Committee (ARAC), and Mr Tommy O'Reilly as new Vice Chair of ARAC.

7.1 Performance Committee – 9 May 2024

The Board **NOTED** the Performance Committee Chair's report, draft minutes of the meeting held on 9 May 2024, and the Committee's Annual Report 2023-24.

In respect of the Committee's recommendation outlined in the Chair's report Members **AGREED** to:

- **APPROVE** the publication of the Performance Committee Annual Report for 2023-24 as part of the composite document comprising the Annual Reports for all the Board's Standing Committees.

7.2 Partnership Committee – 16 May 2024

The Board **NOTED** the Performance Committee Chair's report, draft minutes of the meeting held on 16 May 2024, and the Committee's Annual Report 2023-24.

In respect of the Committee recommendation for the Board to approve the Committee's Annual Report it was **AGREED** by Members to:

- **APPROVE** the publication of the Partnership Committee Annual Report for 2023-24 as part of the composite document comprising the Annual Reports for all the Board's Standing Committees.

7.3 Resources Committee – 23 May 2024

The Board **NOTED** the Resources Committee Chair's report of the meeting held on 23 May 2024.

The Committee Vice Chair provided a verbal update on three PSNI Above Delegated Authority requests recommended to the Board for approval by the Committee and Members discussed the extent of legal fees incurred in these cases, PSNI processes in place to manage and resolve ongoing legal cases, and the Board's Human Rights Advisor provided additional context and background for new Members in one of the cases relating to Operation Yurta.

Following discussion, it was **AGREED** by Members to:

- **APPROVE** the PSNI Above Delegated Authority request to make a payment up to the specified amount for projected legal costs relating to the first case outlined, and
- **APPROVE** the PSNI Above Delegated Authority request to make a payment up to the maximum specified amount for legal fees relating to the second case outlined, and

- **APPROVE** the PSNI Above Delegated Authority request to make a payment up to the maximum specified amount for settlement of the plaintiff's legal fees relating to the third case outlined in the Chair's report.

7.4 Audit and Risk Assurance Committee – 23 May 2024

The Board **NOTED** the ARAC Chair's report of the meeting held on 23 May 2024, and the Committee's Annual Report for 2023-24.

In respect of the Committees recommendations outlined in the Chair's report it was **AGREED** by Members to:

- **APPROVE** the Audit and Risk Assurance Committee Terms of Reference, and
- **APPROVE** publication of the Audit and Risk Assurance Committee Annual Report for 2023-24 as part of the composite report for all Committee Annual Reports.

8. BOARD BUSINESS

8.1 PSNI Report – Use of Surveillance powers on journalists and lawyers

The Chief Executive introduced a paper providing Members with a draft report requested by the Board on the use by PSNI of surveillance powers under Regulation of Investigatory Powers Act or the Investigatory Powers Act 2016 on journalists and lawyers, and asked the Board's Human Rights Advisor (HRA) to provide Members with an initial appraisal of the Chief Constable's draft report. The Board's HRA provided an initial assessment of the draft report and advised he had no time to review this in draft before it was circulated to Members.

However, he acknowledged that the information provided was much more detailed than the report previously supplied to the Board by PSNI.

The Board's HRA noted PSNI's description of the report as 'exceptional' in nature but PSNI was, apparently, not intending to suggest a reluctance to provide additional reports of this type but providing this level of detail on an annual basis might create operational and security issues.

The Board's HRA briefed Members on the following key points and acknowledged that additional time would be required to review the draft report and follow up with PSNI to address any further Board queries and concerns from the information provided:

- While the Chief Constable's report doesn't provide all the assurance that the HRA would like, it does provide a much greater level of assurance in relation to current practice, although it raises concerns about the historical practice of PSNI. The Board is now in a better position to consider the need for any additional material and next steps.

The report provided a numerical breakdown for journalists and lawyers over a number of years and the categorisation of applications for communications data relating to a categorisation as victims, suspects or witnesses.

- Separately, the Chief Constable has confirmed the appointment of Angus McCullough KC to conduct a review of PSNI use of surveillance against journalists, lawyers and Non-Governmental Organisations (NGOs) and other groups. Terms of Reference of the new review will be provided to the Board following consultation with a Reference Group made up of key stakeholders. It is proposed that this group includes the Board's HRA. Members raised some concerns about this but it was finally agreed that the Board's HRA should have observer status on the group. It was noted

that the Board's HRA could continue to undertake work deemed necessary in parallel to provide assurances to the Board in relation to covert surveillance.

