

NORTHERN IRELAND POLICING BOARD

MINUTES OF A MEETING OF THE NORTHERN IRELAND POLICING BOARD HELD ON THURSDAY, 2 SEPTEMBER 2010 AT 12:00NOON IN WATERSIDE TOWER, BELFAST

PRESENT:

MEMBERS:

Mr Brian Rea (A/Chairman)
Mr Gearóid Ó hEára (A/Vice Chairman)
Mr Jonathan Bell
Mr Dominic Bradley
Mr Leslie Cree
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 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 Drew Harris (ACC Crime Operations)
Mr Will Kerr (ACC Criminal Justice)
Mr Duncan McCausland (ACC Operational Support)
Mr David Best, Director of Finance & Support Services
Mr Joe Stewart, Director of Human Resources
Ms Liz Young, Head of Media & PR
Superintendent, Command Secretariat

OFFICIALS IN ATTENDANCE:

Mr Adrian Donaldson (Chief Executive)
1 Board Official

APOLOGIES:

Mr Barry Gilligan
Ms Martina Anderson
Mr Alastair Ross

A/Chairman, Mr Brian Rea:

We want to welcome everyone to the meeting today but also a new political representative to the Board from the Democratic Unionist Party, Jonathan Bell MLA.

Since our last meeting in July 2010, Mr Peter Weir MLA has stepped down and I would like to place on record our thanks to him for his work during his time with us.

Chief Constable, today you are due today to give us a report on key events since our last meeting in July 2010, and Members will no doubt have questions to raise on a number of those issues.

As a Board, we received a briefing from you in July 2010 on the policing operation at Ardoyne; and of course, we are now pleased to see that police are following through and making arrests of those believed to have been involved in the serious disorder during that period. As a Board we were disgusted at the ferocity of the attacks against our officers; and trust that all those officers who were injured are making a full recovery.

At that same meeting, we also started discussions around the future budget scenarios for policing; and the implications of all of that. We will continue to engage with the Department of Justice so that the forthcoming policing budget can be agreed and secured. It is the view of the Board, that the PSNI should be provided with sufficient funds to do the job it needs to do to protect the public and the property here in Northern Ireland and there will be a considerable amount of work ahead in making sure that that is delivered.

From the results of the latest Board consultation survey, there is clearly a demand from the public to deal with the issues that impact most on communities, anti social behaviour came out as number 1. So, there is a challenge ahead in ensuring that policing delivers to meet the community needs; in other words we want to make sure there is sufficient support and funding there to enable the police to meet the communities needs in terms of defeating anti social behaviour.

We have of course Chief Constable, had a series of attacks over the summer and again it is simply fortuitous that no one was killed or seriously injured, and that extends not

only to both police and the public in respect of Strand Road and Lurgan and elsewhere right across Northern Ireland where these dastardly acts were taking place.

Chief Constable, there are a number of other questions today on a range of issues, including the publication last week of the Police Ombudsman's report on Claudy, but we will take your policing report first and then move to questions. Welcome back Chief Constable from your break, from your holiday and over to you.

Chief Constable, Mr Matt Baggott:

Chairman, thank you very much. Can I first say that the last 2 months has been a very busy and a very testing time for my colleagues in the PSNI. Where I think the very nature of the PSNI, its integrity and the courage of my colleagues and, indeed, the human rights focus that we adopt has come under serious scrutiny and test, deliberately in terms of the disorder, much of it was pre-planned and I do believe that we have stood that test very well indeed and come out with a very clear expression of who we are, what we stand for by the actions of my officers dealing with that complexity.

We have also had to face the ongoing serious nature of the terrorist threat and attacks in relation to that, but alongside that in spite of that difficulty, we have maintained the day to day routine policing of the things that matter, that you quiet rightly mentioned Chairman, anti social behaviour, and I will be giving some encouraging figures in relation to that in a few minutes time. So, the challenge for us has been to stand the test, to deal with the ongoing security situation, to tackle large outbreaks of disorder in areas such as the Ardoyne and Lurgan. To take the test that was presented to us in what we stand for and what we do and at the same time, to maintain the impetus and the relentless drive that we are committed to, to deliver the finest policing in the world. I am hugely proud to be the Chief Constable of people that have delivered against that over the last 2 months and I want to publicly acknowledge and praise again their professionalism, as indeed I did throughout July and August 2010 itself.

I think the PSNI has demonstrated its worth to the future of Northern Ireland and the essential nature of our role, our impartiality and our work in tackling security, both in the neighbourhood and in terms of those big issues of terrorism that is so essential to the rebalancing of the economy here, so essential to supporting the political institutions as

they start to work, and so essential to the lives of everybody wherever they live and whatever their background.

Chairman, can I bring you up to date please in terms of the figures. We made a commitment at the time that although we dealt with some very challenging dilemmas, particularly the Ardoyne where we had to deal with communities in need of protection, deal with a lawful directive around a parade, deal with a sit down protest, ensure that children who themselves were rioting, that their human rights were looked after without compromising justice. We had a very clear approach that on the day itself, the overriding needs of communities came first and the need to preserve life, but that justice would not be compromised by that approach.

The figures to date are for the Ardoyne sadly we have had to make 46 arrests, 36 people have already been charged with serious offences, 7 have been released pending reports and in relation to the serious attack upon my female colleague at the shop fronts. We have already charged a Spanish national with attempted murder. So, those serious matters have been investigated diligently, expeditiously and my colleagues will continue relentlessly to bring those people to justice.

In South Belfast, 24 have been arrested, 19 have been charged, 4 more have been released pending a report to the Public Prosecution Service (PPS). In Derry as you know, there is ongoing work to identify the people responsible, 37 who have already been processed or who are currently being processed through the justice system.

We have arrested and interviewed people in relation to the attack upon the train at Lurgan and we have been working very closely with the Public Prosecution Service throughout. I know this is not a matter for the Chief Constable because courts will exercise their own judgements on this matter quite rightly on the individual case, but I would be hopeful that the courts will send out a very clear message that riot is at the very edge of serious and is hugely unacceptable to everybody in Northern Ireland itself. So, we will await and see now that the courts will follow through the process of those people that have been charged and I would be hopeful of speedy and appropriate justice in relation to that.

Chairman, in relation to the ongoing security situation. Again, the events of the past 2 months have been both concerning and deeply saddening for everybody who wants to see Northern Ireland move into the very peaceful, normal world that we want to live in. Over the past 2 months we have again witnessed reckless attacks, attacks that I said on the steps at Derry that are very much, if you are not careful, leading to an Omagh and these are the same sort of people that brought about that terrible tragedy all those years ago. We need to be clear about this, there is no such thing as a responsible bomb and in the interviews they have been giving in the last 2 weeks in some of those newspapers, it is very clear that their message is "*we simply do not care*", so we need to be working ever closer with communities, with our partners at bringing these people to justice. I can say, that in 2009 up and to this point, 17 people have been charged with terrorist offences. Already this year the number is now 54, that is over a 3 fold increase in relation to those people being charged with the most serious offences. I say that not in any sense of triumph and not in any sense of trying to paint a positive picture around the nature of the threat, but I say it in relation to an indication of the dedication, the professionalism and the sheer perseverance of colleagues who reluctantly are having to bring people before courts for possible sentences of many, many decades and that is a terrible tragedy for everybody, but we are relentlessly pursuing people and the number of charges, as I have said, has over tripled. Last year we made 100 arrests, this year that is already at 160 and this relentless pursuit will continue at pace.

Can I move on now Chairman to the issue of resourcing. Clearly the next 2 months will involve significant discussions with the Justice Department, with the Executive and no doubt beyond that, with the Government itself, around the formula and the grant that comes to Northern Ireland. I just want to repeat again, that I do believe that policing is not simply policing. Policing is absolutely essential to everything that affects people's lives. Their health, their education, the ability of young people to get jobs, the ability of us to attract tourists in ever increasing numbers to this beautiful place, without adequate resourcing that does become compromised. The safety and the political and economic wellbeing of our society does require us to be in a position to tackle the terrorist threat into the long term, as well as to deliver the day to day policing that people quite rightly deserve around anti social behaviour, alcohol misuse, road safety, child protection, drug dealing, all the things that are absolutely essential that we deal with effectively. That does require a level of resourcing, and I do not believe that this is a time that we should be compromising the policing numbers. Indeed, in some areas

we may wish to expand those numbers to deal with the totality of personal policing, the totality of the tactical support we have to provide and to deal with the ever increasing demands on our Crime Operation Departments, as well as resolving the issues of the past adequately for those victims that have been so traumatised and so affected by that. That is a real dilemma for our politicians. You have my commitment Chairman in relation to our responsibilities to the Board and to the Justice Department that we will increasingly look for those efficiencies and ways of being more effective day to day.

Can I say, that we have faithfully delivered, my colleagues have faithfully delivered, the new beginning for policing envisaged by Patten and again during July and August 2010 and undoubtedly over the next year as I personally go through communities, I am seeing an ever increasing embracing of policing. We do always get it right, but the truth is, more and more people are saying to me independently, we want more of the sort of personal policing that we want, demand and we know that everybody is committed to giving.

Chairman, on that issue can I just be very clear on this. The world is a different place, but the threat is very real. Back in 1998, I understand there were 12,000 police officers here, we now have a budget equivalent to 7,500. We know we have a responsibility to act wisely. We are delivering very good policing and you have seen the results of that, but there is a reality of the numbers of police officers we do need on the streets to deliver both the Policing Plan and public concern and I will be making those arguments very, very strongly and appropriately as the next month unfolds.

One area where I would like to see increasing dialogue and I will be meeting in September and October 2010 with representatives of the business community, with representatives of the voluntary sector, with representatives of the caring agencies, with senior players in the criminal justice system and I will be asking them questions around how can we reform faster. I still believe that the bureaucracy, the processes, the regulation, the way in which we have to go through the hoop sometimes to bring about quick time reform and save money, remains too complicated. It can take me still up to a year before I can even start reform, before I can get the necessary permissions and get the consensus that I need. Now, clearly in a recession that simply is not fast enough and I look forward to working with the Board and with all these different bodies

in trying to see how we can reform faster and what their expectations are of the PSNI and how we can build even greater consensus about the way forward.

