

NORTHERN IRELAND POLICING BOARD

MINUTES OF A MEETING OF THE NORTHERN IRELAND POLICING BOARD HELD ON THURSDAY, 1 JULY 2010 AT 12:00 NOON IN WATERSIDE TOWER, BELFAST

PRESENT:

MEMBERS:

Mr Brian Rea (A/Chairman)
Mr Gearóid Ó hEára (A/Vice Chairman)
Ms Martina Anderson
Mr Dominic Bradley
Mr Alex Maskey
Mr Basil McCrea
Mr Ian McCrea
Mr Daithí McKay
Ms Mary McKee
Mrs Rosaleen Moore
Professor Sir Desmond Rea
Mr Trevor Ringland
Mr David Rose
Mr Alastair Ross
Mr Suneil Sharma
Mr Jimmy Spratt

POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:

Mr Matt Baggott (Chief Constable)
Mrs Judith Gillespie (Deputy Chief Constable)
Mr Alistair Finlay (ACC Urban Region)
Mr Will Kerr (ACC Criminal Justice)
Mr Duncan McCausland (ACC Operational Support)
Mr Joe Stewart, Director of Human Resources
Mr David Best, Director of Finance & Support Services
Ms Liz Young, Head of Media & PR
Superintendent, Command Secretariat

OFFICIALS IN ATTENDANCE:

Mr Adrian Donaldson (Chief Executive)
2 Board Officials

APOLOGIES:

Mr Barry Gilligan (Chairman)
Mr Leslie Cree
Mr Peter Weir

A/Chairman, Mr Brian Rea:

Good afternoon everyone and welcome to this Policing Board meeting in public, welcome to Stephen White and the representatives undertaking a study visit with the Soufan Consultancy.

I also want to welcome to 2 new DUP political representatives on the Board, Alastair Ross and Ian McCrea. Since our last meeting, Tom Buchanan MLA has stepped down and at the previous meeting, Ian Paisley Jnr stepped down, so these 2 gentlemen are replacing those 2 gentlemen and I would like to place on record our thanks to Tom Buchanan for his work and his contribution to the Policing Board during his time with us. So, you are very welcome gentlemen and let us proceed.

There have been a number of critical incidents since our last meeting, and once again it is fortunate that no-one was killed in Augnacloy or Keady, following the indiscriminate actions of those who left those devices. Clearly the intent was to kill police officers and they have absolutely no consideration, it is evident they have no consideration whatsoever for the wider community, not only in terms of endangering their lives but in the disruption their actions cause. As a Board, we welcome the Government's announcement of over £12m for the Automatic Number Plate Recognition (ANPR) system scheme which will be of assistance in all policing operations. As I said in the past when I saw some of the technology both in a helicopter and in cars, I formed the opinion, that for me and for others, really there is no hiding place.

Of course this week we have had 2 officers injured. One critically whilst working in support of a Customs (HMRC) seizure operation in Meigh and I am sure that I carry the best wishes of all present here today for a full recovery and our thoughts are with their families and colleagues.

Last month Chief Constable you reported to us on the parading season and as a Board we would like to commend all those who have worked over the last number of weeks to

ensure a number of what had become contentious parades passed peacefully and we hope this will continue during the summer period.

We are due to get a report today Chief Constable on the first quarter performance and we have had the Criminal Justice Inspection (CJI) report on 'Avoidable Delay' this week and there are some quite serious issues in that report which the Board will wish to discuss in more detail with you.

Sadly, we have had a number of deaths on our roads over the last week from a very, very, very young child and our thoughts would be with the family of that child but also with the families of the other victims. Thus far, 2 young men have lost their lives in what appears to me to be a horrendous event. I doubt if we would be able to call it an accident, excessive speed must have been one of the factors, together with an overloaded car, that is what it seems from reading the press. The Board fully supports a zero tolerance on speeding and when we come to the presentation, if you could report on the position with discussions on redirecting funds from fines back into road safety initiatives.

We have a number of questions today around other major issues, not least the funding pressures facing the police service and on resources to deal with past cases. Of course, the report from the Commission on Victims and Survivors was published yesterday.

We want to keep to time today, so let us have your report and then we will move to questions and to give something of a guidance to the public and to others, our timing is that your opening remarks Chief Constable would be at a maximum of 5 minutes. Questions relating to that I will try to curtail to 20 minutes without diminishing the opportunity for questioners to be satisfied.

We have a thematic presentation, the report Performance against the Policing Plan for the 1st quarter of this year and then following that there will be about 15 minutes for questions on that, and then we will have the general questions and we hope to finish all of this in good time.

Chief Constable, it is over to you. Thank you.

Chief Constable, Mr Matt Baggott:

Chairman, thank you very much. It is very important I also acknowledge the bravery and courage shown by my 2 colleagues who were injured in South Armagh and I very much welcome the support of the Policing Board and members of the public who send them their very best wishes for a quick recovery. But one colleague does remain in hospital with serious injuries, again they are a superb example of impartial, professional, protective policing and they are examples of the modern day heroes that I have constantly spoken about and I know that you will wish me again to pass on the very best wishes of everybody to them for their recovery.

I want to focus my remarks today upon, probably one of the biggest challenges facing us all at this time. A challenge that is unprecedented and that is planning for the forthcoming public spending cuts. The Government has now delivered its 2010 budget and it undoubtedly presents a very bleak outlook in relation to public spending for the coming years. We will work seamlessly with the Board to prepare a budget that will enable us to deliver effective and efficient policing. We will make the case strongly for the resourcing and we will make the hard choices necessary to ensure the public get very, very good value from their police service in Northern Ireland.

We will have to cover a whole range of complex bases. Some things we have to do. The protection of the public from sex offenders, the protection of children, the protection of people on the roads, the tackling of organised crime, the tackling of the global drugs market, dealing with violent offenders, all these things are 'givens' from the public and they would expect us to be protecting them from serious harm, alongside doing the things that matter in relation to people's day to day quality of life and also fulfilling our statutory obligations to deal with the investigations of the past as well. We will not be found wanting in relation to our working with the Board in being creative and in presenting our budget submissions to the Department of Justice.

This year we will do that in 3 ways. We will present those matters that are absolutely critical to public safety. We will present those that are absolutely essential and the money required for that and we will present those that are desirable and it will then be a matter of political choice as to how the Assembly deals with the overall budget, the Department of Justice and through that, the budget through the Policing Board to myself and there are some very real tough choices to be made.

Chairman, I want to place policing though at the heart of the debate about the future of public sector investment in Northern Ireland. Policing is not just about law enforcement, it is about security and safety and is absolutely critical to a stable and economic vibrant Northern Ireland. If there is to be a rebalancing from the public sector to the private sector, then policing will create the conditions within which that can flourish. Northern Ireland is one of the safest places in Europe to visit and in 2009, tourism generated £450 revenue for the local economy for every person. In 4 years times Chairman, I would like to be given the Tourism Award to the PSNI for the biggest contribution to tourism in Northern Ireland, that is the sort of area we are going into here, but we will need the right security conditions to prevail.

We have not been waiting for this to happen. I know that the Policing Board Members are very much aware of this, but since the Strategic Review, the PSNI have been grabbing those difficult nettles, we have been doing an ongoing Resource to Risk process. This has been much more than simply putting another 600 police officers back on the streets from jobs that currently do not require full police powers. It is also about putting our resources where they are most needed. We have been prioritising parts of Northern Ireland which are more vulnerable than others. We have been making our future resource plans fit against the constrained public expenditure requirements of the future and we have been looking at some hard choices around issues such as our estate, capital investment and elsewhere. All of this work we have been doing alongside the Board. However, I must emphasise the point again, that we will be presenting a budget ultimately to the Assembly that will be a matter of political choice. But I do believe the PSNI has acted responsibly within the budget it has been given and is pursuing a value for money agenda that has set us up well for the future.

But there are hard choices to be made. I just want to highlight a couple of those areas where clearly there will be issues of accountability to be resolved and there will be issues of confidence. But if our budget is reduced, we simply cannot continue to do things in the same way and that will require both business discipline and creativity. That is why for example, we are seeking cost effective solutions for delivering some of the policing functions in a very different way.

Later today for example, you will receive a briefing from my colleague ACC McCausland about the concept of civilianising some of our more contentious areas of policing. The worsening security environment and decisions made by the Northern Ireland Committee on Protection for example, have increased our requirement for armed guarding and close protection. We are seeking changes from the Assembly and the consent of the Assembly, so that we can provide these services under very strict accountability but using highly regulated civilians. They would be under the command of the PSNI and still accountable through the Ombudsman, so there will be very real issues of accountability that would need to be resolved. But the reality is, as we enter into an austere budget situation, if we did this the savings would amount to some £5m per year without a diminishing of the overall policing function. That £5m a year for doing the same things but in a different way could be reinvested in public protection, in personal policing, in a whole range of ways to protect the public without actually changing the outcome of what we do. Just to give you some degree of scale, if we could not do this we would require recruitment of some 400 extra officers and at a time of austerity that would be significantly difficult. It is an example of the creativity we would need to do.

