

NUJ submission to the Northern Ireland Select Committee's call for evidence: Policing and security in Northern Ireland

November 2025

About the NUJ

The National Union of Journalists (NUJ) is the voice for journalism and journalists in the UK and Ireland. It was founded in 1907 and has more than 22,000 members working in newspapers, news agencies, digital media, magazines, journals, book publishing, public relations, photography, videography and broadcasting.

The NUJ represents journalists working in Northern Ireland across all platforms and sectors. The NUJ has been to the fore in defending media freedom in Northern Ireland and in highlighting threats to journalism from criminal gangs, proscribed organisations, and state agencies - including security forces. The murder of Martin O'Hagan and the killing of Lyra McKee represent low points in the history of Northern Ireland journalism.

The vindication of NUJ members Trevor Birney and Barry McCaffrey before the Investigatory Powers Tribunal (IPT) following the unlawful surveillance by the PSNI was warmly welcomed by the union. Our campaign in support of Birney and McCaffrey reflects our broad concern at the attitude of the Police Service of Northern Ireland (PSNI) to journalists and journalism. Subsequent evidence before the IPT in ongoing cases confirms that the surveillance of Birney and McCaffrey was not an isolated incident.

The NUJ were instrumental in calling for a wide review of the culture of the PSNI and welcomed the opportunity afforded by the Chief Constable to be represented on the McCullough Review. The findings of the review provide a roadmap for future reform and cultural change in the PSNI and we are engaged with the PSNI on a range of measures aimed at restoring confidence in the PSNI. The NUJ is also campaigning for an independent investigation into the activities of other security forces in relation to the media, with specific reference to MI5.

The NUJ has an Irish Executive Council (IEC) that meets regularly, engaging with issues such as journalist safety and surveillance. The NUJ is affiliated to the Irish Congress of Trade Unions (ICTU) and in Great Britain to the Trades Union Congress (TUC). The NUJ is also affiliated to the International Federation of Journalists (IFJ). The union is not affiliated to any political party.

To what extent have the objectives and aspirations of the Patten Review on policing been realised?

The objectives of the Patten Review have not been fully realised and its recommendations have not been fully implemented.

Further to the Belfast/Good Friday Agreement, two relevant bodies were established: the Policing Board and the Office of the Police Ombudsman.

However the Review also recommended a specific Commissioner for Covert Law Enforcement in Northern Ireland with a range of intervention powers to prevent the use of covert policing techniques within the law.

Within the last year, reports by the Investigatory Powers Tribunal (IPT) and the McCullough Review have exposed the use of covert measures against journalists and the failure to realise the Patten Review's key objectives for policing in Northern Ireland to provide for accountability to the community and to the law, and to protect and vindicate human rights.

In December 2024 the Investigatory Powers Tribunal (IPT) ruled that the surveillance of journalists Trevor Birney and Barry McCaffrey by both the Police Service of Northern Ireland (PSNI) and the Metropolitan Police was unlawful. The judgment described the decision by Sir George Hamilton, former PSNI chief constable, to authorise a surveillance operation as a breach of Article 8 and Article 10 of the European Convention on Human Rights (ECHR), as well as a breach of the Human Rights Act 1998. This is not an isolated case. Around the time of the verdict, PSNI admitted to spying on at least 300 journalists and 500 lawyers in Northern Ireland. However the financial cost of protracted IPT hearings have served as a deterrent to some who believe they have been subject to unlawful surveillance.

Following the IPT revelations, the 200-page McCullough Review into covert measures against journalists by PSNI was published in September 2025. The Review demonstrates that the recommendation to establish a Commissioner for Covert Law Enforcement remains prescient. The NUJ believes that an established Commissioner would address many of the fundamental issues arising from the McCullough Review and IPT hearings, and may have averted the need for the Review in the first place.

This Patten Review recommended that the Commissioner would not only cover the Police Service of Northern Ireland (PSNI) but also MI5 and other law enforcement agencies. The pertinence of this was recently demonstrated after MI5 admitted to illegally obtaining data from the mobile phone of former BBC journalist Vincent Kearney during a separate IPT case. This admission further illuminates a deeply troubling pattern of police and security authorities' surveillance of journalists.