Chairman, if ever there was an indication of our commitment to reform, it is the 430 additional officers already in neighbourhood response as a result of a very clear ambition we set around the 600. It is around the reforms we have already brought about in the criminal justice system about shortened cautioning timescales, about freedom given back to officers. It is about the Blackberries, the mobile data, the satellite tracking going into vehicles. It is about self-critical transport reviews that we have commissioned to make sure we get out the money from the system and back into frontline policing. The outcome of that Chairman, although I have to say you will have a fuller presentation before I conclude, non domestic violence and injuries have already reduced this year by 12%. There have been 118 less people killed or seriously injured on the roads this year compared to last year. Twenty four fatalities sadly, still 24 too many compared to 56, that is 32 people less that have lost their lives this year with all the misery that entails, that is a significant progress. Thirteen less children killed or seriously injured, anti social behaviour is down by 7%, non domestic burglary, this is a commercial burglary that we have committed to deal with down by 8%, so although they are only statistics they are all stories of less human misery and that is what we are committed to working with the Board to deliver. So, if we can work on reform, we will work on sustaining the budget, we will work on the continued terrorist threat but you have my assurance that the things in the Policing Plan, particularly around the personal policing, our commitment to that and our progress to all that will remain undiminished and unabated. Thank you Chairman.

A/Chairman, Mr Matt Baggott:

Thank you very much Chief Constable. Now we will have some questions on your report to date and the first is Jimmy Spratt.

Mr Jimmy Spratt:

Chairman, I was looking to come in on the Chief Constable's report there first and can I say I welcome the report and thanks for the report Chief Constable.

Can I say on behalf of certainly my colleagues, that we applaud the police for the way you handled 2 very difficult months and in particular, the incidents in Ardoyne and in

South Belfast. I certainly saw those at close hand along with some other colleagues and I want to compliment the police on the very good way in which the whole situation was handled. I think it is the fact that you have said that there was no compromise in justice, in fact 46 arrests and 36 of those have already been charged and being brought before the courts and I think it should demonstrate the very effective way the police have dealt with the situation. I think it was handled in a very professional and sort of a tiered approach in terms of how it was done, in terms of injuries and all the rest of it and certainly our thoughts are with any officers who remain injured as a result of the terrible attacks on the police over that period. I think it does indicate and you have indicated over the past number of months or this year, that the police have made 54 people amenable in relation to the serious dissident threat in the province. I think that many times goes unnoticed and unreported and I think that is an indication of the very effective way in which the situation is being dealt with. Let us not miss the fact, despite all of what happened, I think over the past 2 months, things are better than what it was a number of years ago and I think that is down in no small way to the way the police handle the situation. So, I want to compliment the police on that and indeed, we are very aware of the very serious resourcing issues that will affect the Police Service and we believe, certainly in terms of my group, that the police here are in a unique situation in comparison to the rest of the British Police Service.

I know that there has been indications of cuts right across the board in terms of policing throughout the rest of the United Kingdom and I think given the very serious dissident threat and the situations that have to be handled here, I think there is a very unique case for the PSNI and certainly in coming days Chief Constable, I know that the Board have already indicated but certainly you will have other support as well in terms of trying to maintain what we have because I think that is important for the future of safety of the people of Northern Ireland and indeed, in terms of some of the things, tourism and employment and other things that you indicated very rightly in your remarks and certainly you will have support to try and achieve and maintain what I believe requires to be maintained in terms of Northern Ireland at this minute in time. Thank you.

A/Chairman, Mr Brian Rea:

Mr Dominic Bradley.

Mr Dominic Bradley:

Thanks Chairman. Chief Constable, in the area in which I live and work and I am sure the same is true in other areas of Northern Ireland, the local community has been very impressed by the level and the commitment of the police to neighbourhood policing. It is highly valued and already very strong relationships have developed between the police and the local community in areas where that may not have been the case a number of years ago. What I want to ask you is, has the current threat which is facing the whole community here, including the police, has that threat affected the level of neighbourhood policing, and can you give us an assurance that the police will do all within their power to maintain the current levels of neighbourhood policing and ensure that those relationships that have been formed continue to grow and develop, because I believe the future of policing will grow from those roots which have been put down in local communities. Thank you Chairman.

Chief Constable, Mr Matt Baggott:

Thank you very much for the question. Can I say, that I think the people in Newry deserve and are demanding quite rightly a level of policing with the community that is expanding rather than diminishing. There will be occasions when we do have major problems, such as the disorder in July 2010 where inevitably we will have to withdraw police officers from their ordinary duties for a temporary period, but that is just for a temporary period to deal with that contingency.

Now, can I be clear on this. My personal commitment and I know that of all of my colleagues on the table here, is to carry on relentlessly moving forward on policing with the community. I will let either ACC Finlay or ACC Kerr talk about this, but we will be, contrary to what is happening elsewhere, moving in the autumn to publishing in every household in Northern Ireland, a set of very clear commitments about neighbourhood policing, about the level of response people quite rightly can expect. We will be holding ourselves accountable, and our colleagues accountable for delivering that. That is why we have been very anxious to free up colleagues in terms of their time, better deployment, understanding when neighbourhoods have more problems than others so that we can make sure everybody gets a consistent level of service but we also make sure the most vulnerable are protected and looked after. That work has moved ahead at pace and it will carry on relentlessly. I am a great believer that although we have to be very mindful of our personal safety and the security of my colleagues, that should

not stop us from moving forward into a new era and a new age of personal policing and that will happen.

Can I invite both ACC Finlay and ACC Kerr to talk about that, maybe if ACC Finlay could talk about the specifics of the local and then ACC Kerr can talk about the commitments very briefly and the next stage of what we are doing for you.

Assistant Chief Constable, Mr Alistair Finlay:

Thank you very much. If anything, our current situation makes neighbourhood policing, local community contacts and knowing who your local police officers are, being seen, visible and known in the neighbourhood more important rather than less important and our commitment to delivering that is unrelenting and that is why there was 430 officers that are now additional out on the streets of Northern Ireland are exactly in neighbourhood and response. There is a lot of work going on right across Districts to work to how we develop the neighbourhood and response models so that people in response have greater ownership of local neighbourhoods and that they also take ownership of particular areas and are known and accessible and that we bolster and enhance our multi disciplinary neighbourhood teams over a period of time and to get their deployment into communities absolutely right.

Of course, there are times as the Chief Constable refers to, when the necessity is we use the capacity of the organisation in different ways and what we are working on is ensuring that neighbourhood and response are the last areas that would be affected by such withdrawals. But in terms of the security, in some areas it clearly takes more police officers to deliver neighbourhood policing and to enable their security in parts of Northern Ireland than it does anywhere else in the UK, and that has to be borne in mind in terms of the size of the organisation we have and the work that we continue to do. But our commitment to neighbourhood is unrelenting and will be enhanced over the forthcoming months with the work we are doing in Districts and with the work that ACC Kerr is going to talk about in Criminal Justice in relation to deployment development and also the ability to stay out of the station longer and be in communities for a greater period of time more accessible.

Assistant Chief Constable, Mr Will Kerr:

I think most of it in fairness has been covered by ACC Finlay. Neighbourhood policing is the right thing to do but does not come cheap in Northern Ireland because of the security threat and there is a clear link with the resourcing argument. The commitment, very briefly, this is just about making sure every individual, every family, every community, every neighbourhood in Northern Ireland gets the same level, consistently the same level of policing. Actually what is in the commitments is what has been reflected to us in the DPP survey in the most recent one published over the last couple of weeks. You have people wanting basic policing functions and they want those consistently. They like visible foot patrolling, they want us to deal with anti social behaviour and deal with it effectively and that is exactly the sorts of things that we are listing in the commitment, but it is that point about every individual, every family, every community, but we are absolutely committed to neighbourhood policing as a way forward.

A/Chairman, Mr Brian Rea:

Alex Maskey.

Mr Alex Maskey:

Thank you Chairman. Could I thank the Chief Constable and his team for giving us his earlier remarks and indeed, for the discussion that we have already had in the private session. I do think that I would want to place on record that it is important that we acknowledge that overall crime figures in the Annual Policing Report are favourable and that the overall crime levels are down and I think that is actually very, very important and perhaps even more important the detection rates are up on those crimes. Clearly, neither yourself or ourselves will be in any way complacent about that, that is just to reassure the public that we are very conscious of the levels of crimes and in particular, different types of crimes because some forms of crime are on the increase albeit by small percentages and by small numbers thankfully but nevertheless, the need to get crime levels down and detection rates up remains a very central focus of your own work and the focus of the Policing Board and I want to place that on record. I think it is very important that the public do get the big picture that, as I have said, that the overall crime levels are going down and that is something that we have to keep building on.

I would say in respect of the summer, that obviously for the weeks and so on leading up to summer, it was always a disaster waiting to happen. Certainly in my view and I would again put on record, the congratulations to all those people who made very, very strenuous and intensive efforts in the run-up to the summer period and throughout the course of the summer, both from the police, community organisations, political representatives and others who were doing their best to make that the plans were in place and the environment was improved in various areas to ensure that there was no dissention into the kind of disorder that we all feared would happen. Regrettably, it did happen in a number of areas, and whilst there was a lot of excellent work, and I want to place on record including from your own organisation, there have been failures and it is the failures unfortunately that has grabbed the bigger headlines and that is regrettable, but we have also got to deal with them collectively so as to minimise that in future. It will be no surprise to yourselves, I have raised this with yourselves routinely, the use of plastic bullets in Ardoyne or anywhere else is in our party's view and the view of many others, certainly in the community that we come from, are totally unacceptable in any circumstances never mind in the type of public order situations which your own guidelines tell you you should not be using.

I do not want to rehearse the whole Ardoyne thing this afternoon, I am happy enough that we deal with that more programmatically within the Board itself in conjunction with your own Senior Management Team, but you shudder to think what would have happened in the summer had someone been seriously injured or killed by one of those plastic bullets and I do not think that people actually fully appreciate the impact that that would have. I spoke to a number of people, families who had been bereaved by a plastic bullet, victims who had been injured by them over the years, that is a very deeply ingrained concern in the communities that certainly many of us would represent around this table, and I am just stressing the point that had anybody been seriously injured, I think you would still be suffering the consequences of the summer of disorder, it would not have ended in my view and it would have a serious potential of turning and undermining the good work which has been going on between the police and the communities in recent years.

So, I am stressing the importance of getting that in the understanding of the police organisation that the use of these weapons will, at some point, if they take a life, it will be a sea change in where we are at in this peace process and that is something that I

certainly do not want to countenance and I would expect that yourselves would have the same view. So, again I would want to stress commendations, congratulations to all of those people including the police, who very often were doing tremendous work and very intensive work to prevent trouble, but we also have to deal with the failures of all that, no matter where those failures come from, whether from the community, from the police or politicians or people who want to parade in the communities and again I just want to make sure I send our good wishes to anybody who was injured, including a number of your officers.

Mr Basil McCrea:

Chief Constable, before you come in on that, would you mind if I could just respond on that issue because I was there at the Ardoyne.

A/Chairman, Mr Brian Rea:

(Tape unclear).