Following the briefing Members discussed the following matters in relation to the PSNI surveillance report:

- Acknowledgement and appreciation of detail provided and that robust accountability mechanisms between the Board and PSNI has facilitated progress to date and the provision of a detailed report. Members noted further work is required to analyse the report and provide meaningful insights and that further information may be requested to address Members concerns as part of the ongoing scrutiny role of the Board.
- Likely impact of legislation and codes introduced from 2015 onwards on the protections provided to journalists and others.
- Clarification in relation to surveillance applications made before 2015 and compliance with legislation at the time, and whether the Board's HRA has completed a random dip sample to test compliance.
- The Board's HRA confirmed that while he had been able to review a very small number of cases, due to time constraints he has been unable to carry out an independent dip sample of all the surveillance applications presented in the report, and would not consider the small number he viewed as an adequate "dip sample".
- The number of cases reviewed by the Board's HRA relating to journalists, whether further reports can be provided by PSNI on an annual basis, and next steps to reassure the public and provide confidence that activities of concern to the Board and the public are no longer taking place.

- Acknowledgment of the complexity of these matters and importance of transparency and openness, and further clarity regarding the categorisation and nature of the group defined as 'others' in the report.
- Given the significant number of applications over the period in question, further information provided on the number of refused surveillance applications, how the number of applications compare to the rest of UK over the same period, and that it was necessary to review a larger number of applications as part of a wider dip sample in support of Members comments outlined previously.
- Clarity in relation to the status of the report and whether it fulfils the statutory obligations of a Board requested report under section 59 of the Police Act (NI) 2000, options now available to request an additional report under section 59, and the mechanism available for the Board to carry out a section 60 Inquiry to address remaining concerns and provide the necessary assurances should it be necessary to do so.
- The importance of the twin-track approach in respect of the Board continuing to interrogate and analyse the information provided by PSNI and the ability of the Board's HRA to request further information to enable him to discharge his role.
- Further clarity in relation to the Angus McCullough KC review including timelines, relevant experience in this area, Terms of Reference (TOR), role and status of the Board as accountability body, reporting structures of NGO representatives on the 'Group of Experts and Stakeholders' (GoES) to be consulted on the TOR, proposed role of the Board's HRA on the GoES, agreed reporting structure to the Board, and the need to ensure robust assurance checks are in place.

- Public statement from the Board to reflect Members views on the surveillance report and to acknowledge the additional work required, recognising that it provides a degree of assurance although is likely to raise additional questions for PSNI in relation to both previous practices and current operational framework.

Members discussed key points for the public statement including that if the TOR for the McCullough Review met the Board requirements for a section 59 report then the report emanating from the McCullough review would be deemed to meet the Board's section 59 requirements; decisions in relation to the need or otherwise for a s.60 Inquiry could only be taken on receipt of the Review report; "observer" status of the Board's HRA as part of a group of Experts and Stakeholders to inform the scope of review; and timeline for publishing the report and need for further discussion with PSNI on this.

Following discussion on the content and structure of the Board's public statement in response to the PSNI report on covert powers in relation to Journalists and Lawyers, officials collated Members feedback and provided copies of the draft statement for review, and a public statement to be released was subsequently agreed.

8.2 National Crime Agency & PSNI Serious and Organised Crime - Performance Reports

The Director of Performance presented a paper asking Members to **NOTE** the summary report of the National Crime Agency (NCA) and the PSNI's performance and activity in Northern Ireland in relation to Serious and Organised Crime covering Quarter 3 and Quarter 4, for the period October 2023 to March 2024.

Members **NOTED** the detailed analysis by Board officials to inform discussion with both NCA and PSNI and to enable effective oversight and informed scrutiny of Serious and Organised Crime.

8.3 National Crime Agency Memorandum of Understanding

The Director of Performance presented a paper to provide Members with the final draft of a review of the Memorandum of Understanding (MOU) concerning the NCA in Northern Ireland.

Members were advised the Board's Performance Committee have consulted with NCA and agreed a number of changes, and the final MOU with tracked changes was provided for consideration by the Board.

Following discussion Members **AGREED** to:

- **APPROVE** the tracked changes in the final draft MOU that have been agreed through the Performance Committee with the NCA.

8.4 Policing Plan Development Group 2024-25

The Director of Performance presented Members with a paper outlining plans to establish a Policing Plan Development Working Group for 2025-25 to take forward the statutory requirement to publish a new Policing Plan from 2025 onwards that sets out the arrangements for policing in Northern Ireland.

The current Policing Plan for 2020-25 will conclude on 31 March 2025 and the proposal is to form a Working Group of the Board to take forward the development of a new Policing Plan in partnership with PSNI, to be known as the Policing Plan Development Group (PPDG).