Second creativity, we are faced with quite rightly the legacy issues, we have 30 inquests. One alone will require 190,000 documents to be indexed with a £500,000 computer system to do that. We acknowledge our legal responsibilities and our duty to victims, but in relation to my Article 2 obligations under the Human Rights Act to protect people today and to the future, if sufficient money is not provided to deal with these issues or to tackle the very real issues of the Policing Plan and public concern, then I will have to prioritise in a very difficult way what I spend on the past compared to what I spend onto the future.

Chairman, we have already reduced the PSNI as part of the Patten reforms from 13,000 police officers to 7,200 and that will diminish. It could be argued in relation to our efficiency savings, bearing in mind the current security situation demands, the PSNI has already delivered some 45% efficiency saving over the past few years. That, combined with our worth to Northern Ireland, are 2 very compelling arguments why I will make a budget proposal that will be sound, wise and also responsible and while that is going on Chairman, we are still getting on with the job.

Just last week we witnessed the sentencing of Paul Edward Meehan for 21 years for arms and drugs smuggling. That work tackling organised crime, tackling the security situation, tackling people's safety will not be diminished and I look forward to bringing you the performance report in a minute with some very encouraging direction of travel. Thank you Chairman.

A/Chairman, Mr Brian Rea:

Thank you very much for that Chief Constable. Opportunities for questions. Alex Maskey.

Mr Alex Maskey:

Chairman, I just want to make an observation and I want to do this respectfully but, a part of what the Chief Constable has outlined there is actually a private discussion between the Chief Constable, his Senior Management Team and ourselves the Board, not on a public session, so I actually resent part of that presentation. That is a matter for our discussion first of all privately, not to be aired publicly in a way that it has been done and I think that is the difficulty which I have by the way in which this issue, particularly this issue around armed civilian guards, this matter has been dealt with publicly in a way in which in my opinion was abuse of the process that we should have between the Chief Constable and ourselves. I want to state that publicly, I believe this has been an abuse of process. This matter should have been dealt with by us in private before this matter was aired publicly and I have no hesitation in making that statement to yourself.

A/Chairman, Mr Brian Rea:

Jimmy Spratt.

Mr Jimmy Spratt:

I hear what Alex Maskey has just said, I do not agree with the sentiments, I welcome the Chief Constable's very forthright statement.

First of all can I say in relation to, certainly my party colleagues, can I on behalf of our party send our best wishes to the injured officers in Meigh and indeed their families. Our thoughts and prayers are with them at this time.

Can I say in relation to the budget, I think it is very timely Chief Constable that you should indicate to the Board the very serious constraints, not only yourselves as the Home Secretary indicated just a couple of days ago, but every single Department in Northern Ireland will be under budget pressures in the coming days and years ahead and I think it is proper that you do plan ahead.

Can I welcome the suggestion that you are making in relation to releasing police officers from static guard duties and matters like that. I think it is very innovative thinking on the part of the police. There already has been a precedent previously laid down in which military establishments for many years have been guarded by civilian guards, so I do not see any major shift in policy. There will have to be a debate about it, but I think it is one that you will find, certainly from this side of the house, we will be very supportive of and I welcome that debate coming on and I welcome it in terms of the fact that it can produce more police officers out onto the streets. I welcome it from the fact that you have committed yourself to continuing with community policing and continuing the very big pressures that you are under in terms of the security situation. I hope, and you did make reference to the 7,600 police officers that we have now, I hope that those numbers will not be diminished and certainly there will not be any risk to dealing with the very serious security situation, which is quite apparent to all of us, that you are dealing with.

So, in terms of the fact that you would have to recruit 400 extra officers, if you can do things such as dealing with armed guards for stations from a civilian point of view, well then that it is a very welcomed development from our point of view and we will certainly be supportive of the very difficult circumstances which you, as the Chief Accounting Officer,

have to contend with at this moment in time and have to contend with in the future and certainly we will not be wanting on this side in supporting those initiatives in whatever way we can.

Chief Constable, Mr Matt Baggott:

Chairman, if I could just answer that. Firstly, I understand these matters are matters already of public record so they are being aired, already having been in the public domain and it is right that I air these matters. There are huge public pressures coming down the track and I think it is right that we do have a public debate sometimes about the areas of contention. But let me be clear about this, none of this will underline my obligation for accountability to make sure what we do is completely legal and completely open and what you do have my assurance on, on all these controversial issues, whether that is tackling the issue of estate, we have had some big conversations in this Board about police station openings, police station closures, that is a controversial issue that will have to be revisited. Issues of the past will have to be revisited, issues on where we spend money will have to be revisited, the whole issue of modernising police posts will have to be revisited, but all of that I will do in an absolutely impartial, transparent and accountable way. It is inevitable that some of these debates will have to be held in public because ultimately, this is a matter of public choice. If I cannot move forward in some of the civilianisation areas or where we spend the money on police stations, then other parts of the policing service will have to inevitably give. I think these are big matters of public debate but my assurance to everybody is it will be done absolutely impartially and it will cover all the contentious issues as well as just a few. Thank you.

A/Chairman, Mr Brian Rea:

Dominic Bradley.

Mr Dominic Bradley:

Thank you Chairman. One of the aims of the Patten proposals is eventually to arrive at a situation of a routinely unarmed police force. I understand that that is a process which may take some time, but nonetheless it is still the major aim of those proposals. I would see the setting up of a separate armed body such as you have outlined to do public safety

duties as a retrograde step and one which would take away from that particular Patten proposal. I would also be anxious that a large section of the general public would have serious questions to ask about such a body, especially if any of its members became involved in any incident which led to loss of life. I would be anxious that an incident like that could be a major setback for policing here.

Chief Constable, you have said I think at a previous Policing Board meeting, that your aim would be to release 1500 officers from desk bound duties. Can I ask you what plans, other than this body that you have referred to, and as you said, it was and has been discussed in the public domain before the Board has had a chance to discuss it privately? Can I ask you what your plans are to release the 1500 officers that you have previously referred to?

Chief Constable, Mr Matt Baggott:

Thanks very much indeed. The dilemma we face in relation to providing policing services, particularly around the serious harm, is actually a human rights obligation. It is about making sure within a diminishing budget that I can cover the areas of serious harm that need to be covered and if I need to do that sometimes I have to make some difficult choices about can we deliver some of the less contentious policing functions in a different way. What we are talking about on this specific issue which has been rehearsed publicly and with the Board on a number of occasions, is simply about replacing police officers that currently have a wide range of skills and warranted powers with individuals who will still be working to the PSNI, still accountable through the Board to the public and still accountable to the Ombudsman, in a way that would be able to free up resources to be put into the serious issues of tackling security, tackling public protection or delivering personal policing. But the framework within which we are making these decisions is not just around budget, it is around human rights and the proportionate use of force.

In an ideal world, I would very much like to move to a position where we could reduce the number of police officers who are carrying firearms, of course I would. I have not met a police officer here who actually wants to carry a gun. But the reality again, that is a human rights obligation to the protection of our colleagues against the current security situation. We will always have to have police officers with firearms but the way in which that is

configured has to be proportionate to the level of risk and force and likewise, if we were to move to a much more benign security situation over time which everybody wants, we would be able to spend a lot more money on doing the day to day quality of life policing rather than dealing with the security issues and I could dismantle some of the Berlin Wall meets Norman fortresses, which are the police stations we currently have which are essential to the protection of officers and their wellbeing. So, all of that is about a human rights framework and we will shape that within the budgetary constraint.

The second issue is, we have made the obligation to the Policing Board to put 600 more police officers out on the frontline and we are nearly 400 towards that at the moment, it would be more but I have had to backfill some of the areas of serious harm where we need policing skills. Actually we have got more than 400 out but some have gone into specialist departments. That work will continue at pace. The faster I can streamline the bureaucracy, the faster we can deal with some of the issues of the authority levels we need to make decisions, all that will happen the more police officers we will be able to put back on the streets, but we are well on the way to that and I have not worked in an organisation in my 33 years that has been prepared to grasp those nettles so firmly as my colleagues along this table have in making that happen following the Strategic Review that was carried out.

Mr Alex Maskey:

Chairman, can I make a point of order? I think it is completely inappropriate that we have an item on our agenda for 2 o'clock this afternoon for a presentation on this issue and we are now having a public debate on it. It would not have been in the public domain if the PSNI had not put it in the public domain, so I think it is inappropriate that we are having this discussion before we have had the opportunity to discuss it in private, which is our right and our responsibility to do. Clearly it is a matter of public concern, but this Board should be given respect to having the conversation with the Chief Constable and his team in private in the first instance rather than airing this because otherwise, I will start to give my opinion on what I think about it in this meeting. So in my opinion there should be no more discussion about this until we deal with it in private as we had scheduled on our

agenda. I think it is a completely inappropriate way we are handling this and I think you should be ruling it out.

Mr Jimmy Spratt:

Chairman, I do not think you should be ruling it out of order, I think the Chief Constable was quite in order with what he said in terms of yesterday. I mean it was all over the press yesterday and there is absolutely no reason why it cannot be discussed.

A/Chairman, Mr Brian Rea:

We are not going to have a debate on it now...

Mr Alex Maskey:

Then you rule it out Chairman, because you are allowing a discussion here which is completely inappropriate. So I am saying, let us have the discussion here and now if we want, I am quite compared to

A/Chairman, Mr Brian Rea:

Basil McCrea wanted to ask a question but if it is in relation to this maybe we should just call a halt to it at this point. Basil McCrea.