While the NUJ has welcomed the McCullough Review, its limited scope highlights the need for a broader, independent public inquiry to investigate the full extent of systemic and unlawful spying operations targeting journalists, lawyers and human rights defenders in Northern Ireland - not only by PSNI but also other police forces and MI5.

In summary, the NUJ urges the UK government to realise the objectives of the Patten Review by:

- Introducing legislation to establish a specific Commissioner for Covert Law Enforcement in Northern Ireland as recommended in the Patten Report.
- Appointing an independent body to fully investigate the extent of covert surveillance against journalists, lawyers and human rights defenders in Northern Ireland by PSNI, MI5 and other police forces.

What are the current community perceptions of policing in Northern Ireland and how have these evolved since 2001?

Covert surveillance and lack of accountability has severely harmed confidence in policing in Northern Ireland among journalists and the wider civilian community.

Public trust in policing in Northern Ireland was gravely damaged by the revelations at the Investigatory Powers Tribunal (IPT) and this was compounded by the manner in which the PSNI and other parties engaged with the IPT process, including the withholding by the PSNI of vital information such as the details of two surveillance operations to the Investigatory Powers Commissioner's Office (IPCO).

More recently the NUJ has been encouraged by the PSNI's cooperation and engagement with the McCullough Review. The PSNI leadership's acceptance of the report findings and recommendations marks a welcome change in approach.

However the scale of the challenge to improve public perceptions of policing in Northern Ireland cannot be underestimated. 2026 will mark the 25th anniversary of the murder of journalist Martin O'Hagan, who was shot dead by the Loyalist Volunteer Force in September 2001. For the last 24 years, the NUJ and wider public has campaigned for the killers of Martin O'Hagan to be brought to justice. Yet an independent investigation into his murder is still yet to be announced. During this time the publication of the Police Ombudsman's report into O'Hagan's murder has been repeatedly delayed.

The legacy of the UK and Irish governments' failure to tackle the impunity enjoyed by those who target journalists was laid bare in a recent report by Amnesty International, *Occupational Hazard? Threats and violence against journalists in Northern Ireland*. The report reveals the scale and severity of threats, intimidation, and violence against journalists in Northern Ireland. Since 2019 – the same year freelance journalist Lyra McKee was shot dead while observing a riot in Derry – over 70 incidents of threats or attacks on journalists in Northern Ireland have been documented. Most of these incidents have gone unpunished; since June 2022, there have been only two successful prosecutions for threats against journalists. The 22 journalists who were interviewed for the study said they had “little expectation” that those who threatened them would be held to account and many reported that PSNI had not effectively investigated threats.

Following the report's publication in June this year, the NUJ joined Amnesty in supporting a number of recommendations for the police and government departments to implement, including:

- Justice Minister Naomi Long MLA should establish and chair a new Media Safety Group, with representatives from the PSNI, Public Prosecution Service (PPS), media organisations and the NUJ, to deliver a new journalist safety strategy
- The PSNI must review its procedural response to threats and attacks against journalists and conduct investigations capable of leading to successful prosecutions
- The PSNI must produce new guidance and training for officers on the protection of journalists during public disorder
- The Northern Ireland Office and Department of Justice should ensure at-risk journalists can access the Home Protection Scheme
- The UK government should establish an independent public inquiry into the 2001 murder of Martin O'Hagan if the expected Police Ombudsman's investigation finds serious failings or wrongdoing by the police

It should be noted that discussions are ongoing with the PSNI and there has been a very positive engagement on most of the issues raised by the union, with the exception of the demand for an independent investigation into the murder of Martin O'Hagan.

What are the main challenges facing policing and security in Northern Ireland today?

From an NUJ perspective the restoration of trust remains a major challenge. Total transparency in relation to surveillance by external security forces must be forthcoming. The ongoing cases before the IPT and the unresolved murder of Martin O'Hagan cast a long shadow.

Are the PSNI's funding arrangements, accountability mechanisms, and relationship with the Department of Justice fit for purpose?

We reiterate the recommendations stated above for the PSNI to produce new guidance and training for officers on the protection of journalists during public disorder, and to review its procedural response to threats and attacks against journalists and conduct investigations capable of leading to successful prosecutions.