Members were also provided with the draft Terms of Reference (ToR) for the PPDG.

The Director of Performance asked for nominations to the PPDG, noting that in accordance with the draft ToR the Chair of the Working Group will be the Vice Chair of the Board.

Following discussion Members:

- **APPROVED** the draft Terms of Reference for the Policing Plan Development Group 2024-25, and
- **CONFIRMED** nominations to the Policing Plan Development Group alongside the Board Vice Chair as Ms Linda Dillon MLA, Mr Les Allamby, Mr Frank McManus and Ms Marian Cree.

The Director of Performance advised that nominations will also be sought from Members of other political parties not in the meeting for this item. **(AP3)**

8.5 His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) Inspection Report 2023-24

The Director of Performance presented a paper asking Members to consider and agree next steps following the recent publication (1 May 2024) of an HMICFRS Inspection Report – 'An Inspection of crime data integrity' 2023-24.

Members were asked to note the report will also be considered by the Board's Performance Committee at its next meeting on 13 June 2024.

Following discussion Members were asked to provide any initial feedback, in writing, to the Director of Performance and it was **AGREED** to:

- **APPROVE** the next steps identified in the paper to fulfil the Board's legislative remit in relation to the HMICFRS inspection report.

8.6 HMICFRS Police Effectiveness, Efficiency and Legitimacy (PEEL) Inspection 2024-25

The Director of Performance presented a paper outlining a request from HMICFRS to engage and consult with Members in relation to the next PEEL Inspection.

Members were provided with background information and a consultation document, provided by HMICFRS, outlining the proposed areas for inspection for 2024-25.

The Director of Performance advised the current PEEL framework inspects against 12 core questions and that two core questions have been identified for inclusion in the inspection for the forthcoming year.

These core questions are:

- Core question 3 - How good is the service at preventing and deterring crime, antisocial behaviour, and reducing vulnerability?
- Core question 7 - How good is the service at managing offenders and suspects?

Subject to the availability of resources a third question was highlighted by HMICFRS for potential inclusion as part of the inspection for the forthcoming year:

- Core question 2 - How good is the service at treating the public fairly, appropriately, and respectfully?

Members discussed the value of including core question 2, time and resources permitting, whether core question 1 (How good is the force's service for victims

of crime?) is a higher priority area than core question 3, how many of the 12 core questions have been considered in recent years, and whether the three questions identified for inspection are the highest priority areas at this time.

The Director of Performance advised that parts of the PEEL framework were different prior to the current period (2023-25) and therefore did not allow for an historical like for like comparison, and following discussion it was agreed to follow up on Members queries in respect or core question 1. **(AP4)**

Members **NOTED** the update provided.

8.7 Review of PSNI Senior Executive Team Structure

The Chief Executive presented a paper to provide Members with a report from the HR consulting firm HeadsTogether on the Post Project Evaluation of the PSNI Service Executive Team (SET) structure, which provided a summary of the views of stakeholders on the extent to which the SET Structure has delivered its objectives.

The Chief Executive summarised key findings and learning points from the report, and following discussion Members:

- **NOTED** the report on the Review of the PSNI Senior Executive Team Structure, and
- **AGREED** that the Board Chair and Vice Chair will discuss the report's findings and next steps with the Chief Constable and a plan will be brought back to the Board at a future meeting. **(AP5)**

8.8 Member's Development Session - Action Plan

The Chief Executive presented a paper providing Members with a proposed action plan to address the issues arising from the Board Development Session in January 2024, and seek agreement to move to annual development sessions.

The Chief Executive referred Members to progress being made and next steps as outlined in the paper for development session workstreams in relation to the policing plan, corporate plan, outreach and engagement, and advised a further update will be provided to the Board later in the year. **(AP6)**

Members were asked to consider a proposal to move to annual development sessions rather than 6 monthly, to alleviate time pressures on Members availability and to enable officials to progress issues arising from the previous event.

Following discussion Members:

- **NOTED** the action plan proposed to address the issues arising from the Board Development Session in January 2024, and
- **AGREED** to move to annual development sessions.

9. KEY ISSUES OF PUBLIC INTEREST

The Board **NOTED** a paper from the Communications branch which detailed recent issues of public interest relevant to the Board's areas of work.

The Chair advised Members that the Communications branch have been asked to highlight the three highest priority key issues of public interest at the beginning of the paper, followed by all other key issues when future papers are brought to the Board.