Mr Basil McCrea:

I would not like to think Chairman that you were ruling me out about talking about it whenever everybody else can but I will try and move things forward. I will pick up on some of the more substantive points that the Chief Constable has put.

He did mention and stressed that he would make these difficult decisions with impartiality which of course is appropriate, but I do think that there is a couple of other words that I would like to hear Chief Constable and one of those would be transparency and the other would be inclusivity. I think that there is no doubt, and I think some of us are still in a state of shock about the level of cuts and decisions that we may have to consider and obviously we will talk about those at a different stage. I really do think it is important that you include, as far as possible, in fact I would actually go stronger than that, you have to include this

Board in the deliberations. The issue that we had about the Estate Strategy, I hear what you say on that and we have had differences of opinions in the past, but if we have discussions together and people are responsive to what people are saying, I think you will find that there is a better way for us all to go forward on that and I am seeking your assurance that that will be the case.

Chairman, Mr Matt Baggott:

Chairman 3 things. Firstly, let me just reassure colleagues on the Board, that within the 5 minutes I just want to outline some key areas where we are going to have to be creative. I am very, very content for that detail to be worked up, I make no judgements about that at all and I did cover 3 areas which were estates, legacy as well as this and there will be many more areas. So I entirely accept the point, these are matters now for detailed discussion with the Board but I think it is right that I absolutely as my role of Accounting Officer managing the budget, do put out there some big areas of spend which need to be considered, all I am inviting is that consideration. Again I come back to this point, these are matters already of public record but the detail now needs to be worked up.

The second issue is, the time is ticking on the budget, I have to make these hard choices now. I cannot wait 6 months, a year, 18 months, 2 years while we deliberate. The time is ticking on the budget now, there are some very real issues of public protection which needs to be addressed and some of the big structural changes that I may need to make and the recruitment profile in dealing with that, are matters of expediency. So I have to raise these issues publicly but I entirely agree these are matters that need to be resolved through private conversation and all I have done is outline some generic areas where I think there is some work to be done.

In response to Mr McCrea, we entirely agree, that is why we streamlined the Committee structures to Programme Boards. I repeat my invitation to Board Members to be part of that Programme Board if you feel able to be part of that you will be at the heart of the discussions, we would value your input, we would value your challenge and in no way would we use that to undermine our accountability to you for the securing of effective policing.

A/Chairman, Mr Brian Rea:

Thank you Chief Constable. It has been suggested to me that question 4 you could deal with at this stage since you are referring to financial constraints and what might lie ahead. Question 4 deals with the implications for policing of the Saville Report. Can you outline in total your estimate of the implications of policing the past.

Deputy Chief Constable, Mrs Judith Gillespie:

Chairman, with your permission could we take questions 4 and 5 together because they are very similar both relating to legacy costs and issues, if Mrs Moore and Sir Desmond Rea were content with that?

A/Chairman, Mr Brian Rea:

I think that what you will find is that the questions today, in the main, come from Committees which we trust exhibits a more strategic approach to the questions. Question 4 and question 5 together, Sir Desmond Rea and Mr Ringland are you happy with that?

Professor Sir Desmond Rea:

Absolutely.

A/Chairman, Mr Brian Rea:

Thank you.

Q4 - What are the implications for policing of the Saville Report? Can you outline in total your estimate of the implications of policing the past for the PSNI?

Q5 - You have indicated recently that the cost of policing the past is a burden impacting on the services ability to resource current policing requirements. Please advise the Board of the currently level of financial resources coming from the police budget which is being used to police the past. In particular indicate the cost of servicing Enquiries, the full cost of the Historical Enquiries Team, and the potential costs for PSNI to take forward the outcomes arising from the Saville Enquiry.

Deputy Chief Constable, Mrs Judith Gillespie:

Thank you. Firstly in relation to the Saville Inquiry. The Head of our Serious Crime Branch, Tim Hanley, is conducting an initial assessment of the contents of the Saville Report to consider all the areas of potential criminality and that is obviously in consultation with the Public Prosecution Service (PPS). On receiving the initial assessment report then we will be in a position much more clearly to clarify the potential financial and human resources implications, but given the scale of this tragedy and given the complexity of the investigation, it is likely to be a complex, lengthy and costly investigation. It is not possible to give exact costing at this stage, but what I can say, there will inevitably be some implications on investigations in the here and now because of our responsibility to follow up.

Dealing with legacy matters then more generally, that can continue to be a burden on our organisation and financial resources as the Chief Constable has already said. The Legacy Support Unit which is part of Legal Services Branch now, currently is supporting the preparation of papers for 30 legacy coronial inquests, there is potential for that number to grow in the weeks and months ahead. In addition, the Legacy Support Unit supports the needs of 3 public inquiries and a further inquiry in the Republic of Ireland. The total annual staff costs for that unit are in the region of £1.5m that is for this year alone. There will also be, as the Chief Constable has already alluded to, significant capital costs in terms of IT systems to support 1 inquest alone and that is in the region of £500,000. These costs do not take into account legal fees which have to be discharged in relation to these matters and that, of course, depends on the complexity of the individual inquest, the amount of time expended and the preparation of the papers. Nor do they take account of investigations such as Operation Stafford which impacts on Crime Operations Branch. So the total estimated cost of servicing the inquiries and inquests for this year is expected to be in the region of £5.2m and these pressures will obviously increase if there are any additional inquests or inquiries.

The Board will know already, that the cost of the Historical Enquiries Team is currently annually just over £6m, so in total dealing with the legacy issues this year is over £11m and that is a minimum cost which is likely to grow in this year and in the years to come.

A/Chairman, Mr Brian Rea:

Trevor Ringland, any supplementary?

Mr Trevor Ringland:

It is really a matter of a comment rather than a question. Any investigation that is carried out is going to have to be carried out to the standard necessary to prove a case beyond a reasonable doubt and that probably means a full reinvestigation of certain cases, even if evidence has come before or come to light in other Boards of Inquiry or whatever. So, actually in the Saville Inquiry, any investigation would actually probably mean a full reinvestigation by the police of all the issues, interviewing all the witnesses and the likely cost of that, and that would only be one potential case being investigated in regard to the past, but the cost implication for investigating the past are actually incredibly significant

Deputy Chief Constable, Mrs Judith Gillespie:

It will have very significant resource implications, both in terms of the cost of the investigation and in terms of the detectives who will need to be involved in that investigation and who, because of their involvement in that complex investigation, will not be dealing with risks here and now. But that initial assessment is ongoing Mr Ringland between ourselves and the Public Prosecution Service and I could not put a figure now on that that will cost.

A/Chairman, Mr Brian Rea:

Thank you.

Mr Basil McCrea:

Chairman, I would like to ask a supplementary. But I am interested in the issue of the initial assessment, because I think the point that Mr Ringland was making was, that if you are going to look at prosecutions in this case, it would have to be at a particular standard before the PPS can actually make a decision. Could you just help me with which way this is going to go? Are you going to be launching a major investigation into this issue with full resource or are you going to take advice from the PPS beforehand?

Deputy Chief Constable, Mrs Judith Gillespie:

Well any complex investigation like this we would always seek the advice of the Public Prosecution Service (PPS) in advance and this is no different, so we will not be making any decisions unless we have the agreement of the Public Prosecution Service. It would be a partnership and that initial assessment is still going on Mr McCrea. I cannot say at this stage what the decision will be.

A/Chairman, Mr Brian Rea:

Can we then move please to the thematic presentation? A report from the PSNI on the Performance Against The Policing Plan for the 1st Quarter and we will take some time on that please, and then we have a couple of questions about it.

Chief Constable, Mr Matt Baggott:

Thank you Chairman. This is just a verbal update on the first 3 months performance against the Policing Plan in tackling both the serious and local concerns. Probably a little bit early to make a judgement on the overall success in terms of detections. Detectives always have a time lag behind them but I am pleased to say that most detection targets are already holding up comparatively to last year, but they will improve as the next few months go by.

Just to say first of all Chairman, in relation to increasing the number of police officers assigned to Neighbourhood Response policing roles, we currently have a total of 389 extra officers out already, that would have been a higher figure but we are measuring ourselves simply against neighbourhood and response. A significant number of other officers have been reallocated to deal with serious harm issues and tackling the security situation and bolstering the TSG (Tactical Support Group). So, the numbers of people being asked to move from more administrative has grown significantly above 400 and we are on target towards that 600 figure in the Policing Plan.

In relation to the time spent by police officers and confidence figures, we are still waiting for that, that will not be available until August 2010 so I will report back at a subsequent Policing Board meeting on those.

In relation to tackling serious harm, I am very pleased to say that during the 1st quarter, our Organised Crime Branch has successfully frustrated 6 organised crime gangs, disrupted 11 and dismantled a further 6. A huge amount of drugs has been seized. Kilos and kilos of herbal cannabis, mephadrone, £100,000 cash along with financial documents, 250grams of cocaine, handguns and a number of high value motor vehicles already been seized and confiscated as a result of that and those successes include investigations into extortion, robbery, terrorism, fraud, human trafficking the very real misery of that, prostitution and counterfeiting.

In relation to the target to increase the number of PSNI interventions directed at criminal finances, we have increased this year already by £84,500 the number of cash seizures and the Confiscation Orders has risen by £794,762 so over £1m taken out of criminal assets and that work will continue at pace.