Mr Basil McCrea:

Chairman would you mind because it is a direct point on that, it is relevant that I come back in because I invite Alex Maskey to stand with me next year, because I was up there with the people on the frontline. I saw the petrol bombs, I saw the blast bombs coming over. The police acted in the most responsible way. They did not endanger anybody's life. You will see it for yourself if you go there and what I actually saw on that night was the most professional form of policing in the world. The PSNI are to be commended for all of that, the entire Board recommended that their tactics in this particular area. When you see people coming within 20 feet of you throwing petrol bombs, you do have to say there must be some form of response. Now, if you have got a better response to it, get up there and give us some help, tell us what is actually going to do it, because the single most important thing that I saw in that whole 3 days, is that nobody got seriously injured. There were some officers unfortunately that did have to take it, but there were no fatalities, there was no escalation. Northern Ireland did not go up in flames and I have to say, I saw it with my own eyes, it was down to the professionalism of the PSNI.

A/Chairman, Mr Brian Rea:

Thank you Mr McCrea.

Mr Alex Maskey:

Chairman, just for your own information. This is not a debate between you and I. I was on the Ormeau Road with the PSNI on the 12th July 2010 in exactly the same circumstances, so I do not need to be invited anywhere. I know where I need to be and I be there, so this is not a debate between you and I, it is between us and the police.

Mr Trevor Ringland:

Chairman....

A/Chairman, Mr Brian Rea:

Sorry, Mr McCrea was next to come in anyhow.

Mr Trevor Ringland:

Sorry Chairman, it is on this issue and I think it is an important point. I was up at the West Belfast talks Mr Maskey and as I drove to the West Belfast talks there was a white line protest on the way on the Andersonstown Road about the use of baton rounds. I think to me what there seems to be, there needs to be a discussion between the communities so that people better understand why baton rounds are used. I think the police constable that was injured, who ended up with a concrete block landing on her head, is one example of, if you let people get too close to you what can happen and the serious injuries that can be caused and police officers have rights as well. They have a right to life as well, but there needs to be a discussion with the community about why these are used. I think there are proper restraints being put in place and as a Policing Board we are trying to make sure that those restraints are being put in place and the police are trying to make sure that those restraints are being put in place. But I do think Chief Constable, I think there has to be an education process as to why these are used and how these are being used as well. It obviously is not getting through to some parts of our community that they actually need to hear.

A/Chairman, Mr Brian Rea:

Do you want to respond to that Chief Constable?

Chief Constable, Mr Matt Baggott:

Thank you very much. I think I should respond to it on behalf of colleagues. ACC McCausland may well fill in some of the detail if that is required by the Board itself.

Can I say first of all, I am very, very mindful of the concerns, peoples' worries about consequence and also the history of this and we have had many debates about this. But just to say the reason why the planning goes into it, the reason why every single discharge of an AEP is investigated by the Ombudsman. The reason why the authority level exists is to make sure that our requirement for proportionate, legitimate and necessary force is entirely upheld in relation to the human rights framework, but I am very mindful of the consequences and that is why we will again review the tactics and the use of AEPs during those outbreaks of disorder.

I think from my perspective, there are just 2 things and the debate will carry on on this. I would have an ambition one day that we never discharge an AEP. We do not use them for crowd control, that would be wrong, but we can use in relation to individuals who are posing a very real threat and that is the context in which they are used. They are not a crowd control tactic, they are about preventing loss of life or preventing serious harm in relation to the individual incidents, and the Ombudsman holds us accountable for that. If we did not have AEPs, and bearing in mind that I think every single European country and its policing services do have them, I think there will be 2 consequences.

One is, there is nothing between the use of lethal force and the use of the baton. We would have individual police officers who would be exposed, not only their own safety but the safety of others because they could not go from beyond the baton into anything other than the use of lethal force, there has to be something in between to protect life and it is a tactic and although it is difficult tactic, there is nothing presently between those 2 options.

Secondly, I do believe that it is my responsibility to the Board and to the public for human rights to make sure that I have something that plugs that gap so that the lives of police officers and the lives of the public can be protected without the unnecessary resource to live weapons or live fire if we have to. So, they are the big dilemmas but I do appreciate the dilemmas, I do appreciate the challenge and we will continue to have that debate about how we can reduce their use should that be possible.

Assistant Chief Constable, Mr Duncan McCausland:

Chairman, just to re-emphasise, no police officer wants to use these weapons and if we are not being attacked and this Board knows that, we will not be using these weapons. So the reality is, as the Board have already talked about in private, we all need to work together as a community to avoid getting into the circumstances this time next year. Sadly, I have sat the longest in front of this Board. The last 9 years and we have constantly mentioned each year that we needed potentially to work to change what is going to happen next year. If we do not double our efforts we will be back in the same situation next year. But this Board has my assurance and my colleagues assurance, because the Assistant Chief Constables (ACCs) are responsible for authorising these weapons, we do not do it lightly and more importantly, we only issue them when it is necessary, proportionate and appropriate and no officer uses those weapons in any fashion that is not fully accountable to this Board and to the community through the Ombudsman.

A/Chairman, Mr Brian Rea:

Thank you ACC McCausland. Basil McCrea you were next in line although you did have a steal-in beforehand.

Mr Basil McCrea:

I accept the remonstrations Chairman. Can I say Chief Constable, the only real complaint I had about the policing in the Ardoyne is that the Gold Commander would not give me a cup of tea, but there was an issue actually. When you do get in and see the amount of CCTV, the amount of professionalism, I think it is really worth saying and if I could just say, I do fully accept that other parties, including on the record Sinn Fein, I saw them out working, I saw them in different places and I was in no way trying to say that they were not doing any particular work in this matter, I know that they were. But what I was merely trying to invite and to recommend, that you and your Senior Command Team do because it really made a difference to me, is when people are confronted and I know it is a bit difficult from an operational point of view, but when people are confronted with the real challenges that face you and your officers, you do start to think about what are the appropriate ways of responding and it is something that ACC McCausland has just mentioned, it does require community buy-in. At the risk of getting ACC Finlay into even more hot water, I do have to say that we are not going to police our way out of this. This is an issue for politicians to resolve, we do need to find

a way of doing it that it is important that you play your role in it and if I conclude on this point, what is important is that people see that there is a follow-up to the operations that you do in the Ardoyne. They do need to know that people are arrested. They do need to know that those people that were taken into custody will not be doing the same thing again and if I could be so bold as to suggest to you, whilst the image of the summer is still with us, you maybe ought to do a wrap up presentation about what happened at Ardoyne and what was the follow-on for arrests and charges and so on, I think that would go some way to reassuring the public and it certainly I think would be an interest to my colleagues in the Board.

Chief Constable, Mr Matt Baggott:

Thank you very much. Clearly it is entirely appropriate that we are held accountable publicly by the Board for what we did over those months and the consequences and that is why I have given you the figures today and the follow-up and will continue to bring that back to the Board and present to you the debrief of that in October 2010. I believe we have a formal day where we will be going through the events of the summer with the Board.

Just to say, I think we had a very clear approach. The day after the 12th July 2010 I personally headed up a press conference with footage of what went on. We were very, very clear about the intensity, very, very clear about the strategy and we made ourselves available to all the media to explain that. I know ACC McCausland was on the radio talking about it. So, we try to be as open and transparent as possible and where there has been criticism we have gone back and explained what we have done, but clearly we will continue to put that out in the public domain so that people can have confidence around why we did it, the way we did it and the justice issues around that too.

A/Chairman, Mr Brian Rea:

David Rose and then Sir Desmond Rea.

Mr David Rose:

This is slightly less contentious at the moment but it might become more important. I think it relates to something that we heard, I think it was the Greater Manchester Police Chief Constable talking about in the summer, about staff civilian staff especially. A

recession, an economic recession is when your neighbour loses their job and an economic depression is whenever you lose your job. With that in mind, whenever we look at the resourcing issue that you touched upon and understand that police officers cannot be laid off in any circumstances, will there be any impact on the civilian staff employed by police because that will, of course, have an impact, not only on delivery but also a human impact on them themselves.

Chief Constable, Mr Matt Baggott:

Well I think there is and Joe Stewart can cover the detail, but 3 sort of principles really.

Firstly, over the next 2 months we will be making a very detailed case for the level of capability that we need to deliver the Policing Plan, and to deal with security over the next 5 years, because I am particularly anxious we see things over the next 5 years rather than simply on an annual basis. We need to plan for the long term and that is important to both the public and to our staff.

Secondly, we will be pointing out the consequences should we have a significant reduction in budget around what the public will see and feel from that.

But I think there is a third issue here, that there are employment rights. There are very clear ways in which police officers are employed, there are Police Regulations, the way in which we deal with people and the same applies to police staff too. So, if there is going to be a change in relation to numbers and what we do rather than dealing with people within natural wastage in the right way, clearly that is a political issue that will have to be addressed once we know what the level of budget is going to be.

Can I invite the Director of Human Resources to carry through on the specifics of that?

Director of Human Resources, Mr Joe Stewart:

Chairman, can I say that we can not really contemplate the prospect of any reduction in the current numbers of our police staff as matters currently stand, other than as the Chief Constable has said, by natural wastage over time.

We have looked at this very closely, it does not mean to say that people will continue to do the job they have always done. It may well be as we reconfigure our organisation

and make changes to assist greater focus on frontend, members of police staff will have to take on other types of jobs that they have done in the past. Very often and I feel certain that members of police staff are not properly recognised. Some of these folk have worked with the Police Service for much longer than many of their police colleagues. In many cases they are people of 42 and 43 years of service still working as members of police staff, through thick and thin and in some times, in the most difficult circumstances. So, everybody in the Command Team is very fully cognisant of that. Very fully cognisant of the obligation we have to those long serving members of police staff and we will do our utmost in all circumstances to protect their position.

Chief Constable, Mr Matt Baggott:

I would just make a point Chairman on this. We will deal with this very sensitivity and clearly we will look for efficiencies wherever we can. Much of that is around the bureaucracy, the administration, the sheer amount of forms we have to fill in, we are relentlessly cutting through that. But I do want to make the point again, and it is not a point that I make lightly. Unlike elsewhere in England and Wales where police services have seen a significant growth in relation to their resources, unlike elsewhere where they were able to set a higher level of local council tax and precept, unlike elsewhere where they have had a significant investment in relation to things like the Counter Terrorist Units, the PSNI has gone down from 12,000 to 7,500 in terms of budget and no longer, quite rightly, no longer has tens of thousands of people here of military support. Now, I would be very clear that we are under some pressure. We are managing people's safety adequately, but I am very anxious that we build for the PSNI, a capability for the next 5 years rather than year on year having to make big decisions about our future of personal policing our security capability. So, there is a difference here. Others have had an investment, we have not. We have gone the opposite direction, all of which has been appropriate at that time for delivering reform, for delivering the Patten commitments and for making sure that we are as we are as a PSNI, but there is a serious debate now about an organisation that has already gone down by 45% unlike elsewhere and the blanket cut of 25% being expected elsewhere, if it is indeed to be that, is not appropriate here because we are in very different and very unique circumstances and that is a debate which I know has resonance with many politicians. It is a serious debate because we are in the worst recession and I am very mindful of our own obligations to meet the needs and efficiency in relation to the overall degree of debt the country is covering. But I wanted to say that Chairman because

there will be consequences in relation to staff, in relation to numbers but as the Human Resources Director has correctly said, we will manage that in any way we can without looking for all the drastic solutions which I think would be inappropriate at this time and also would affect so many peoples lives and that would be a retrograde step.