10. PRIVATE SESSION WITH THE OFFICE OF THE CHIEF CONSTABLE AND THE NATIONAL CRIME AGENCY DIRECTOR GENERAL

The Board Chair welcomed Mr Graeme Bigger, Director General of the National Crime Agency (NCA), T/Deputy Chief Constable Chris Todd and T/ACC Davy Beck to the meeting.

The Board Chair invited the DG to make some introductory comments ahead of taking Member questions. The Director General thanked the Board for the invitation to attend today's meeting and acknowledged the positive visit that several Board Members and officials had to the NCA Headquarters in London in October 2023 to view the work undertaken and advised he is content to host another visit in the future if other Members would like to avail of it.

For the benefit of new Members to the Board, the NCA DG briefly set out the NCA's overall accountability structures (including to the Board) and noted that they have recently moved to 6 monthly reporting to the Board. He discussed the scope of the NCA's work in Northern Ireland and highlighted that while they do have staff based in NI, the numbers of NCA staff based in NI do not directly correlate to the volume of work carried out by the organisation in NI.

The Director General then highlighted the NCA's work in targeting Organised Crime Groups (OCG) in NI and reported an increase in disruptions of major and moderate impact within the six-month reporting period.

A number of examples were provided in relation to asset recovery operations within the previous 6 months including the use of the first Unexplained Wealth Order within NI in May 2024

The Director General advised that whilst NCA continue to work to disrupt the drugs trade, an increase in supply continues with larger shipments being transited throughout the UK and Europe. He noted a number of recent seizures

including the largest ever seizure in the UK of over five tonnes at Southampton docks and the largest ever on the Atlantic at over 10 tonnes.

The Director General also discussed ongoing work by Public Health NI in the roll out of a wastewater analysis scheme. He noted that no results from this were available as yet and that work was ongoing in relation to how these results could be shared. The NCA DG also informed Members that the NCA were not yet seeing an increase in demand in NI for synthetic opioids like Fentanyl.

The Director General also discussed an awareness campaign ran in 130 schools throughout NI focusing on the threat from sextortion where criminals target young people persuading them to share sensitive information or photographs and subsequently threaten to share this information if the victim does not meet their demands. He noted that this is a growth area, and that West Africa remains a prevalent source of such threats.

It was also reported that the NCA led and coordinated an international operation that infiltrated and took down Lockbit, the world's biggest ransomware strain responsible for over 25% of all global attacks including two on organisations within Northern Ireland.

Following the NCA Director's introduction Members discussions with the Director General focussed on:

- Whether the NCA have witnessed a rise in new types of crime or the diversity of crime itself as the diversity in the make-up of our citizenship continues to change.

On this point the Director General advised that whilst the nature of crime is changing as technology evolves (for example increasing online crime), they are not seeing any increase or diversity in crime relating specifically to the diversity of our citizens.

- Increasing public awareness and vigilance in the prevention of child sexual abuse.

On this point the Director General welcomed ongoing work within schools and advised of the age appropriate resources and material made available by the NCA to support this. He also noted that getting the messaging out to young people in terms of raising awareness of 'sextortion' is better in Northern Ireland than in some other parts of the UK. He went on to discuss challenges currently being experienced by the NCA (in terms of volume and processing) regarding of data shared by tech companies globally (in particular the USA).

- The operational procedures in place between the NCA and PSNI for conducting disruptions against Organised Crime Group's (OCG). The NCA DG outlined the decision making process in terms of whether it would be the NCA or local police who lead an operation and Members also received an update on the more technical aspects of how operations are graded.
- Whether the Common Travel Area creates difficulties for the NCA in general (for example in relation to modern slavery) and strategies to deal with these difficulties particularly in light of or recent commentary surrounding the issue of migration in particular.

On this point the Director General acknowledged the challenges the CTA can present however noted the multi-agency approach to dealing with any issues including work with industry, the airports and ferry terminals and referenced a surge in activity in December 2023 (Operation Aident) which led to increased interventions. On the point of migration specifically, the NCA DG acknowledged the risks however advised that currently the data did not show any material increase but that assessment of this was currently underway.

- The funding and duration of the wastewater analysis program.

On this point the Director General said the program was initially being run on a short-term basis and the funding had been provided by the Department of Health. He also noted that work was ongoing to develop a Data Sharing Agreement which would allow results of this work to be shared with justice agencies.

The Chair thanked the Director General, the T/Deputy Chief Constable and T/Assistant Chief Constable for the private briefing to the Board.