In relation to areas of violence, I am pleased to report Chairman that the number of non-domestic violence with injury, this is basically injuries that takes place on the street, our target was to reduce by 5% we have actually reduced by 15% already in the first 3 months of this year. I say the detection rate a little bit early to judge on that but it is remaining at the same level but that will increase.

I am particularly pleased to pay credit to our colleagues in the Safety Departments who are working on reducing casualties, huge amount of work done by my colleague Muir Clarke, ACC McCausland and colleagues, very pleased to say that there has been a 50% reduction in fatal accidents this year already. The number of people killed or seriously injured has reduced from 97 down to 63 in April 2010 and the number of children killed or seriously injured has gone from 13 to 6, this is a relentless pursuit of safety. We will have the Safety Centres being delivered in time, a massive, massive amount of work is going on to this and I am very grateful for the support of the Board in all of that that we are doing.

We are getting a bit tougher on really reckless and excessive speeding. In the first 2 weeks of June 2010 – 2,600 speeding detections, that is not about penalising the motorists that is targeted in the right place, but it is about saving life and I think the figures are reflecting that enormous amount of hard work that is going into that.

Again moving on, we are looking at trying to improve our detection rates for the more serious sexual crime, for sectarian crime, of a racist crime. I am pleased to say that on sectarian crime already there has been a nearly 10% increase in our detection rate, as I say the serious sexual crime and the racist crime figures remain about the same as indeed they do for homophobic crime, but I would be hopeful that those detection rates will improve as we move into the summer and the autumn.

Chairman, a big issue for the public is clearly anti social behaviour. I am again very pleased to report that we are working very closely with local communities and residents, we are seeing a 6% reduction again on top of the reductions of last year, that is a continuing good news story and a real accolade to personal policing.

We are looking at reducing our domestic burglaries, they are already 3% down. The numbers are dropping and that is good news as well. In relation to non-domestic burglaries, if you remember we put this in the Policing Plan because we felt we needed the support of business and commerce during a time of recession by making sure they do not get subject of attacks. The number of non-domestic burglaries have also reduced by nearly 14% in the first few months of this year and again the detection rate is a matter that we will continue to work on.

Chairman, that is a very broad overview of where we are. My message I think to the Board is, there has been overall progress against the targets. It is early days to make a final judgement on that, but I want to pay credit to my hard working colleagues out there at Districts who are taking this work on with a great deal of vigour. Thank you.

A/Chairman, Mr Brian Rea:

Martina Anderson and Alex Maskey. Ms Anderson first please.

Ms Martina Anderson:

Thank you Chief Constable for that and I acknowledge what you are saying about the overall progress, but I would like to ask you where within the structure does the responsibility lie for performance standards, for instance, with regards to the quality of files or the quality of service? Officers for instance who repeatedly provide inadequate files to the PPS could constitute various breaches of the Code of Ethics. I know there is a requirement to keep adequate records and I know yourselves, in terms of the PSNI, that you have already admitted that there is a problem in the quality of files in relation to the Strategic Review that was done. However, it remains unclear I think as to how that is being addressed. I say this in the context of the most recent CJI (Criminal Justice Inspection) report that has come out in relation to the affordance duty, because that states that the Board for instance ourselves, that the targets in the Policing Plan are causing the PSNI problems in terms of the difficulties of achieving them at the expense of quality.

Now, the latest Policing Plan and when I looked through it, not just in the presentation you gave today but also the documentation that we have which was published this year, now that does not include at all, it does not include any targets of this nature and further to the discussion with the PSNI on the Policing Plan, it has been moved to a more qualitative measurement as opposed to a quantitative measurement. So, whilst we challenge the Criminal Justice Inspectorate around the point prior to the publication of the report and highlighted that these targets no longer exist in the Policing Plan, that challenge to the report and to those authors was not taken into account at all when it was published but that said, I think we have concerns that is the PSNI relying on this view and relying on the view to maybe justify the poor quality of files.

Chief Constable, Mr Matt Baggott:

In fact we will just say some detail around this, but just to say we will publishing in the autumn a new set of promises. I know that the government in England and Wales has dropped the 'Policing Pledge', but I am actually a great firm believer that you do need to

have consistent standards in the quality of service and we will move ahead on that because that is what the Board has asked us to do, and we will make ourselves accountable to that and we are changing our entire appraisal process to hold police officers more accountable for the quality of what they do and also that will include file preparation.

The reason why the target came out this year in terms of file and it will cover but the system is in radical need of overhaul in terms of what we do, but I think probably best place is ACC Kerr to answer that.

Assistant Chief Constable, Mr Will Kerr:

I think you raise a very valid point Ms Anderson. The Delay Report from CJI there were a number of issues in that, let me make 3 for the purposes of brevity.

First of all, delay is often a function of volume as much as quality, we accepted that there were some issues around quality. We do need to and continue to need to improve and we are doing that and we have a structured plan with the Public Prosecution Service (PPS) at the minute to do that. But what was happening in the systemic issues the Chief Constable has just referred to is, about 55,000 or 56,000 files we were putting into the system every year and we were measuring the process of justice and not the outcomes of justice and that actually we were missing the point in doing so as well. In each of those 55,000 cases what the system was not able to do was to separate out the lower end cases, less serious from the serious harm. So, we were asking our officers to put in the same files, the same standard, same amount of information, same format for every single case irrespective of the level of seriousness and actually yes, we did have some issues in getting officers to be able to separate out the ones they needed to spend more time on.

What we are doing at the minute is, particularly with the use of officer's discretion we are trying to say look there are certain cases that should never go into the formal criminal justice system. We had a case recently, a 75 year old man, driving offences, it is not in societal interest to prosecute in the circumstances of that case. There was a young 17 year old lady, a first time offence and in the circumstances of that case it was quite right

and proper to use local discretions, so we have sat down with the PPS and we have come up with a mature plan based around a streamlined file. What that streamlined file will allow us to do, is to concentrate very heavily on the quality of evidence that goes into the cases that need to go into the formal system and we are spending a lot of time on that. What we could do with some Board support on is around the environment in which justice is serviced in Northern Ireland. It is not quite a fair comparison to talk about us in relation to targets and timeframes in Great Britain. Legal Aid reform will help this, we need to be able to legislate locally for incentivised early pleas, that will really help getting cases to trial very quickly, but you raise a fair point, we are dealing with it and we have a mature and constructed plan with the PPS.

A/Chairman, Mr Brian Rea:

Suneil Sharma.

Mr Suneil Sharma:

Chief Constable, just the first of opening pages Service Excellence, you say on it *that to increase the number of police officers assigned to neighbourhood and response policing roles by 2010*", I think the communities are very more interested in what officers are actually working in the community neighbourhood policing teams, that does not exactly tell me what officers are in neighbourhood policing teams, it is a mix of response and neighbourhood teams. But I would like that analysis broken down in a little bit more detail, what officers have gone into neighbourhood teams.

The other thing we have also talked of is about abstraction rates. Again what we need to know is the percentage of time those officers are actually spending and working in the community. It is great saying they are there, but the contention is from a lot of communities is, *"well they are there today and gone tomorrow, they were there last week but I have not seen them for another few days"*. So, we would need to know effectively what portion of the time available are those neighbourhood officers actually working and spending and building up relations in the community?

A/Chairman, Mr Brian Rea:

Chief Constable, just before you answer that and you can make a note of this, we know about the intention to have 600 additional officers out on the street. We know about your intention to replace warranted officers with civilian staff and I know that there is a mixture of types of officers who contribute to your total of 600, but I think there would be people and members of the public who would want to actually know how many seats have been vacated. The existing jobs that are being done currently by warranted officers and not to count them to the nearest 1 or 2, but I think what a number of people want to pick out is, the actual number of officers who are coming out from behind desks to go on the frontline as distinct from the number of officers who are appearing on the frontline. I am sure you understand me.

Chief Constable, Mr Matt Baggott:

Firstly, I am very happy to give you a breakdown of where people are and what they are doing and the Board are quite entitled to have that. But my invitation to the Board and to the public is, judge us on the outcomes and not on how we get there. We have a very clear plan to provide better value for money by replacing policing posts doing civilian jobs with civilians or indeed, not at all. Some of the things we will be doing is cutting back the bureaucracy even more so we will have less police staff doing those jobs that are currently filled by police officers. So, I am very happy to provide as much detail as you require on that as a Board to have a look at, but the issue has got to be about the outcomes and the impact.

Two areas to answer the question. Firstly, we will be publishing "Working with the Community Engagement", we have been very closely trying to work to move away from a very powerful plan but based on some degree of aspiration to a programme of delivery. In the autumn 2010 we will publish the commitments or the promises, however we decide to call them, we will be tracking them, we will be holding people accountable for themselves, there will be a very clear commitment and accountability whether you live in Newry or Derry or Belfast there will be a consistent Policing Standard to a minimum that people can expect from us and hold us accountable for.

The second issue is, we are doing some work at the moment which, again, we will be discussing with the Board where we have been looking at areas in Northern Ireland which are suffering from greater vulnerability, greater levels of offending, greater degrees of fear, greater degrees of problem and like any modern business, we will be looking at moving people into those areas to support the overall reduction of crime in Northern Ireland and the overall raise in confidence. That is a business model of how we do it. But I am very happy to break down the figures in terms of where people are, Districts will have that at their finger tips and anything people want from the Board you will be more than welcome to have.