A/Chairman, Mr Brian Rea:

Mr Leslie Cree.

Mr Leslie Cree:

Thank you Chairman. Chief Constable, just following on from that. We have an increased security risk in the country. The manpower equivalent to 80%+ of the budget, an expectation that that budget will be cut, how can that possibly be done and provide the service as it exists, in fact there should be even more people on the ground, how in fact can you handle that ridiculous situation? Increased demand, lower resources.

Chief Constable, Mr Matt Baggott:

Well, I think there is ways in which you can take cost out by reviewing some of the ways you manage, for example things like transport. You bring experts in to make that the way you are servicing, the vehicles you are buying, all those sorts of things are up to date in relation to commercial practice and we are doing that at this moment in time. I think there are ways in which we have been asked to work over the last decade which have been hugely resource intensive, and I am not convinced they deliver the Policing Plan in relation to anti social behaviour. I still believe that police officers themselves, bearing in mind we are recruiting 1 for every 50 people that are applying, should be able to caution children without the permission or the consent of the Public Prosecution Service (PPS). There are unique arrangements in Northern Ireland which may have been appropriate at the time, but no longer apply and the more regulation, the more process, the more checks and balances you build into any system through administration, the more it costs. Now, these are issues which we have been confronting and dealing with, with our criminal justice partners for example, but I think we have a long way to go still to taking the cost out of that and delivering speedier justice.

The other issue is, we are using technology now in a much more sophisticated way. We will have satellite tracking in our vehicles. We have got mobile data, there will be a reduction in fuel costs because of that, so there are ways in which we can deliver policing in a better way and all of that is entirely our responsibility to make sure that we can contribute to the efficiencies that are being asked across the public sector, but I do not believe that should come at the expense of reducing police numbers.

At 2 o'clock in the morning, I have to provide a level of service across Northern Ireland that can deal with the unexpected because of the sadness of the security situation. I have to have personal policing in the heart of communities to do what matters to people in relation to their confidence and we have to have many, many people at this moment in time dealing with the security situation. All of that is going to continue for the next 5 years, but what we will commit to is looking at every single one of our posts, our processes, the way we do business to see if we can do it cheaper and more effectively because I have an obligation to do that.

A/Chairman, Mr Brian Rea:

Thank you very much, that concludes that section. If we could move to....

Mr Trevor Ringland:

Sorry Chairman, there is one question I would like to ask and it is in relation to the aspect of sectarian crime and if you could maybe deal with that aspect in your report on sectarian crime and there seems to have been a rise across the province of sectarian crime.

I think also we have discussed it before that it is a society problem. On a specific issue, it seems that the Department of Education cut significantly their funding to various groups who were involved in various projects dealing with sectarianism, as well as racism and other issues with our young people. Was there any discussion with yourself around whether or not that should happen, or have you had any discussion with the Department of Education around that, because it seems to be an area that we should be focusing on and yet here we are actually disempowering the very people who are trying to tackle the problem at a society level never mind policing level?

Chief Constable, Mr Matt Baggott:

I will invite my colleagues to come in if they want to on this one.

I think the first thing we do is acknowledge that policing has a role to play in a shared future. If it is trusted, if it is present, personal, if it is, then it has a huge role to play in peace-building, and our ambition by next April 2011, is to have consistent neighbourhood policing everywhere in the right numbers to make a difference and that our response policing will be part of that solution. We have made a huge progress with the Policing with the Community, with our Community Engagement Committee here, with Alex Maskey and colleagues working very closely with us on that, and I am very grateful for that support and where we are making progress. But we have to have consistent neighbourhood policing, we have to have it in the right place. I think then you get into some very local dialogue about what matters in that particular neighbourhood and we extend that conversation beyond the District Policing Partnerships into the GAA clubs, into the sports clubs, into the schools and we have a very real dialogue about where are young people vulnerable here, why are they vulnerable, even to the extent of having meetings where we talk about which off licences are selling alcohol to children, all of that though is very, very local indeed.

On the bigger picture, I think there is a debate ahead at some time about how we work at identifying children that are specifically at risk. I have been deeply concerned personally, I know this goes back a number of years, to see very young children brought into potentially the justice system because of their inappropriate behaviour around rioting, and we simply have to look at whether this is a child protection issue as well as one that is a policing issue or a justice issue. Now, I am very anxious that we do not bring the whole power of state into dealing inappropriately with families and individuals but there has to be a role in terms of local meetings, local concern and statutory agencies in relation to children as young as 10 who are throwing petrol bombs, who may well end up becoming serial rioters and ending up in prison for many years of their lives. I am not sure that is something that we should ignore and I am not sure that is simply a policing solution, indeed it is not.

I wonder if I might invite ACC Kerr to say a few words about that.

Assistant Chief Constable, Mr Will Kerr:

The only thing I would add Mr Ringland is, we have had this discussion a number of time that there is no policing solution to the general issue of hate crime, of course there is not, we just police the symptoms. Quite often when it comes to hate crime those are symptoms of cowardice. If somebody goes and breaks a window, damages a car and runs away in the middle of the night and we are left dealing with the victims and dealing with the consequences of that and there is a broader society responsibility to deal with the causes of division in the first place. But in terms of the point the Chief Constable makes about dealing with young people, how we deal with anti social behaviour and the range of those quality of life issues as a whole, we have a different statutory infrastructure in Northern Ireland than they have in GB. We do not have a Crime and Disorder Act, we do not have the effective community planning legislation that would compel the whole of the public sector to sit down and talk about a joined-up solution. So, we cannot get the health sector, the education sector, local government, police to sit down and actually come up with a joined-up solution, so inevitably what happens is, the concentration and the focus remains on a policing solution and it just is not going to happen.

Mr Trevor Ringland:

Well, it is worse than that. The Department of Education are cutting funding to a group of people who are actually trying to tackle some of the issues that you end up having to deal with a bit further down the line. There does not seem to have been a connection between the cutting of that funding and how that might impact out on the streets, and maybe that is something for ourselves in a discussion, something to actually take forward.

Assistant Chief Constable, Mr Will Kerr:

Politicians as well.....

A/Chairman, Mr Brian Rea:

We move to the next section which is the general questions from the Committees and from Members and question 1 is in the name of Sir Desmond Rea.

Q1 - Has the Chief Constable any concerns regarding the operation of the protocols between the PSNI and the Security Services?

A/Chairman, Mr Brian Rea:

Chief Constable, can you answer that?

Professor Sir Desmond Rea:

Can I add to that question Chief Constable if you would not mind? If you could say something as well about the relationship with An Garda Siochana?

Chief Constable, Mr Matt Baggott:

Thank you very much. I will just say a couple of things and I am going to invite ACC Harris to fill in the detail.

I am more than satisfied with the current protocols and I am very grateful for the positive relationship and investment that the Security Service has made here. Day to day I have no doubt at all that they preventing the loss of life, working closely with us and let me be clear, we are very much in operational control of the investigations. The relationship we have goes right back to the 5 principles and the St Andrew's Agreement but I will invite ACC Harris to talk about the specifics.

Assistant Chief Constable, Mr Drew Harris:

The operation of the protocols between the PSNI and the Security Service is governed under the terms of the St Andrew's Agreement, and indeed the protocols flowed from the 5 principles which were set out in Annex 'E' of the St Andrew's Agreement and those principles are very much live and are written through the protocols and the template and the meter stick by which we judge our actions.

All of these arrangements, our relationship with the Security Service is subject to oversight. Lord Carlile, the independent reviewer to oversee national security arrangements, has recently reported on the relationship between Security Service and the PSNI. He commented very favourably upon those working arrangements and the operations of the various protocols. We have a very clear understanding with the Security Service what each agency's responsibilities are, but we still have a very considerable input and investment in national security type policing. We are responsible for all police operations surrounding surveillance. We still manage the vast, vast majority of covert human intelligence sources that relate to national security we are

obviously entirely responsible for the proactive and reactive crime investigations relating to national security and it has to be said, that a criminal justice approach in terms of bringing offenders to justice is the only and principle strategy which guides our work and indeed the work that we conduct with the Security Service.

The Security Service provides a service to us in terms of providing intelligence, it is for us then to take that and turn that into investigative and evidential opportunities to bring offenders to justice and that is very much what this relationship is built upon.

We also have a very close relationship with An Garda Siochana. This is based on very strong relationships, but also on Memorandums of Understanding, and these are written under an inter-governmental agreement which allows police to police co-operation between An Garda Siochana and ourselves. These relationships too are very strong and have been illustrated by a number of successful cross border operations. It is not always easy to go into the specifics or publicise these because they are centring around, sometimes very sensitive operations, but the Board can be assured of our entire confidence in the commitment and the support that we see daily from An Garda Siochana in respect of combating all cross border crime, but in particular, crime involving terrorist action.

A/Chairman, Mr Brian Rea:

Sir Desmond Rea.

Professor Sir Desmond Rea:

Are you satisfied and thank you for that response, but are you satisfied that the change in primacy has had no effect to the detriment of the collecting of intelligence?

Assistant Chief Constable, Mr Drew Harris:

The change in primacy has brought new resources to be brought to bear in respect of this and so, in effect, it is an increase in capability. What has changed is, that the national security responsibility moves fully to the Security Service, but operationally the vast majority of the work in respect of, as I have said, surveillance operations, the investigative operations and the handling of CHIS (Covert Human Intelligence Sources) all lies with the Police Service and I have total confidence that I have full sight of all intelligence relating to Irish terrorism.

Professor Sir Desmond Rea:

In respect of the relationship with the Garda Siochana, certainly all of us on this Board know that the relationship is informal, but despite its informality it has been very good over the years, but is there a case for more formality?