11. PRIVATE SESSION WITH THE OFFICE OF THE CHIEF CONSTABLE INCLUDING THE CHIEF CONSTABLE'S ACCOUNTABILITY REPORT TO THE BOARD

The Chair welcomed the T/Deputy Chief Constable Chris Todd, Chief Operating Officer (COO) Pamela McCreedy, Assistant Chief Constable (ACC) Bobby Singleton, T/ACC Melanie Jones, Assistant Chief Officer (ACO) People & Organisational Development Clare Duffield, Assistant Chief Officer (ACO) Strategic Planning & Transformation Aldrina Magwood, and ACO Corporate Services Mark McNaughten, to the meeting.

The T/Deputy Chief Constable presented Members with an overview of the Chief Constable's Accountability Report for May 2024 and highlighted the following areas:

- The implementation of the McCullough Review to consider PSNI's use of surveillance powers on journalists and lawyers. The T/DCC noted the importance of these powers only being used in a necessary and proportionate way and acknowledged ongoing requests for a public enquiry relating to these matters, however asked that the current

processes (namely the McCullough Review) to be allowed to reach its conclusion.

- The completion of The Information Commissioner's investigation into the circumstances surrounding last August's data breach.

On this the T/Deputy Chief Constable said that whilst the PSNI fully accepts the ICO's findings and recognised the fine totalling £750k and the mitigations already applied by the ICO in levying this fine, with current PSNI resource pressures of £80m, it was his intention to continue negotiations with the ICO around the final settlement.

- An overview of the recorded statistics for May highlighting anti-social behaviour as being at a record low level and a significant reduction in crime across all Districts in Northern Ireland with 7,067 fewer crimes recorded than the previous year.
- The good work of officers following the seizure of an automatic weapon and ammunition from a vehicle in Derry/Londonderry.
- The need to secure the long overdue Revised Environmental Allowance (REA) for police staff.

Following the T/DCC's introduction, the Board Chair invited Members' questions and the following matters were discussed with the PSNI Leadership team:

- The McCullough Review including the timeline for delivery of the Review report, the scope and remit of the professional reference group overseeing the work of the Review (including the development of the Review's Terms of Reference) and the working relationship between this group and Mr McCullough's team.

In response the T/Deputy Chief Constable said the Terms of Reference for the group have still to be finalised and will influence a number of factors including timeline.

- Multi-annual budgeting, how this would benefit PSNI for future planning and an update on discussions with government on this aspect of budgeting for policing.

On this point PSNI noted the ongoing challenges of single year budgets and that this was unlikely to change in the short term. However, the COO stated that positive discussions had taken place and confirmed moving to a 3-5 year budget would be ideal given the issues currently faced with planning around single year budgets.

- Impact on officers facing delays whilst going through the Ill Health retirement process, including the possibility of officers going onto half pay while awaiting the necessary IHR processes, the processes in place for pay appeals and whether staff absence or vacancies in the OHW department are contributing to these delays.

The PSNI acknowledged the current backlog however noted ongoing work to improve the pathway in respect of those going through the IHR process and other longer term work to understand the increased numbers leaving the service on IHR. PSNI also highlighted the difficulties currently faced in recruiting Occupational Health professionals.

- The 'P' grading of several paramilitary groups and how this has changed over the last 6-12 months. PSNI went on to discuss the work of the Paramilitary Crime Task Force (PCTF) when assessing capacity and capability of Organised Crime groups.

The Chair thanked the T/Deputy Chief Constable Chris Todd, Chief Operating Officer (COO) Pamela McCreedy, Assistant Chief Constable (ACC) Bobby

Singleton, T/ACC Davy Beck, T/ACC Melanie Jones, Assistant Chief Officer (ACO) People & Organisational Development Clare Duffield, Assistant Chief Officer (ACO) Strategic Planning & Transformation Aldrina Magwood, and ACO Corporate Services Mark McNaughten and they left the meeting.

12. QUESTIONS FOR THE CHIEF CONSTABLE

12.1 Issues Arising from Committees

There were no issues arising from recent Committee meetings for the Board's attention.

12.2 Committee Written Questions and Responses

Members **NOTED** the PSNI response to a question from the Resources Committee.

12.3 Individual Members' Written Questions and Responses

Members **NOTED** the PSNI responses to Members written questions and the follow up responses to Members questions at the Board meeting in May 2024.

13. COMMUNICATION ISSUES

None.

14. ANY OTHER BUSINESS

Following discussion earlier in the meeting Members were advised that Board officials will explore potential dates to hold a public Board meeting in July or August 2024.

15. DATE OF NEXT MEETING

The next full Board Meeting is scheduled for Thursday 5 September 2024 at 9.30am in James House.

The meeting closed at 3.05pm.

Strategic Planning & Governance

Date: June 2024

Chair