A/Chairman, Mr Brian Rea:

Alex Maskey.

Mr Alex Maskey:

Just to say I very much welcome the report from the Chief Constable on a number of fronts actually and I want to acknowledge some of that.

First of all, particularly your own personal commitment to ensure that, in your own words, it is not just about replacing people or putting in place people in a different post, but actually to make sure that that post is required and to make sure that that person is the right person and has the right training, and he or she as the right ability and skill sets to do that. So, it is all about outcomes at the end of the day and the kind of qualitative assessment of what people are doing is very important and that obviously should work right across the organisation.

I just think it is important that we deal with policing in its entirety, including some of the very positive outcomes which you have addressed here this afternoon. In this particular report the fact that we have, at this moment in time, at least a third I think in reduction of the road traffic deaths is very, very important news. It is not that many months ago we were sitting here where the levels had increased on the year beforehand, and now we are sitting at a third, somewhere in the region of 30 people alive today that would not have been alive and

a lot of that is down to obviously greater public awareness, but the more effective policing in terms of the Roads Safety Strategy and I acknowledge that.

I think it is also very important to acknowledge the welcomed news that a number of crime gangs, drug dealers and so on are being perhaps more effectively targeted and obviously that does trickle down right into local communities, which does impact on anti social behaviour, does impact on the level of burglaries and any reduction on those levels of activities for hard pressed communities is very much to be welcomed. I think it is important to highlight where those developments happen, progressively being made. A lot of it is down to greater community engagement between the police and communities and I think that again, I would like the Chief Constable to comment on the qualitatively better environment that there is, notwithstanding the difficulties that there are out there. I am not saying that the picture is rosy at all in terms of overall policing or in levels of confidence or engagement between communities across the board, but nevertheless, there has been improvements and I would like the Chief Constable to address that, because I do think that part of the reason of the success story is, yes it is good policing, more effective policing, better strategies and all the rest, but it is also the qualitative improvement of engagement between communities and the police in many areas which is also a very significant factor in that and it is how do we build on that is important.

Chief Constable, Mr Matt Baggott:

Chairman, thanks very much indeed and thank you again for the support and encouragement to colleagues. The reason why we spoke earlier about grabbing some really tough nettles is to improve and keep on investigating these areas that matter to everybody and that is the debate we are going to have to have over time.

I have been out with colleagues a significant amount in the past few months, in quiet meetings, in quiet conversations and some public meetings elsewhere and wherever I have gone I have genuinely felt a sense of growing optimism. A greater degree of stronger relationship between PSNI colleagues and communities who historically would not have had those conversations and that has been the same whether it has been in Newry down to North Belfast across to Enniskillen, all that in the past month people are saying to me,

“although it is a tough and a very real security situation, we have got a lot more to do to convince people that this is not the future”, there is a real dialogue taking place that is an enormous credit to both my colleagues in the PSNI who are delivering personal policing, alongside my colleagues who are tackling the serious harm and trying to diminish that, but also more importantly, alongside communities who are having conversations and are building relationships in a way I think is very, very encouraging indeed.

We have got a very real security situation a big dilemmas around budget, but I do welcome the opportunity from that question to say that I think we have great cause to be optimistic. It was great to see the Tour of the North and Whiterock pass off in the way that it did with enormous consensus and enormous dialogue and enormous give and take. I do hope we can move that forward now in a way that will enable us to put money back into frontline policing and on behalf of the communities, but also the fact that we condemn a lot of the conflict to the days of the past and we look forward to optimism. Thank you very much for that question.

A/Chairman, Mr Brian Rea:

Mr James Spratt.

Mr Jimmy Spratt:

Chief Constable, I want to go back to the point that the Chairman raised with you in relation to the Strategic Review and as Chairperson of the Human Resources Committee we are getting confused messages in relation to where police officers are coming out from behind desks. You are always saying there are so many police officers, 400 or whatever out, and what we need to be assured of is, where those officers are coming from and where they are going to. Now, there has been a real reluctance and we have asked on a number of occasions to get those answers and there has been a reluctance to get that answer, so can we please have some indication because it is confusing, I am confused with it and I think other Members are confused with it as well. So that we clearly know exactly where people are going because sometimes I think some of the stuff that is given to us is meant to confuse.

Deputy Chief Constable, Mrs Judith Gillespie:

Perhaps I can take that question Chairman as Chair of Resource to Risk because we do struggle with these decisions month on month with the Risk, Demand and Resource Committee and we also have the Resource to Risk Implementation and Co-ordination Team and we have invited Board representation on the teams so that you can be right in the centre and see the detail of it. But where people are going is very clear, to the priority Districts which are 'A', 'E', 'F' and 'G' that is where people are going into both neighbourhood and response.

In terms of the numbers of people who have been moved out from behind desks, that is a function of both the number moved out from Headquarters from behind desks and also from behind desks within Districts because there is or has been a significant number of officers doing less visible administrative type roles within Districts and that is not the fault of the officers let me add, it is the fault of the fact that we have been tied to 7,500 fixed budget and all of the circumstances around that. But I am very happy if the Human Resources Committee would find it useful to ask Chief Superintendent Alan Todd and the team to come down and brief you in greater detail on exactly where people have moved out from. But we welcome the Board's involvement in that group. We have invited the Board to be involved in that group so that there is absolutely no mystique whether real or perceived around what we are doing, because we would welcome your involvement.

Mr Jimmy Spratt:

Certainly, we would welcome very much a further briefing on that just to clear that point.

A/Chairman, Mr Brian Rea:

Martina Anderson and then Sir Desmond Rea.

Ms Martina Anderson:

Sorry, I have been listening just to your responses to all of the questions and I think complementary with what Jimmy Spratt has just asked and gone back to my initial question.

I sit on the Human Rights and Professional Standards Committee and the Professional Standards element, the Professional Standards Unit personnel have been in briefing our Committee. However, the Professional Standards Department seems to concentrate more on disciplinary matters, but in relation to the whole performance standards that we would require to come out of even where you are allocating people and for what reason in terms of where the PSNI officers are going. In order to get the standards that you are saying that we can all expect, someone needs to have responsibility for ensuring that those standards are met and whilst the roles of all supervisors come in here, we have a problem also with the functions that they are carrying out. I think you need to look at your Professional Standards Unit and look at what the Professional Standards Unit actually has responsibility and what it has responsibility for.

When we have a problem with the quality of files and the quality of service and the amount of money and effort and time in delivering or not both of those, then we have to look at who has responsibility for the whole issue of performance standards.

Chief Constable, Mr Matt Baggott:

There is a very real issue about improving professional standards which is entirely what we are doing in relation to the publishing of commitments, the holding of people to account through a new appraisal system. In time quality of service issues will be picked up more in a professional standards environment in terms of people's performance and that is a process that we have been asking for the past few years and is waiting for legislation to deliver through the Taylor Reforms so, at the moment, the Professional Standards Department is somewhat constrained but that is part of the evolution.

Just to remind colleagues of the Board, the way that we are managing the PSNI is through an Organisational Development Committee, which brings together the work of 4 main Programme Boards. The Leadership Board which is redesigning the appraisal system, the Quality of Service Board which is chaired by ACC Will Kerr which is looking at the commitments and the allocation of people to the most vulnerable neighbourhoods, the Resource to Risk process which is looking at getting people out from behind desks but also where we allocate people against the Policing Plan and a Board on Serious Harm

which is chaired by ACC Drew Harris looking at whether we are getting the best value in the way we tackled organised crime and the serious offences that devastate communities.

I was very clear when I arrived as Chief Constable, that I would bring to you a streamlined and revised governance structure against a very clear focused Policing Plan, with a series of programmes of work that would deliver a step changing accountability against the personal, professional, protective and what you have had today is all of the outcomes in the right direction against that Policing Plan with far greater value for money. But if the Board wants more information about how we are getting there, we will be more than willing to give you that in terms of discussion days, private presentations and more detail. My only plea to the Board is, please start with the outcomes and start with where we are going, but we will certainly take you through how we are delivering that against a far greater degree of business model, rather than a series of plans which historically have been somewhat aspirational rather than about delivery, so very happy to give you that information. But Professional Standards Department to clarify it at this moment in time is dealing more with the issues of misconduct and less with the unsatisfactory performance issues which will be picked up by Joe Stewart and ACC Kerr in the Leadership Board.

A/Chairman, Mr Brian Rea:

Final question on this section, Professor Sir Desmond Rea.

Professor Sir Desmond Rea:

Chief Constable, you rightly spoke about Tour of the North passing off peacefully. Now you know and we know that peaceful parades are largely the result of local politicians relating on the ground. Could you or one of your officers give us a feel as we go through the marching season and particular with reference to contentious parades in the past? Are those discussions taking place? Are the local communities involved?

Chief Constable, Mr Mark Baggott:

I think the best placed is probably ACC Finlay who has been right in the heart of this. Over to you.

Assistant Chief Constable, Mr Alistair Finlay:

Thank you Chairman. I think in answer to your question is, there is a huge amount of work going on by local groups, by elected representatives, by statutory agencies to have that dialogue put in place. As we look forward to future days and the intensifying of parading reaching the Twelfth as a climax, the demands on us will be high I have to say over that period. This year bonfires will be split between 10 July and 11 July before parading on the Twelfth so it is quite an intensive period for us. In the vast majority of cases, local dialogue, discussion, agreement is producing resolution and I am sure it will be a safe environment for a vast majority of areas.