Deputy Chief Constable, Mrs Judith Gillespie:

Chairman, if I can take that question. Later in the autumn of this year, we will be planning a launch of a new cross border policing strategy which will put on a formal footing, exactly where we would like to be in terms of our plans for co-operation with our colleagues in An Garda Siochana for the next 3 to 5 years, and lay out our strategies around cross border crime prevention, around enhancing the safety and security of police officers and staff living and working in border areas, around the exchange of information, evidence and intelligence and around joint patrols on each side of the border so that we can enhance the safety and security and the effectiveness of our operations. So, that strategy has a number of various strategic strands about where we would like to go in terms of legislation in the future, protocols and procedures in the future, and all of it will be launched with the support of the 2 Ministers on both sides of the border and hopefully that will happen in late autumn of this year.

Professor Sir Desmond Rea:

Thank you very much indeed.

A/Chairman, Mr Brian Rea:

Question 2 please, Jimmy Spratt.

Q2 - What actions can he take if new information were uncovered regarding any surviving members of the gang who carried out the bombings of Claudy on 31 July 1972, and in light of the report published by the Police Ombudsman into the Claudy bombing, will he now direct the Historical Enquiries Team to prioritise the investigation into that incident?

Assistant Chief Constable, Mr Drew Harris:

In respect of the investigation into the bombings of Claudy on 31 July 1972, that investigation is currently with the HET (Historic Enquiries Team). They have opened up lines of communication with family members and it will be subject to an HET review. If

new evidence or information is recovered, then obviously that will be pursued for all investigative and evidential opportunities and, subsequently, that would be reported to the PPS (Public Prosecution Service), but at the moment we are at the early stages of HET review of that incident. Obviously, as well, given the report published by the Police Ombudsman, we will be taking a very close look at that investigation and ensuring that all investigative and evidential opportunities have been followed, but that would be the purpose of the HET review which is commencing and hopefully we will be able to report on progress as time passes with this.

A/Chairman, Mr Brian Rea:

Jimmy Spratt.

Mr Jimmy Spratt:

Can I thank ACC Harris for his reply and can I first of all make a comment in terms of and I think it is very sad that all lines of enquiry were not pursued in early days and arrests made in line with some of the comments that have been made in the media over past days. Certainly, it seems there were double standards in those days. At the same time, 3 miles down the road, they were arresting Protestant Ministers for taking part in an Orange Parade, quite prepared to do that but to ignore a very serious investigation where there had been mass murder and I think that is very sad and I think it is an indictment at the time. But can you assure the Board at this minute in time that there is no meddling whatsoever from the Department of Justice or indeed, by the Secretary of State, or NIO, in any live investigations that are ongoing at this minute in time, because it does appear that was the case back in 1972, so I am looking for an assurance that there is nothing or no influence being brought to bear on the independent role of the Police Service which should remain totally independent in this day and age.

Assistant Chief Constable, Mr Drew Harris:

Very obviously, our police independence is far clearer and far more enshrined and is far closer protected than it may have been in the past, and I can give you an absolute assurance, that in respect of the rigour about which we will conduct our review and that we will not tolerate interference in respect of our review and then any subsequent investigation which may follow from that, but certainly we are approaching this. We do intend to carry out a very rigorous piece of work on this and just see what else can be done, but obviously 38 years have past, so I do not want to raise an expectation that we

can actually conduct an investigation on what is there, but certainly it will be subject to a stringent rigorous review and we will not tolerate any interference with the course of that. If evidential or investigative opportunities arise, we will follow those to their conclusion.

A/Chairman, Mr Brian Rea:

Jonathan Bell.

Mr Jonathan Bell:

Chief Constable. The police have operational independence, how is that an alleged....*(tape unclear)*

Chief Constable, Mr Matt Baggott:

Well, I think you have to go back to what my colleague said which is 38 years ago, the scenario was very different. I am the Chief Constable of the PSNI and none of that takes away from the need for an impartial, rigorous investigation where we have evidential opportunities to pursue and that will continue wherever and whenever the opportunities arise. But I think it would be wrong of me to make any judgements in relation to the events of 38 years ago. The Chief Constable at the time had to make his judgements based on the light of what was happening in the circumstances, but we are in a very different place in relation to our accountability, the regulation of what we do and the legal framework within which we operate today 38 years on.

Mr Jonathan Bell:

Not to take away from that in any way, but can you understand the major public disquiet that there is allegations that a Provo priest was able to murder, blow a young girl to smithereens and evade justice.

Chief Constable, Mr Matt Baggott:

Well, I think the assurances, we have an Ombudsman's report now which has looked critically at the events of 38 years ago. That in itself is a step change in relation to accountability. We have a live investigation by a police service operating in very different circumstances and with very different accountability and as ACC Harris has said, that investigation will proceed impartially and without fear or favour. So, we are where we are in 2010. It would be completely inappropriate of me to comment on the

circumstances of 38 years ago, but we do have a different set of regulations and we are moving forward and just suffice to say, I do know that I think in 2002, an investigation by the PSNI itself issued an apology to the families for the events of all those years ago, but as I say, the investigation will proceed now, completely impartially and it will follow the evidence wherever it takes us.

A/Chairman, Mr Brian Rea:

Question 3, Alex Maskey.

Q3 - To ask the Chief Constable if he is satisfied that the use of "Operation Exposure" is compliant with good practice and the PSNI human rights and statutory obligations?

Mr Alex Maskey:

Thank you Chairman. You know we have had some discussion about this in our private session earlier. My primary focus on this is on the basis that we have had the publication by the police of underage young people in respect of alleged criminal activity, and I do accept entirely that the Chief Constable's response included that whilst there was a lot of public support for that in many cases and it was also an attempt by the police themselves to engage some of those young people and their families in divert working, that has to be very much commended, but my primary concern is that we are dealing with young people, there has to be the issue of human rights compliance in this regard. I certainly would prefer that there be no further action taken on this until we fully explore and resolve the human rights compliance concerns already previously expressed.

As the Chief Constable is aware, the Board itself is engaged, and our own advisors are engaged with yourselves on this matter. We may not agree ultimately, I do not know, but certainly I would like assurances that the issue of human rights compliance for a lot of these young people. I can understand where people will say, there is a good public support for this and that may well be the case, but by the same token there are fundamentally important issues here, including putting people at risk, driving them into places where you do not want to drive them into as well as getting people to come forward or to be identified for their illegal activities, if that is what they are involved in. So, what I am looking for here is obviously this matter to be dealt with in a way in which

we ultimately ensure that people's rights are protected, particularly when we are dealing here with underage young people.

Chief Constable, Mr Matt Baggott:

Thank you very much. I know that ACC Finlay will be very happy to enter into a discussion with the Board about the why this was done, the way it is done and have a very detailed conversation.

Just suffice to say, I think it is important that I do address this as Chief Constable before we talk about some of the specifics. The Human Rights Act is a 2 way lens. It can look at the rights of the individual but it has to balance that against the rights of the community. Secondly, it is not a precise test of "you can or you cannot". Basically, the Human Rights Act invites us to justify and then that is subject to scrutiny. So, was it reasonable, was it proportionate, was it necessary and often the test of that is the seriousness of the matter in hand. So, it is not a precise science and neither is it a precise piece of legislation, but it is a test based around concept, so that is entirely appropriate.

In relation to this matter, what I would say is, I think that the issues under consideration are serious in relation to rioting. I think there are human rights obligations on us in threefold. Firstly, to protect the community from individuals who are prepared to riot, irrespective of their age, but I am very mindful of the concerns around that. I think secondly, the interest of speedy justice which must be served. But thirdly, the other aspect to this is, if we have children or young people that are getting drawn into very serious offences, we do have an obligation to identify them quickly, in relation to preventing them becoming recidivist or continuing that behaviour and adding to the sentence they might receive. I would invite ACC Finlay to talk about that because in relation to the identification of some of these young people, I think the approach being taken is entirely about justice but also balanced with the need to prevent them getting into trouble into the future, and that has to be done in a speedy and a necessary way.

Assistant Chief Constable, Mr Alastair Finlay:

Thank you Chief Constable. This arose out of significant sectarian crime disorder which was at the Fountain/Bishop Street interface in Derry and that occurred over April to July. There was at least 46 sectarian incidents and it looked and appeared that there

was about 75 young people involved in those, and through investigative strands, the decision was taken to release images which is what this operation was about. There were 50 images released into the press and distributed also via a leaflet. The leaflets, with a view to the public assisting in the identity of the young people who were involved in these events. Of those 50 images, 40 have been identified, 37 have been processed or being processed. I think it is of note that only 5 have been charged and that will be due to actually the particulars of the individual's actions or the severity of that or the background in terms of previous offending and such like, which means that 32 people have been processed through the Youth Programmes which seeks to divert them away from criminality and seeks to give them support and assurances to avoid repetition of this kind of conduct in the future.

I think it is also of note, that there has been a hugely significant drop in the amount of incidents of disorder in that area since this initiative took place. But we very much recognise this is a very fine balance of rights, and it is not an exercise that the police enter into lightly and it was subject to a lot of due consideration and careful internal review with the Human Rights Legal Advisor.

The review includes, not only the Human Rights Act, but the United Nations Convention on the Rights of the Child, and it is probably around that bit of legislation that other bodies like the Human Rights Commissioner and Youth Lobbying Groups, have more an issue about the interpretation, particularly on the different interpretation of what is in the best interest of the child and I think we would argue that by the identification of people and being able to divert them to a Youth Diversion Scheme and support them with other agencies, that is in the best interest of the child, but we do understand there are differing interpretations of this.

Meetings have taken place as you rightly say, with the Human Rights Legal Advisor to the Board and the Human Rights Commissioner very, very recently and we will continue to have the dialogue around about this tactic which is used in very limited circumstances but in order that the Human Rights Advisor to the Board can report to the Board and we can seek to engage in the dialogue about the appropriate measures and controls around about its use and how we would use it in the future and its appropriateness. But it is balancing the needs of those involved with the needs of the

community and what is the responsibility on policing to actually do something active to engage to prevent crime and to divert young people out of further incidents of crime.

Mr Basil McCrea:

Chairman, I would like to come in on that if Mr Maskey is finished.

I think you are too soft on this issue. Whenever people use human rights, it is like some sort of universal panacea that says you can do anything. Whenever people bring forward human rights, which human rights are being challenged? Is it the right to life, is it the right to free assembly, is it the right for peaceful existence, these are set out in statute as to what they actually are. I see no challenge on a human rights basis. Now, I do agree ACC Finlay that you might have an issue under the Convention for Children, that is an entirely different issue. But what happens when people throw out human rights is an issue here, it completely muddies the water. Everybody is entitled to human rights, including society, and I do think that we should come back and say to people clear and unequivocally, if there are children, particularly young children who are out putting themselves in danger, putting others in danger, we as a society, not only do we not need to explain we have an absolute obligation, it is a must do. You have a legal responsibility to go and protect those children and actually I do not think you should try and be defensive, I think you should come forward and say "this is what you are expected to do" and certainly as Chair of the Human Rights Committee and I am not saying that other people do not have expertise in it, that is where I think we should be, we must tell society we are going to do what commonsense tells us is right.