In particular, focus has been on the Ardoyne. The Parades Commission are considering the position regarding the application for the parade that would involve the Ardoyne area and we await their determination. But, there has been involvement with a wide range of groups in that area to seek an accommodation whereby it is a peaceful environment.

There is, however, a group in that area which does not engage in those processes and does not want to engage with the Parades Commission, does not recognise that and they represent a small group of residents and are disaffected with their representation and the views of their current representation, and we have to take that into account in the planning and what the effect of that is. But, I would certainly urge all of those who have some degree of influence to maintain the peaceful examples that we have seen in the Tour of the North and in Whiterock and the value that comes out of that, to bring all the influence they possibly can to maximise the vast majority of people who want to see all of this pass off, however contentious, however problematic, however difficult, to see it come of in a peaceful way, and those who are not supporting peace and actually are supporting disorder and are supporting the breakdown of relationships, become more isolated by the majority.

But in answer to your question, there is a huge amount of work and I think everyone who can possibly do something is doing something.

A/Chairman, Mr Brian Rea:

Thank you very much. We are moving on then to questions from the Committees and I would ask Rosaleen Moore*(Tape unclear)*

Q7 - With the establishment of Job Related Fitness Tests for police officer specialist posts, will the PSNI be considering undertaking periodic fitness tests for all serving police officers? Could this be achieved in-house or would it require to be contracted out and what may be the overall costs?

Director of Human Resources, Mr Joe Stewart:

..... there will be job fitness tests introduced for other types of posts and normal Constable posts as well to reflect the tests that officers who wish to join us are put through at the time of their admission. This is work in progress, it is not intended to extend it to those who are currently in our employment but will be extended to any new starts we may have in the future and others who are currently in service will be encouraged and invited to participate as part of our health patrol activities.

We currently handle all fitness tests for specialist posts in-house, and they are set up against a very specific psychometric advice and guidance, and we do not anticipate any difficulty in coping with those. If we move to a more general fitness test, then we will see what implications that might well have for our resourcing at that time. But at the moment, there is no intention to outsource this, although I should say, quite a bit of our occupational health work in terms of physiotherapy and so on is already outsourced because that is the way in which we get the most flexible, rapid treatment to our officers.

A/Chairman, Mr Brian Rea:

Rosaleen Moore.

Mrs Rosaleen Moore:

This came from the Human Resources Committee and far be from me as I am not actually an exponent of fitness myself as I sit here, but I think what had happened, sometimes some sections of the service which have high visibility like Traffic, sometimes there have

been comments made about maybe potential lack of fitness on specifics so I suppose it comes from that.

Director of Human Resources, Mr Joe Stewart:

We probably have one of the most extensive health regimes of any police service in the United Kingdom, in fact my Occupational Health Unit was awarded recently a Certificate of Excellence by the Irish News Workplace Awards and I would say that in terms of our fitness regime and our testing regime, we are well in advance, I mean well in advance of any other United Kingdom based police service. Indeed, our guidance and our standards are looked to as standards that other specialist operations seek to incorporate, and even in the largest police service in the rest of the United Kingdom.

A/Chairman, Mr Brian Rea:

Question 9 in the name of Professor Rea.

Q9 - In cases where police officers are offered the opportunity to resign in face of disciplinary action being taken against them does the Chief Constable have any concerns about perceptions this might raise in communities that police officers may be avoiding disciplinary sanction? What have the lessons learnt been from these situations generally and specifically in the Compensation case AW10341.

Deputy Chief Constable, Mrs Judith Gillespie:

Chairman, I will answer that question.

I very much appreciate the point of the question. We operate under the current regulations which entitle an officer to be receiving full pay whilst under suspension and we are moving to change the regulations in partnership with the Board with our Professional Standards Department, with our Staff Associations and with the Department of Justice, but we are operating under current regulations as they stand.

By accepting an officer's resignation, it removes the officer who would otherwise remain entitled to full pay whilst suspended from the Police Service. There are circumstances in which the acceptance of such a resignation is entirely appropriate.

At the outset of any misconduct investigation, the officer's duty status is considered in other words, whether they ought to be suspended or whether they ought to be repositioned and those suspension decisions come to my office and they are taken personally by myself.

If an officer is suspended from duty, then that officer requires the permission of the Chief Constable to resign and the Chief Constable does retain the right to refuse a suspended officer's application for resignation. But that is only in the very gravest of circumstances, and in certain circumstances a Misconduct Panel may dismiss an officer or require them to resign as an alternative to dismissal.

If the officer is subject to a criminal investigation, that criminal investigation will continue and they may well be prosecuted in the courts even though they are now a civilian, so even though they have resigned, they will still be prosecuted for criminal offences. An officer who resigns is not entitled to a Chief Constable's Review or to a Police Appeals Tribunal Hearing, so once they have resigned they have resigned. Under current regulations the criminal investigation and prosecution must be completed first before a Misconduct Hearing, therefore an officer maybe suspended on full pay for some time and the acceptance of the resignation allows for the pay to stop and the post to be filled by an officer who is going to provide a service to the public. Of course, in exceptional cases, we can invoke the fast track procedure but that is only in exceptional cases. I think it is important to point out, that the Board can also apply for forfeiture of pension under the Police Regulations 1988 and again, that is in certain grave circumstances. But where that is appropriate, we would certainly encourage the Board to do that.

A/Chairman, Mr Brian Rea:

Martina Anderson.

Ms Martina Anderson:

Has there ever been a case where forfeiture has been applied for and the outcome has been that it has been successful?

Deputy Chief Constable, Mrs Judith Gillespie:

I am not sure but I can certainly recall cases where police officers have been convicted of serious criminal offences and have been sentenced to imprisonment where forfeiture may have been sought, but I cannot give you the specifics of them Ms Anderson, but I believe that it has been done in the past.

A/Chairman, Mr Brian Rea:

Moving then whilst we are within the Human Resources Committee, question 10 in the name of Rosaleen Moore.

Q10 - How many police officers at all ranks in PSNI have other jobs and/or are self employed?

Director of Human Resources, Mr Joe Stewart:

Chairman and Members, currently there are 246 regular officers and 21 members of the Full Time Reserve, 267 officers in total who have registered business interests outside policing with the organisation.

I think it needs to be stated clearly here, that where a police officer wishes to engage in another occupation as an employee or even indeed as self employment, or have an interest in any business as a director or whatever, they are required to apply for permission to do this, and this is held jointly between Professional Standards Department and myself. It is a regulatory requirement. We have a Business Interest policy which reflects the current legal position and any business interest which would conflict with the office of Constable is not permitted. We currently review our policy but that is at the margins because the legislation itself has not changed, but that is really in relation to some aspects of detail. I should say, that once more the question of business interest for police officers is being considered at national level and a policy is currently being formulated by the

National Police Improvement Agency (NPIA) with regard to that and I can tell this Board that the requirements of our own policy within PSNI is far in excess in terms of stricture of any of the rest of the United Kingdom policing.

I think also it is worth bearing in mind, that we have been loosing on retirement through early severance and so on, 400 plus officers per year, and therefore to have 267 police officers who have got registered business interests would not in any way be exceptional in the circumstances.

A/Chairman, Mr Brian Rea:

Question 6 then on behalf of the Corporate Policy, Planning and Performance Committee, Basil McCrea's question, number 6 please.

Q6 - Will the Chief Constable inform the Board of the key ways in which the PSNI's communications processes keep local communities empowered?

Head of Media & PR, Ms Liz Young:

Just to answer that in a very succinct way. I mean we have already talked about a lot of engagement going on within the community, but just at a local level, there is the face to face structures that are set up whether it is in District Policing Partnership (DPP) meetings or PAC meetings, but there Area Commanders, District Commanders have ongoing dialogue with the communities day in and day out, dealing with local issues and resolving local issues and communicating with those communities.

But also just to bring you up to date. In the autumn time we will be putting out District Communication officers allocated to each District and their main remit will actually be dealing with issues of local concern and communicating with the communities at very much a local level. So, that will also involve communicating with the local press. But also in the direct contact with the communities, I mean we do run public awareness campaigns which you will be aware of around issues of serious harm and of local concern including drugs, burglaries, road safety, underage drinking etc. But also the other thing that is planned as well is, in the autumn time and the Chief Constable has already alluded to this,

that we will be communicating with every household in Northern Ireland and bringing them up to speed with some of the activities that we have been involved in and some of the successes that we have had.

Another area that we have been piloting very successfully is our Social Media Policy with Facebook sites already set up for PSNI, but also for the District teams in Holywood, Ards and Ballymena and the number of followers is growing. Even just looking at our site last night, in one posting that we put we had 96 comments put against it, so we are getting into real dialogue at a very local level.

I suppose just the other thing to mention is, that we have a very proactive schools education programme where we are getting in at that level and speaking to school children and really educating and informing them of everyday policing and the work that we do.

Mr Basil McCrea:

Thank you for that very succinct response, but it is not really getting to the issue. There are areas like parading where you have minor parades and the police decide not to intervene because it is too small, but the public do not understand these policy decisions. You get situations where people do say *"we are not going to do any action because it might provoke more serious action but we have got CCTV here"* but people do not understand that that is your strategy. You have got issues where, when issues go into certain towns or cities where police make mistakes but nobody goes back and actually explains *"I am sorry, we recognise we made a mistake"*, not just to the individuals but to the community as a whole.

The real thing going back around here is, that we have certain insights because we have the opportunity to sit and talk to you and say *"well, could you explain to us"*, but the PSNI itself really has to get out and do things and Ms Young, it is not just about all the corporate things actually that you do, which is excellent, it is actually about these really serious issues that people look and say *"I thought the PSNI were suppose to be responsive to us"*, the communication is not working. Sometimes you are your own worse enemies and we would like to try and help you.

Ms Liz Young:

Can I just come in on that and without labouing a point? Really, the DPP meetings that are set up are the formal structures which allows communities to raise issues with local Commanders that are affecting their own communities. Partly, we need to look at how effective they are and that is not just pushing back the responsibility, but those are the formal structures that are set up to allow the local communities to raise issues of local concern and that we will deal with them.

You will be aware and many of our officers, whether it is Area Commanders or District Commanders do meet with people and discuss issues of concern and they will never refuse to meet with somebody to discuss something that is causing problems. Those structures are there and if people want answers to questions, they also have to come to us as well.

Mr Basil McCrea:

You see Ms Young, the benefit of this type of meeting is that we are not here to argue the rights and wrongs, I am giving you information. I am saying to you, when you talk to a community they will tell you there are instances where we do not do it right collectively. Now, I can talk about whether it is vigilante parades that go through Larne that get misunderstood and comes up into a big process in the media, or there are issues up in the North West, these are serious issues where we are telling you, there is a gap in our communication strategy, we are not getting back in. For whatever reason, the DPPs or the twittering or the face book or the other interaction is not good, we have a serious issue here about convincing the people of Northern Ireland, from all sides, that actually the police are professional, are doing their best and certainly, I am only flagging up to you that says *"listen, we need to think cleverer than this, this is not actually working"*. Now, it is not a falling out thing, it is just, here is some information, we need to go and do something.

A/Chairman, Mr Brian Rea:

Thank you very much. I am aware of Facebook, I have not mastered it yet. I have just mastered Twitter recently because I was alerted to the fact that my name appeared on Twitter and I found the piece and read it and have forgiven him. So thank you very much.

Two more questions on behalf of the Resources and Improvement Committee. First question is number 2 in the name of Dominic Bradley, and then the final question will be number 3 from Mr Gearóid Ó hEára.

Q2 - The outcome from the Chancellors budget last Tuesday is suggesting a 25% reduction in funding across central government. If this is required from the PSNI can you give the Board an indication of the headline areas that will be affected by the cuts. In particular the level of impact on human resources, estates, transport and front line policing.

Director of Finance & Support Services, Mr David Best:

I think I am taking that one. The impact of the Chancellor's recent budgets on funding for the police service is not clear at the present time and will only become clear later in the autumn and it is probably the latter part of autumn. However, following the budget statement, the Department has commissioned some initial scenario planning on how the savings might be achieved over the 4 year period. It is called SR Budget 2010 and covers the 4 years beginning next financial year. We have now commissioned that work just in the last couple of days as we received some guidance, and our plan is to complete that exercise by the end of this month and we will be making a submission to the Policing Board, and our deadline I think is 30 July 2010.

It is important to note that the actual level of savings have not been determined. Just to give you some feel of what we are looking at. We have been asked, I think along with other Government Departments from what I can see, to look at 2 scenarios. One of, if you were asked to achieve 5% savings each year for 4 years and then, if you were asked to achieve 8% savings over each of the 4 years. Now, what does that mean financially for the PSNI? I would just quote, accountants or finance people like me like to number crunch and I would just give you some feel of what we are talking about. That 5% over a 4 year period, year on year cumulatively, that would add up to £147m. Now how does that fit in with our budget? Our budget, excluding pensions, which we do not really need to worry about, Government can guarantee those, our budget is £850m and if you were to drill into that budget, a big element of that is regular police pay. Regular police pay, how much is it,

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£400m now if we were and this is only for illustrative purposes, if we were to apply all those savings on 5% to the regular police officers, that means we would lose a third of them. Now, we are not going to do that, but it is just to illustrate the size of the scale of cuts we are going to have to face up to.

So, potentially there will be impact and I do not think it is fair for us to be asked to explain in any more detail what is the impact until we have finished the exercise this month when we will be spelling it out in more detail, but there will be an impact on police officer numbers, there will be an impact on civilian staff numbers. I think it is pretty certain there will be an impact on estates and looking again at the number of stations and other estate that we can continue to occupy. There will be an impact on police vehicle numbers and there will be an impact on our IT systems, I think that is pretty guaranteed but I can't quantify it, what it will be at this point in time. Part of the solution to this is better efficiencies as we already will be looking to. It will mean cutting out certain services and it certainly will mean cutbacks for us. So, I do not think I can say anything more. It is a scenario planning exercise.

The Department of Justice have not indicated that we are going to be asked to save 5% or 8%, but what is clear to us, this will now be an Assembly decision. The local Assembly will be making this decision for the first time. Up until now we have been presenting our arguments to Government and Treasury, this is now a local Assembly decision and we certainly need the Policing Board to articulate our position on it very clearly. There are security implications for us that may be other parts of the Public Sector in Northern Ireland will not have to face and that will have to be taken into consideration a major issue.

The last comment I would make. We are talking about the next 4 years starting for the years 2010/11, 2011/12 onwards but we also have a big problem this year. We have got a budget deficit of £50m estimated we are faced, that is hearing loss, equal pay and we had guarantees, well not guarantees, we had assurances given as part of the devolution process that we would be getting monies to fund that. We still do not have it for this year and as the financial year goes on and I know the Chief Constable as the accounting officer is getting more nervous about it, and that is an immediate issue we also have to face, that

adds up to about £50m and includes the Full Time Reserve (FTR). We have extended the FTR, we have notified the officers concerned and we have asked for assistance in funding of about £4m for that, we still do not have that. So, those are immediate pressures we have to face as well as the longer term.

Chief Constable, Mr Matt Baggott:

Chairman, just to say a couple of things again to re-emphasise on this one. These are going to be some big, tough political choices and the words used by the Home Secretary, at the presentation to policing at Manchester was, I think the word "*ruthless*" was used. I know we are a different setting here but I just need to emphasise that again the 3 things we must do.

Firstly, we have got to show value for money and I will come back to that opening address of mine, we are going to have to go into areas of controversy we have not gone into before simply because to liberate the cost from there means we can spend it on the things that matter and that is a big, big tough one for all of us.

Secondly, we are going to have to show value added to peoples lives. I think that is the point that Basil McCrea was making. It is not just about being safe, it is feeling safe and it is how we communicate that and there is a lot of work going on on that, but we have got to show value added.

But I think the third issue is, we have got to demonstrate that the PSNI, and I truly believe this, the impartial personal service underpins everything. I know there has been ring fencing of health but my argument would be, policing actually is about health. It is about education and we have already downsized to 7,000 from that enormous figure of the past, but actually at 2 o'clock in the morning I still need to get sufficient people out there to deal with an unexpected crisis of a bomb call within a limited period of time. We need feet on the street as well as specialists, as well as everything that deals with the complexity of policing from protecting children right through to dealing with the roads, tackling organised crime and we are doing that with a relatively few people already. But the point is, we got to prove value added and I think we are. We have got to prove value for money in areas that

have previously been controversial but also, we have got to make the case that we are essential to health, education and security and that is a point I shall be carrying on about for the next few months, because it would be a huge long term mistake just simply to see policing as law enforcement and not about peoples quality of life and future wellbeing.

I am sorry about that quick preach but it was an opportunity I could not miss.

A/Chairman, Mr Brian Rea:

Dominic Bradley and then Alastair Ross and then Basil McCrea.

Mr Dominic Bradley:

Thanks Chairman. Chief Constable, in your opening remarks you referred to hierarchy of police services which you described as critical, essential and desirable. Could you outline for us what aspects of those services fall under each of those headings?

Chief Constable, Mr Matt Baggott:

I think that is a bit premature in a sense, that what I am trying to give the decision makers is a series of options where they can make political choice about prioritising resources for policing and justice compared to other parts of the public sector. We are very in the early days of still working with our Department of Justice colleagues. We have got meetings taking place with them, but I thought it was necessary rather than just saying, "*Chief Constable, what do you want*"? Ultimately this becomes a matter of political choice and that is what we get with devolved administration, so I want to give people, not just the figures that we might need but the consequence of not investing. So, that is probably premature but I wanted to give people the headings by which we will be inviting others to make the decisions about where that money is spent.

A/Chairman, Mr Brian Rea:

Alastair Ross.

Mr Alastair Ross:

Thanks Chairman. You mentioned the efficiencies that are required across the board and I certainly welcome the fact that a certain amount of scenario planning has been done. Outwith the budget that comes from the Assembly, there had been talk about an additional security funding that is available directly from Treasury. Could you detail what sort of level of efficiencies if they were implemented, you would need to be making representation to Treasury to get that additional funding, and just the process by which you apply for that funding from Central Government, whether it is directly from yourself Chief Constable, or whether you have to go along with the Justice Minister or the Finance Minister, how that is done?