A/Chairman, Mr Brian Rea:

Thank you for that. We are actually running behind and I do not want to curtail people's questions. Question 4 Chief Constable is Daithí McKay, it is in relation to what happened in Rasharkin.

Q4 - In a statement released by the Ballymacconnolly Sons of Conquerors band, a spokesperson said that "the band therefore took the decision, with the support of the police on the ground, into simply reversing the parade route". The decision to reroute the parade in Rasharkin and put it through the village at 12 o'clock at night has severely damaged community – police relations in the village.

Could the Chief Constable state:

- (a) What threat there was of a breach of the peace from the participants of the parade?**
- (b) What missiles were thrown at police by participants of the parade?**
- (c) How many phone calls and complaints the PSNI received in regard to the parade and how much did the police operation cost?**
- (d) If the PSNI will relay fully the difficulties they had in policing participants of the parade to the Parades Commission?**
- (e) What consideration was there of the impact the decision to allow a parade to take place at 12 o'clock at night would have on the local community?**
- (f) Why did the PSNI not contact the Parades Commission who have a clear remit in regard to deciding the parade route, especially with the prospect of the parade going on until after midnight?**

Chief Constable, Mr Matt Baggott:

I know we have given a fairly lengthy written reply to this one, and I know there has been conversations taking place locally already.

A/Chairman, Mr Brian Rea:

You have already provided a written answer to this?

Chief Constable, Mr Matt Baggott:

We have. We have had conversations between yourself and the ACC already and I think it is a matter that will be discussed at the District Policing Partnership.

I am happy to ask for the reply but it is a fairly lengthy one. Whether you would consider having that dealt with locally, that is a matter for yourself Mr McKay.

Mr Daithí McKay:

I think if you could just be concise in terms of the details of cost and the number of complaints that came from the residents.

Chief Constable, Mr Matt Baggott:

ACC Finlay, thank you.

Assistant Chief Constable, Mr Alastair Finlay:

Yes, as you know we have met and discussed some of this and there will be ongoing discussions in the locality over the next few days.

The cost of policing the Ballymaconnolly parade on the 20 August was £58,942. There was a question regarding the debrief going to the Parades Commission and that will of course happen and there is going to be a policing debrief and a multi agency debrief around that as well.

In terms of the complaints. There were on the evening of the parade there was a number of verbal complaints from members of the Residents Association regarding the Glebe Park, Glebe Court and Church Road areas in particular. They expressed concern regarding the parade taking place later than scheduled and using the reverse route and we understand the concerns around that. Then there was specifically 6 telephone complaints again regarding noise, persons urinating, damage to a car and a bandsman being hit by an object, and then later after there was one resident email to the policing regarding persons urinating in the Belmont Park area and giving verbal abuse.

Mr Daithí McKay:

Thank you very much for that ACC Finlay. Can I say first of all, in terms of the run-up to this parade, we had a number of meetings with PSNI officers in the locality and they were constructive, certainly more constructive than they have been in previous years.

We have also had engagements with ACC Jones over concerns we had about the police feed-in to the Parade Commission regarding parades in Rasharkin and that was constructive and we had a lot of issues resolved in regard to that. However, in terms of the operation on the night there is a number of issues arising. I will not go into all of them in detail because those can be dealt with in meetings after this one. The main aspect of the police operation which caused concern in the local community was, that is a view within the community and it is contained within the question, that the band

actually proposed the route and the PSNI took the decision without consulting the Parades Commission to put the parade through at about 12:15pm, I think the last band went through the centre of the village, and of course the demographics of the village is a mainly nationalist village and the residents of the village do not want the parade anyway. But the band statement which they put out after the parade reinforces that particular view, that they set and suggested the route and that certainly was the impression we got on the night. We were also given the impression that the sizeable crowd of loyalists who had gathered in the village, was a key factor in terms of the police's decision.

But in terms of a general precedent, we also have concerns as a party because this decision has set a precedent, and we are concerned and want to know how wide a scope the PSNI believes it has in terms of rerouting controversial parades using the 1998 Public Processions Act, because obviously this has been used before in terms of smaller parades and non controversial parades, but this is the first time I am aware of that it has been used in regard to a controversial parade, probably the most controversial band parade in the north at this current moment in time.

The second question. In terms of the public order threat which was proposed by supporters of the parade, I think that has been made clear by the number of complaints which have been registered with the police. Will that be relayed in full to the Parades Commission? Because we have had talks with the Parades Commission since the parade and they have made it clear to us, in terms of that particular public order threat which had been in existence for a number of years, that has not been relayed to them by the police and I think it is important that that is done henceforth.

Assistant Chief Constable, Mr Alastair Finlay:

Absolutely, all the detail will be relayed to the Parades Commission and we will ensure we engage fully with the Parades Commission and Residents Groups and other groups around about the effect of this, the debrief from this and what lessons can be learned for the future.

In terms of the powers in relation to redirecting the parade or potentially stopping the parade, putting it any other way, there is an absolute power in terms of the Public Processions of Northern Ireland Act, that the police at that time of the parade actually

taking place, do have the direction and control to enable that to happen and while it maybe has not happened in such a significant degree before, that power has long existed and is the pragmatic and effective way to dealing with situations on the ground as it emerges because circumstances are dynamic and change, in this case because of a hoax bomb call.

A/Chairman, Mr Brian Rea:

Ian McCrea.

Mr Ian McCrea:

Thank you. I think in the first instance, the reality is, the parade would have went off on time had the device not have been left on the route and I think there is a minority of people out there who were responsible for that and knew exactly what they were trying to do. Daithí McKay is only after referring to this as a contentious parade. Historically, it was not a contentious parade and there are those within groups and political parties who have made it a contentious parade and I certainly will not be giving any lectures in respect of that.

But, in respect of the response to the questions and you did refer to a bandsman having received injuries from missiles being thrown. Were there any threats of breach of the peace by any of the protesters? Were there roads being blocked by people sitting in the middle of road and did the police have to clear that?

Finally, can you clarify whether or not, maybe you can or cannot, a meeting that is due to be held tonight in Rasharkin organised by the Residents Groups, that police will or will not be attending, and If not, why not?

Assistant Chief Constable, Mr Alastair Finlay:

Firstly, in relation to the official protest and those involved in the official protest, there was no issues from those individuals. There was a separate group, not part of the official protest which was clearly people who did object to the parade and they, at one stage, walked into the road in the course of the parade and were removed from the road by the police.

In respect of the meeting tonight, yes, I understand there is a meeting tonight. I have been advised that currently the agreement is, that the police are not attending that because there is a multi agency debrief and the outcome of tonight's meeting will be reported to that meeting. However, in the course of the meeting I have been getting some information and I am reviewing that to ensure that we have we take the best possible action roundabout what is always quite a difficult time where there are emotions running high, to ensure that we support the community in exactly the right way.

Mr Ian McCrea:

Can I, and I meant to do it, commend your officers there on the night for taking the action that they did and it certainly helped to resolve any issues by ensuring that the parade actually went ahead, so I want to commend your officers for that.

A/Chairman, Mr Brian Rea:

Professor Rea, very briefly.

Professor Sir Desmond Rea:

ACC Finlay, you have referred twice or 3 times to reappraisal in some sort of way, and it seems to me that we go on year after year after year and there is still dysfunctionality surrounding parading, still threats to life and civil unrest etc. Now, surely there has got to be a better mechanism of reappraising and learning from recent experience. It is for the politicians and the Minister of Justice to convene something that brings together all the relevant parties to seek to learn from the experience of this year as we move into the next year and such that there is more dialogue etc between people on the ground that we can avoid the cost of this because we can ill afford it, and the threat to life, we certainly can ill afford that. You have one officer who was quite seriously injured. But in addition, the image around the world is just crazy.

Mr Trevor Ringland:

Just on that point. Rasharkin seems to be needed to be added to the list of areas that needs special focus and it is in our politicians and our wider society to actually look at the issues in Rasharkin. It seems some of the politicians just cannot handle it and solve it on their own and maybe we all have to take a more active interest in areas where there are the level of contention that there seems to be there to try and divert it

next year and we have 12 or 10 months to try and do that. It is time that we all took more responsibility for it and start to take some real action to deal with it. There are those who will always cause a fight if you let them, but I always believe that the vast majority of people in this country want to live together in peace and maybe we have to try and make sure they come to the fore instead of the others.

A/Chairman, Mr Brian Rea:

Mr Ringland, that is a comment.

Question 5, we want to move on. Mr Bradley, you have 2 questions, 5 and 6.

Q5 - Can the Chief Constable provide a financial estimate of the cost to PSNI of policing the public order disturbances at Ardoyne in early July?

Mr Dominic Bradley:

Chief Constable, we met with you on the 26 July 2010, and we had a detailed report from you and your colleagues on the policing of the situation at Ardoyne. At that time we did not receive from you any estimate of the cost of that, so therefore I have tabled this question today. But could I add to it, by asking you, how the cost of policing public disorder, how that will impact on delivery of services by the police for the remainder of this year?

Chief Constable, Mr Matt Baggott:

Thank you for the question. First of all, can I thank the Board for their scrutiny on that day of how we handled the events of July 2010 and for the unanimous backing for the strategy tactics. I very much appreciated that endorsement of what we are trying to achieve and indeed, the way we did that.

The cost of just the Ardoyne disturbances from Sunday 11 July 2010 to the Wednesday in overtime was £1.1m. Just to give that perspective, that is the equivalent of a fully resourced neighbourhood policing team, but had that been deployed in the Ardoyne it would have been there for 3 years, so £1.1m would have paid for a fully resourced neighbourhood policing team of 8 officers to be working on the Ardoyne for 3 years. Those 8 officers would, undoubtedly over that 3 years, have improved the lives of people on that estate dramatically. They would have led to young people being able to

walk about more in safety and getting better qualifications and they would have transformed the life of people on that estate. We cannot do that now because we have had to spend that money while unfortunately putting significant numbers of people before the courts, that is a debate we need to have about shared future and that is not a policing debate but I said, I think it was getting on for a year ago now, that what we did not spend on policing the disturbances, I would invest back into those neighbourhoods. Unfortunately, that area will no longer get the 24 police officers over the 3 years that it would have got if we had not had to spend £1.1m on policing the overtime and that is the realities.

Mr Jonathan Bell:

Just on that point Chief Constable, given that hundreds of people from the Ardoyne protested against the violence that was inflicted on their community and they seem to be the genuine residents that are living there, and given that we have a Spanish national charged with attempted murder who travelled how many hundred miles from Barcelona or whatever, and given that we have had people from Londonderry who travelled down specifically to cause difficulties that would appear in that community, is it fair on the Ardoyne community that the residents there get punished for the actions of what are dissident terrorists and dissidents coming, not only from hundreds of miles from within Northern Ireland and the Republic of Ireland, but also from other European countries?

Chief Constable, Mr Matt Baggott:

I would not use words like punishment, I think it is the reality. The reality that we spent £1.1m in a 3 day period preventing people from losing their lives and preventing the disturbances moving into something far, far more dramatic and far, far more damaging, we had to spend that money because there was not the control of communities. There was not the family control of young people, there was not the control and I am not blaming anybody for this in relation to the Ardoyne. There are some lovely, lovely people that live and work in those areas, many people, let us be clear about that. I spent time myself there before the disturbances and the only overwhelming feeling I have about those events, is one of great sadness, because I would have liked to have been able to spend money in creating robust, long term neighbourhood policing that wins hearts and minds but also does the right things for people and improves people's

lives. Wherever we have neighbourhood policing, it is improving people's lives and I would have loved to have spent that £1.1m on doing that personal policing. That is not a punishment, I am not in the game of punishing people for the actions of others, but the reality is, I do not have £1.1m now that I could have spent, and that is a debate around shared future that we have to take forward now with the Executive, with politicians and with communities.

A/Chairman, Mr Brian Rea:

Thank you. Mr Bradley, question 6.

Q6. Following the budget scenarios submitted to the Department at the end of July, can you update the Board on the preparations you have already initiated to prepare the Service for the well publicised budget restraints that are projected for the next few years. How is this currently impacting on the ability of the service to meet the demands placed on it, and how many police and staff vacancies is the service currently carrying?

Mr Dominic Bradley

Thank you Chairman. Also at that meeting Chief Constable on 26 July 2010, you outlined some budget planning scenarios that you were asked to complete by the Department of Justice and a sub-group of the Resources and Improvement Committee discussed it further with you on 29 July 2010. We would all hope that the policing budget will not be impacted upon by the cuts which lie ahead, but we have no assurance that that will be the case, neither have you. So, this question is aimed at asking you what preparations you have made for some of the possible scenarios you have had to deal with in preparation for what might lie ahead. So, I would be interested to hear your answer to this question.

Deputy Chief Constable, Mrs Judith Gillespie:

Chairman, I will respond to that if I may. I think the Chief Constable has already covered quite a bit of this in his response to an earlier question by Leslie Cree. But the foundations were laid for our preparation for what lay ahead in the Strategic Review published in June 2009 and also with the Board's assistance with the revised Policing Plan which allowed us to focus very much on serious harm, local concerns, service excellence and continuous improvement.

Prior to that, we also undertook a revision of our ranks and posts at rank which allowed us to save 240 posts. We have undertaken a very rigorous resource to risk process based on the priorities in the Policing Plan and focusing on those posts that are critical, that are essential and desirable and that has allowed us to free up a lot of police officer in particular, from organisational support type functions and we have already referred to 430 additional posts delivered to the frontend, that has been assisted by that process.

You referred to the budget planning paper which we submitted to the Sub Committee of the Resources and Improvement Committee. We will not know the outcome of that paper, and in fact, that was only a scenario planning paper. We will not know the outcome of the budget process until the end of October 2010, but we have put very clearly a marker down to the Executive so that they understand the impact and consequences of their decisions. So, that scenario planning paper has been very, very important.

In the interim period up until the end of October 2010, we have put a freeze on our recruitment and on our promotion processes to make sure that we are using our budget effectively and prudently. That has been a difficult decision, but it is hopefully a very short term decision and we would hope that recruitment will free up again in the new financial year. But, we have also been very keen to ensure that key operational posts which are critical to the delivery of the police service have been covered in the interim period.

We have new initiatives like for example, some capital projects which we have had to put on hold simply from the point of view of prudent financial management. We are not going to commit ourselves to something that possibly in the future we will not be able to afford.

The Chief Constable also referred in an earlier response to criminal justice reform, freeing up police officers time, streamlining the criminal justice processes, speeding up caution decisions and that is work that has been taken forward in partnership with the Public Prosecution Service (PPS).

We have established the 4 Programme Boards which the Board has been invited to join us on, with cross cutting improvement initiatives. The Chief Constable mentioned the transport review and we also have a new Call Management Strategy which we hope will achieve significant efficiencies of scale and enhance the service that we deliver to the public. Of course, all of this is against the backdrop of a severe terrorist threat and we have to bear in mind the funding implications for the present and future need to ensure adequate security funding is provided as well.

But just finally, we have moved away very much from counting police officers and counting police staff to a budget based approach and so that needs to be understood by the Board. We are not talking about police numbers, we are talking about numbers on the street in visible policing roles and a very much budget driven approach for the future.

A/Chairman, Mr Brian Rea:

Now, I am conscious that we are running behind and it is partly due to the nature of the questions and the answers that are required, but I hope that you will bear with us.

Two questions in the name of Basil McCrea from the Human Rights and Professional Standards Committee, questions 7 and 8.

Q7 - You have previously expressed your expectation that the work of the HET will be completed within 3 years. Would you agree that by working to such a demanding deadline the quantity of cases completed by the HET will be prioritised at the expense of the quality of each review?

Chief Constable, Mr Matt Baggott:

Thank you. I might just answer the first question and ACC Harris will answer the follow-up supplementary question.

Just to say in relation to this, the timeframe itself was set by a review conducted by the Historical Enquiries Team itself under my commission, so it is not an arbitrary type timescale that I set. I asked the HET to come up with how long it would take to work their way through their professional judgement, they did some analysis and came up with 3 years.

Secondly, I have always emphasised that this is not an absolute timescale. If it requires longer then we will have to consider that as the years unfold, so it is not an absolute timescale. Quality will not be negotiable. That is one of the reasons I think in the next question why the complex, the lengthy cases that require a higher level of professional expertise and qualification, get now passed to the PSNI to be resolved, so that is all about quality and making sure they are dealing with it properly.

Ultimately of course, the long term future of the Historical Enquiries Team is a question of political judgement because the funding has to be met and paid for and justified in relation to the next budget round from 2011 onwards, so what I have set out as an expectation and an aspiration, ultimately we still need to find the money to do that. So, I hope that answers particularly question 7.

A/Chairman, Mr Brian Rea:

Basil McCrea, can we move to the next one and then you can give a

Mr Basil McCrea:

No, you cannot Chairman if you do not mind. I will be very quick.

Chief Constable, I am reassured with what you have to say, but perhaps you would write to us actually outlining that, because there is a concern that quality is going to be compromised in terms of the rush to come through. I would like an unequivocal undertaking that we will investigate what has to be investigated and that we will not compromise on quality. Basically, just the lines that you have come out with but it would be useful to have that in writing.

Chief Constable, Mr Matt Baggott:

I am happy to provide that and to reconfirm what I brought to the Board, I think sometime last year, but if that is what you would like, I am happy to do that.

A/Chairman, Mr Brian Rea:

Question 8, is that ACC Harris?

Q8. At what stage are cases that are being reviewed by the HET passed to Crime Operations for further investigation, and who makes the decision to transfer the case from HET to Crime Operations?

Assistant Chief Constable, Mr Drew Harris:

Yes it is and it is very closely related to question 7 as well because this is all part of the process to deal with the workload that is with HET at the moment.

If an evidential or investigative opportunity is identified by HET, then under the Memorandum of Understanding between HET and Serious Crime Branch, that investigation would pass from HET into C2 and will then become the subject of investigation by one of the major investigation teams. I have a corporate responsibility for the investigation of homicide within the organisation and therefore, in effect, I am the gatekeeper for that and the person who would make the final decision.

In respect of the transfer of investigations, the most notable investigation obviously to be transferred has been Operation Stafford. That is a huge investigation and it was very obvious that that was the right thing to do and that investigation proceeds.

Some other investigations have also transferred across and they are under investigation by major investigation teams and we can expect the numbers of those actually to increase as time goes on.

The principal reason for doing this is, it allows HET to carry out the cold case desk reviews and it lets detectives within Serious Crime Branch then to follow up on investigative and evidential leads, hopefully then to end up with a criminal justice outcome in terms of reporting offenders to the Public Prosecution Service (PPS).

Mr Basil McCrea:

I would have to say that Members of the Committee are not hugely happy with this ACC Harris, that whilst we understand the argument that was put forward in terms of a serious crime that required the full support of your Department and the size and scale of it was appropriate, if that is the case, there are other issues now that seem to be coming across and there is a danger that HET just become a very low level, as you say desktop investigatory process. Given that it is the only game in town that we have at

the moment in terms of dealing with issues of the past, it may be the right decision that you have reached, but we do think it is something that should have been done in consultation with the Board. That we should have been told whenever these changes were going to happen and that we want to know when the fine line is about when it actually switches over to HET and it may be something that other Members of the Committee want to come in on.

Assistant Chief Constable, Mr Drew Harris:

This is part of a presentation we gave to the Board in November of last year, because the principle actually rose from the Operation Stafford investigation. It is very clear that HET, we cannot put a timeline on the HET's work, if we expect them also to conduct live investigations because it is so distracting. The demands of a live investigation are such that you have to keep on putting your resources to that. We do not get the opportunity to open up new cases and conduct reviews and that was the experience for Stafford. Over a third of the HET resources were deployed on that one investigation and so to avoid that situation happening again, we came to the conclusion that the best thing was that investigations would pass over from HET to C2. That is when actually we find investigative leads, investigative work which has to be done and carried through on and that may be interviews or further research, further re-interviewing, and in fact, even if the HET had carried on with this, to conduct interviews of suspects always required the resources of C2 because of the standards now expected around police interviews of suspects for serious crime. So, certain elements here of in any case C2 Serious Crime Branch, were substantially supporting the HET on investigative work anyway and we were devoting a lot of resources to this prior to November 2009 only now we have formalised the process and now there is clear understanding as to actually where accountability and responsibility lies when we actually have a live investigation to pursue.

Mr Basil McCrea:

The issue, just to come back in, is whilst you did explain to us about C2 and the issues with Operation Stafford and those things and it was widely consulted upon, and we actually took on Board a lot of what was said, a lot of debate on it, it was not Carte Blanche to go and say "everything is going over". I do think that this is an area where we as a Policing Board, ought to have some form of involvement and consultation because there are concerns about how we are going to manage this particular issue.

Chief Constable, Mr Matt Baggott:

I am very happy to explain to the Board the principles and why we are doing it, but I am not going to get into every single individual case because that is my operational responsibility. It is my accountability to the judicial process, and I am very reassured that what we are doing is entirely appropriate about managing victim expectations who have been waiting for many years to have their cases looked at. We have quite rightly the demands of the justice system for the highest level of expertise and qualification and making sure we have the resources in the major investigation teams, not simply to investigate on an ad hoc way, but in some of these investigations that go on for a year, 2 years, 3 years and I have to have a continuity of staff and professionalism.