Chief Constable, Mr Matt Baggott:

David Best can give you the figures around the Security Fund, but to I have to say I think it is absolutely essential that our argument is made to Central Government about the uniqueness of the position in Northern Ireland. The fact that we have made enormous progress in terms of dealing with the conflict, and sadly as I presented the figures, many more people are already charged this year with terrorism so there is a growing effectiveness in what we are doing with our colleagues in the Garda and others. But I think we do have to make the case around the uniqueness of the security situation and to withdraw the funding and the investment in that prematurely would be a big mistake in relation to allowing the minority that want to take us back into the past, to put people back in fear in a way that would be very counter productive. So you are absolutely right, there is a case. Issues of national security are not part of devolved administration, although clearly they are about the future of Northern Ireland so we talk about them all the time, but we have to have the resources and we have to have the investment to do that and that is why I welcome the Security Fund.

I also welcome the promise in the previous Prime Minister's letter, which is endorsed by the current Prime Minister, that we would have access to the Treasury reserve should we need it and that is a promise that I will be replaying both privately, but also publicly should I have to do so.

Director of Finance & Support Services, Mr David Best:

Just in some more in the detail on that. Last year we got £27m that we bid for separately from our Main Police Grant and that was referred to in the Prime Minister's letter. At the same time, we bid for £37m for this financial year and that figure I think was also mentioned about a month ago and the Department of Justice confirmed that those figures were firm. But we heard the announcement yesterday of the extra £12m, that means we have got £50m for this year, which is good and we accept that. The problem that we have got is looking into future years, there are no guarantees after that. The Prime Minister's letter only covered those 2 years and based on our current assessment, coming from the operations side, we firmly believe that there will be need for a significant security funding not next year but into maybe the following couple of years. Now, that may decline subsequently. That has not been secured so we will be bidding separately for security funding from the Main Police Grant and we would be arguing that the 5% or the 8% has not a relevance to security I would have thought. Security will be a requirement specific for next year or the following year and the 5% or 8% should not be relevant to it.

Mr Alastair Ross:

And the bidding for that comes directly from the PSNI rather than in conjunction with the Justice Minister?

Director of Finance & Support Services, Mr David Best:

It comes through the local Assembly and the budget was allocated through the local Assembly, so we still have to bid through the local Assembly.

A/Chairman, Mr Brian Rea:

Thank you very much. Now, thanks to my colleagues being generous Jimmy Spratt and Gearóid Ó hEáira, they have sent 2 questions for written answers so I am left with 2 further contributors at this stage and that will be the final part. Basil McCrea and Sir Desmond Rea.

Mr Basil McCrea:

Mr Best, for the second time today you have shocked me. Can I just check that I heard you right, that if we were to take the efficiencies that have been asked for through and applied them to the manpower side of policing, that that would result in a third of the officers going?

Director of Finance & Support Services, Mr David Best:

Yes, let me reinforce this, this is the scenario planning, this may not happen. I have done a very straightforward number crunch because I am an accountant and I like to see things broad and was trying just to give you a picture. If we applied the 5% not the 8% scenario, when you add that up and compared to the regular police which adds up to £400m, it represents over a third. Now, we are not going to do that but it just illustrates, it only illustrates the size of the cuts we would have to make.

Mr Basil McCrea:

It does beg the question though Mr Best as you have told us before, that we are manpower rich budget, so if 80% of your budget is manpower, if it is not going to come out of manpower, where are you going to find the money?

Director of Finance & Support Services, Mr David Best:

I think that illustrates the problem. The other areas are overtime which we respond very often, the others are civilian pay, police stations, IT systems and you have a training budget and you have nowhere else to go. So, this illustrates the scale of the problems that we have.

Mr Basil McCrea:

The second thing I just want clarification on, just to make sure that I heard you correctly, undertakings were given about financing from the Devolution Policing and Justice which have not been honoured to date which are causing problems because of the legal requirement for the Chief Constable to balance his budget and the need to make to it, is that correct?

Director of Finance & Support Services, Mr David Best:

The point I am referring to there is the Hearing Loss Claims which were estimated to be cash payouts of about £14m this year and also the equal pay and we are actually paying some of that money out at the moment. We do not have specific budgets agreed and those what I am referring to, are the commitments in the Prime Minister's letter.

Mr Basil McCrea:

But I think you just used the phrase that there were commitments made around the Devolution of Policing and Justice which have not yet been honoured and that that is causing you or the organisation significant problems.

Director of Finance & Support Services, Mr David Best:

The Department of Justice (DOJ) has not indicated they are not giving it at the moment. We do not have a funding stream at this point in time.

Mr Basil McCrea:

But the point is, you have to make plans.

Chief Constable, Mr Matt Baggott:

Chairman, just to clarify around this. Firstly, when it comes to working out the budget, we will go strictly to the Board on this one before we get to the DOJ, and I know the Chairman and colleagues are very much involved in that, so the detail will work its way through, but that will be through the Board and your responsibilities for effective policing.

Secondly, I need to be clear, the DOJ is a relatively new organisation. It is working its way through the implications of the Prime Minister's letter. As accounting officer it is quite right that I flag up with them issues, but I have to say their dialogue with us has been very constructive indeed. I am not in any shape or form nervous about that. There is a very strong sense of reality around the complexity of policing, the needs of policing, but that will have to work its way through. But what we have done at the moment is flag up, there are a number of unresolved issues, but I would have confidence that the DOJ will be working those through with us.

Mr Basil McCrea

If I could just finish on this one point because I know that time is going on. You talked earlier about the reductions in the Home Office and the consequential that come through to that, I mean it may well be that, let us pluck a figure out of the air, let us say it is £22m reduction in the DOJ budget, that that may be something that you have to factor in at the time whenever you are looking for additional monies, and that you are really saying that what you need is the Board's support that we ring fence the policing budget, in addition to other budgets like health.

Chief Constable, Mr Matt Baggott:

Just a couple of figures. I think 85% of our cost is people, you can see in terms of the scale of cutbacks if we had to make them what that would mean in terms of police officers or police staff. We have got to work again a lot harder at how we use those colleagues to deliver the same outcomes, but 85% people organisation, so you can work your way through that.

Secondly is, I think our figure is about 68% of the DOJ budget, so clearly in relation to where they have to find efficiencies, policing is the major part of that spending, but I come back to that point, policing was not ring fenced in England and Wales although the Health Service was, as we work through the budget needs methodically make the case with the Policing Board. It may well be that the Assembly here makes decisions about the future of Northern Ireland and where it chooses to invest more in policing or sustain that level of policing, but we have to work with the Board in making those cases as the months unfold.

A/Chairman, Mr Brian Rea:

Just before I bring in Sir Desmond Rea for the final comment, Jimmy Spratt asked for a supplementary on Basil McCrea's questions.

Mr Jimmy Spratt:

I am just concerned with David Best earlier with the 1500 police officers, that is a wrong message to send out there. There is 1500 police officers and you have a police officer for

30 or 35 years come hell or high water let us face it and it will cost you dear if you want to get rid of any police officers. So, let us not scaremonger because Mr Best quite frankly that is what you were doing a minute or two ago for your own reasons.

Chief Constable, Mr Matt Baggott:

I want to take the cover for David Best on that one. I do not think there is scaremongering here but I am calling the new reality and it is absolutely right that we scenario plan that. As I said David Best was very clear, these are a series of scenarios, it may not ever get to that point but absolutely we have been asked to model against a series of Treasury led figures. It is right that we have that debate and we raise the consequences through the budget process. As I say, this is the opening days of a new reality around budget and need, but I can reassure you there was no scaremongering intended here, if people interpreted that way then I think they are mistaken on that one, but let me just nail that one for you.

A/Chairman, Mr Brian Rea:

Thank you. Sir Desmond Rea, final say.

Professor Sir Desmond Rea:

Yes, I think you are quite right in terms of the last point Chief Constable. But the Home Secretary also talked about cutting crime. Now cutting crime against a background also of increasing unemployment and lower welfare benefits, that seems to me to be very ambitious indeed. What is your reaction?

Chief Constable, Mr Matt Baggott:

I think you have to have a generous understanding that that was a speech given for a limited number of minutes around very high level messages. Within that cutting crime of course also comes preventing crime which is the work we are required to do in monitoring sex offenders, Violent Offender Orders, all the work we do day in and day out. Taking crime into the international dimensions through the organised crime fighting, through people trafficking, so there is a huge raft of complexity built into those words cutting crime and legislative responsibilities.

Secondly, I think we must not lose sight of in Northern Ireland, that confidence of the public in their security, their safety in the PSNI, is by itself something that is critical to cutting crime, getting information, being allowed to work with communities on resolving their problems and I certainly would not want anybody to under-estimate both the totality of policing but also the importance of maintaining confidence in our very personal style in cutting crime ultimately.

I understand why it was a series of very powerful messages around budget, around mission, around cutting targets, much of that was welcomed. The invitation to really get stuck in radically to seeing things differently and not being tied into bureaucracy, was a very welcomed message which I know the Board will share, but I think there is a far greater degree of complexity to what we do than simply a headline around cutting crime.

A/Chairman, Mr Brian Rea:

Thank you very much. Thank you to the Chief Constable and his Senior Command Team to the members of the public and others from PSNI representation, Federation and Superintendents Association and our visitors as well, thank you very much and goodbye.