So, I am very happy to come back again to have a debate about the principles on why we are doing it, but this is very much a matter of my accountability, my responsibility as the operational responsible Chief Constable.

Mr Basil McCrea:

Our responsibility Chief Constable is to hold you to account for the proper and efficient policing and part of our issue is about budgets and HET and what we are looking for in that money and what it is that we are actually putting the money for. We also need to try and build community confidence and look at those issues. I am just making the point that the Committee did investigate, did support after long discussions about Operation Stafford, but we are now moving into a situation which is of interest to us both from a budgetary point of view and from an effective policing point of view and it is something that we need to talk about, but we will leave it at this stage.

A/Chairman, Mr Brian Rea:

Yes we will. Jonathan Bell, question 9 Chief Constable.

Q9 - To outline the number of inquests which are outstanding in Northern Ireland and both the financial and human resource costs associated with dealing with them. Also, to give an assessment whether the present arrangements for dealing with the past are affecting the PSNI's capability to deal with current policing pressures.

Deputy Chief Constable, Mrs Judith Gillespie:

Chairman, I will take this one if I may.

A/Chairman, Mr Brian Rea:

Thank you DCC Gillespie.

Deputy Chief Constable, Mrs Judith Gillespie:

We are currently liaising with the Coroner's Office in respect of 31 legacy inquests and the Board will know we have been highlighting for some time, that the cost for policing the past and dealing with the complex and emotive legacy issues has an impact on the present and it is complex and emotive and very real threats.

So, conservatively we estimate that the current direct costs of policing the past are in the region of £12m per year. Of course, included in those costs are the costs of HET to which Basil McCrea has just referred. It is approximately £6m per year and the cost of servicing inquests and enquiries is approximately £2m per year through the Legacy Support Unit.

This work, of course, does not take account of the potential costs that may arise from the Saville Inquiry.

Mr Jonathan Bell:

Thank you. I suppose essentially what we want to ascertain is the right to life currently, that human right currently and in the future. Is it being affected by the amount of police resources going into policing and looking at the human rights aspect of the past?

Given that already this year we have had a 300% increase as the Chief Constable has said of those charged with terrorist offences. Can you guarantee that the policing of the past is not negatively impacting on the policing of the present?

Deputy Chief Constable, Mrs Judith Gillespie:

The reality of the situation is, that £12m spent on policing the past is not £12m spent on the here and now. It is for others to sort out longer term how this issue is dealt with, but I cannot say with any surety that if we had that £12m, we could spend it on policing the here and now and possibly prevent serious crime happening. Of course I cannot say that. We would much prefer that we spent our budget wholly on policing the here and

now, but we fully understand that there are very, very complex, emotive and challenging issues around Northern Ireland coming to terms with its very difficult past and that is for others to resolve.

Mr Jonathan Bell:

Just one final supplementary Deputy Chief Constable. Is it correct that the police are spending their time redacting tens of thousands of documents? How many police officers are being spent in redacting these documents and being taken off frontline policing that we could be using for the future?

Chief Constable, Mr Matt Baggott:

Well, it is a difficult question to comment on because you probably appreciate at the moment, we are engaged in a judicial review around the test of relevance, and that is exactly why I want that to be aired and pondered over by an independent court process because clearly, without the test of relevance we will be redacting thousands of documents ultimately which current practice every page is seen by the Chief Constable, so I will see you in 3 years time.

A/Chairman, Mr Brian Rea:

Thank you. Trevor Ringland and can I apologise publicly to him for misunderstanding that it was a question he was asking, I thought it was comment he was making, so he can add it in if he considers the time is well, but we are going to question 10.

Q10 - As I understand it, the Police Ombudsman has been asked to investigate police action surrounding the incident when a bomb exploded in Londonderry on 31 August 1988 and tragically took the lives of Sean Dalton, Sheila Lewis and Gerard Curran. Please confirm the current position regarding the police investigation in relation to who carried out that explosion, as well as who was responsible for directing those who planted the explosive device?

Mr Trevor Ringland:

Chief Constable, you did deal with the question earlier. It was really about a specific project I suppose to deal with the problems around Rasharkin as well, but there is this question also.

Assistant Chief Constable, Mr Drew Harris:

The matter referred to in the question, the tragic of an explosion in Londonderry on 31 August 1988 in which 2 people were killed and one individual then died some months later. That is presently under investigation by the Office of the Police Ombudsman. Also, it is yet to be the subject of review by the Historical Enquiries Team. Both will have access to the full police case papers relevant to this investigation and the Board can be assured of that, but given particularly that the Ombudsman is a live investigation, we cannot comment any further..... *(tape unclear)*

Mr Trevor Ringland:

If I could just come back to you. I think and it is a comment on this occasion. Chairman, Ballymurphy, Claudy this incident which I think was called the 'good neighbours' bomb. People who actually went to look for their neighbour and ended up being caught up in an explosion. They all remind us of the horror of our past, and I think we all appreciate, despite the diversity of particularly this Board, is the progress that we have made in our society. I think there is a big conversation that needs to be had in our society as to how we deal with the past. If we investigate it then I think we are going to end up destroying much of the progress that we have made. I think so somehow we have got to find a way of letting go of the past, not forgetting it, but letting go of it. But it is a big conversation and I think the politicians have to play a role in it and I think this Board has to play a role in it and I think wider society has to play a role in it as to how we continue, because if you look at the number of questions that are about dealing with the past here, we have had so much progress in this society but we could undo much of the good work that has been achieved and there needs to be a big conversation in our society as to how we deal with this past.

Professor Sir Desmond Rea:

I concur with that.

A/Chairman, Mr Brian Rea:

We have 3 questions left, 2 in the name of Alex Maskey, and one in the name of Professor Sir Desmond Rea.

Q11 - Can the Chief Constable provide an update on the proposed transfer of all files related to the Stevens Inquiry into the ownership and control of the PSNI?

Q12. Can the Chief Constable also confirm his intention to retain all such files as a single entity as opposed to any form of disposal of the files or documents?

Mr Alex Maskey:

Chairman, these questions should really be one question. All I am interested in doing is allaying the concerns of people that have expressed about basically the integrity of this material and how it is maintained into the future regardless of what we might do with it.

Deputy Chief Constable, Mrs Judith Gillespie:

I will deal with both the questions if I may. We have certainly no intention of disposing or destroying of any of the files or documents, we will ensure that they are all securely retained and we have commenced a process of recovering all of the material relating to the Stevens Inquiry and we are currently liaising with members of the Stevens team and the Metropolitan police. In fact, I have written to colleagues in the Metropolitan police on 2 July 2010 for a response from them on our proposed strategy.

It involves complex IT systems and processes and that is going to be expensive, but the development of these systems, the capital cost will be around £180,000 and on top of that over the next 3 to 5 years, it will be a total of short of £1m to staff and resource the processes involved. We have been keeping the Coroner's Office fully informed as this process evolves and we look forward to progressing it over the next months.

Mr Alex Maskey:

Thank you.

A/Chairman, Mr Brian Rea:

Jimmy Spratt.

Mr Jimmy Spratt:

Just in relation to that question as a supplementary. Could the Chief Constable assure me in relation to questions that were asked previously, that Stevens is no longer on the payroll of the PSNI?

Chief Constable, Mr Matt Baggott:

There are a limited number of staff who are working with helping us to move documentation over here, the computer systems, there has to be some degree of continuity. But John Stevens himself, no.

Mr Jimmy Spratt:

That is an absolute assurance?

Chief Constable, Mr Matt Baggott:

Yes.

A/Chairman, Mr Brian Rea:

Thank you very much. You will be glad to hear that Mr Spratt. Question 13, the final question because there is another question that came in after the time and we are already running late. Question 13, Professor Sir Desmond Rea.

Q13 - Can the Chief Constable advise if police are currently investigating other allegations relating to abuse which have come to light in the Western Health & Social Care Trust following the McDermott brothers case.

Assistant Chief Constable, Mr Alastair Finlay:

If I could take that one Chairman? I can confirm that since the sentencing of the McDermott brothers which was on 18 June 2010, 3 further allegations of historical child abuse in that area have been received by the police. However, they do not all relate or are connected to the McDermott brothers.

A/Chairman, Mr Brian Rea:

Thank you. That was very quick, we can take question 14 then, Mr Maskey you will be happy. Question 14 on behalf of the Community Engagement Committee. Chief Constable if you would be happy to take it.

Q14 - "B" District is seen as a good example of the police working with and supporting minority and ethnic communities where the Neighbourhood Teams, in addition to formal training, have sought to develop their knowledge and

understanding by drawing on community expertise. Against a background where District Commanders have considerable autonomy, what plans does the Chief Constable have to ensure that working in this way is implemented across all Districts, and is not dependent on the drive and determination of individual officers to take it forward?

Assistant Chief Constable, Mr Alastair Finlay:

I will take this one as well Chairman. I am grateful for the acknowledgement or the work that goes on in 'B' District.

B' District does certainly have some distinct pilots going on, particular in the Advocate Scheme which I was involved in the multi agency launch of last year and has now been expended to the LGBT Advocate, and we also have the Street by Street pilot. I think crucial to some of those to that work, is actually the work of Belfast City Council and their involvement in the multi agency approach around this, and the approach to the range of different ethnic communities that exist, particularly within South and East Belfast. Some of that is exemplified by the success of the Melé held again recently and is growing year by year in its involvement and the range of people who do get involved in it and, of course, PSNI is the major sponsor of that.

In terms of sharing best practice. Street by Street is a pilot, the advocate scheme grew out of a trial in Ballymena, but the Community Safety Superintendents get together on a regular basis and as part of a review of the neighbourhood policing function, which we spoke about earlier on, there will be changes which will bring around a corporacy to how neighbourhood policing, what it looks like, what it feels like, what it consists of and a key element of that is policing, minority ethnic communities and hate crime.

Mr Alex Maskey:

Thank you ACC Finlay. This question just for the backdrop, this question arose from decisions our Committee had with representatives of some of the Policing Board's Reference Groups and they did say that 'B' District had some very, very good innovative work and consistently and proactive officers involved in it. But they were saying that it was not across other police Districts and could that then be extended beyond that. So, thank you for your response and obviously as you know, it is an ongoing discussion.

A/Chairman, Mr Brian Rea:

Well, thank you very much indeed and thank you to members of the public, other officials. Glad to see Al Hutchinson and Sam Pollock here, the Police Ombudsman and his Chief Executive. Thanks you for coming, the meeting is concluded.