

## **NORTHERN IRELAND POLICING BOARD**

### **MINUTES OF A MEETING OF THE NORTHERN IRELAND POLICING BOARD HELD ON THURSDAY, 2 DECEMBER 2010 AT 10:30AM IN WATERSIDE TOWER, BELFAST**

#### **PRESENT:**

#### **MEMBERS:**

Mr Gearóid Ó hEára (Chair)  
Ms Martina Anderson  
Mr Dominic Bradley  
Mr Alex Maskey  
Mr Basil McCrea  
Mr Ian McCrea  
Ms Mary McKee  
Mrs Rosaleen Moore  
Professor Sir Desmond Rea  
Mr Trevor Ringland  
Mr David Rose  
Mr Suneil Sharma  
Mr Jimmy Spratt

#### **POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:**

Mr Matt Baggott (Chief Constable)  
Mrs Judith Gillespie (Deputy Chief Constable)  
Mr Alistair Finlay (ACC Urban Region)  
Mr Drew Harris (ACC Crime Operations)  
Mr Dave Jones (ACC Rural Region)  
Mr Will Kerr (ACC Criminal Justice)  
Mr Duncan McCausland (ACC Operational Support)  
Mr David Best, Director of Finance & Support Services  
Ms Liz Young, Head of Media & PR  
Superintendent, Command Secretariat

#### **OFFICIALS IN ATTENDANCE:**

Mr Adrian Donaldson (Chief Executive)  
Dr Debbie Donnelly (Deputy Chief Executive)  
Mr David Jackson (Director of Community Engagement)  
Mr Peter Gilleece (Director of Policy)  
Mr David Wilson (Director of Planning)  
2 Board Officials

#### **APOLOGIES:**

Mr Barry Gilligan (Chairman)  
Mr Brian Rea (Acting Chairman)  
Mr Jonathan Bell  
Mr Leslie Cree  
Mr Daithí McKay  
Mr Alastair Ross

**A/Vice Chairman, Mr Gearóid Ó hEára:**

I have been asked to step in, so good morning everyone and welcome to the public meeting of the Policing Board.

Chief Constable, we have a range of questions today covering a number of issues over the last month, and some of these you may be covered in your opening remarks.

This morning we have also published the Omnibus Survey Report and the results for policing are very encouraging and are consistent with findings from previous years in terms of public perceptions.

One of the issues we constantly hear from the community is consistency in service delivery. Improving the service delivered to the public remains the Board's number one priority, and ensuring that the public get the same standards of service, whether it be in Coleraine or Crossmaglen, Dungannon or Downpatrick.

As we know, work is being prioritised to free up officers from back office functions so that front line service is maximised and in developing next year's Policing Plan, this work and ensuring that policing with the community is the culture of service delivery for all will be the firm focus.

You are due to update on the security situation. We of course, congratulate the Garda for their success this week, and we would now take your report.

**Chief Constable, Mr Matt Baggott:**

Thank you Chairman. This has been another challenging month in relation to security. I also would like to thank the Garda for their operational success. Sadly that remains necessary, and as you know we are still building capabilities to deal with this. Between the beginning of the year to November 2010 as you know we have charged 73 people with terrorist related offences, compared to 17 for the whole of last year, that is a sadness but is a sign of our intent not to allow the peace process to be disrupted and for ordinary people to receive the very finest police service in the world in relation to their needs and their local concerns. The scale of the problem of course sometimes can be covered in relation to statistics. I just want to be clear about this. If you were to look at the number of shootings which include punishment shootings and the attempts

to try if you like to leave those with power in control of neighbourhoods through extreme violence, there was something like 76 shootings already this year. In relation to the use of pipe bombs and blast bombs and other devices, the numbers are over 80, so I am very anxious to make sure that we do not underestimate the scale of the task that we have. That said, there is enormous progress being made and we are absolutely determined not to allow the past to be part of the present and the future.

I want to say a particular thanks to the communities in West Belfast and the immense support we have had, both locally and in relation to the PSNI following on from the grenade attack on police officers going about their ordinary duties just a few weeks ago. They are recovering from those injuries but the overwhelming messages of support and encouragement have been most welcome, and also the fact that communities are getting right behind us in trying to ensure that we can carry on being the accessible, friendly, public facing service that everybody wants. Clearly, when you have an attack of that nature, it does require us to revisit and re-examine how we are keeping officers safe. Sadly, that will require us to have more presence on the street, but let me be very clear about this, there is not a single person in the PSNI who is not determined to carry on delivering that personal service, even if we have to evaluate the way we do it because sadly of the intent and the destructive capability of some of those who want to take us back to the past, but we certainly will not be backing off from our responsibilities from that quality of service.

The PSNI is a service for everybody. I have said it here before and I will say it again, this has to be a service that is there for the young and the old, for the people of the east to the west, from the unionist to the republican. This has to be an impartial police service and that is exactly what we are trying to do. People that portray us as something that we are not are very misguided. The proof of the pudding is in our actions.

Chairman, I was saddened to see the disruption of the District Policing Partnership meeting. It cannot be right when the police service is seeking to find ways of protecting the elderly and the young from having their homes burgled, their money taken from them, deceptions, anti social behaviour, to have those meetings disrupted by people who got no outcome of that meeting whatsoever other than to make people more

vulnerable to attack. We have to work harder together in getting across this message that we are the impartial police service for everybody.

Chairman, if there was a need to justify that, the last month has shown continual improvements again in the things that matter to the people and communities of Northern Ireland.

Crime is down by nearly 7%, the need for people we are detecting for that has risen again. The road deaths scenario which I think we should be celebrating together, although once again of course it is difficult to celebrate when you still have 51 deaths on the road, but at this time last year that was 104, so there has been a huge reduction. I am hugely grateful for our partners in the GAA, for our partners in district councils, for our partners in the Highways Department for working with us so effectively on reducing the carnage and misery, this is exactly what the police service is about, reducing misery for everybody.

Burglary is down by over 5%, anti social behaviour is down by over 6%, and non domestic violent crime is down by nearly 10%. These are not just statics, they are a story of intent to do right for everybody and Chairman, I am pleased to report that as we speak, there are 583 additional police officers now engaged in neighbourhood response duties. That is because of our reforms. That is because of the way we are spending the money wisely. I have to say that figure will drop next year to some degree because of our need to replace officers on guarding duties and other functions. But there will be a net gain, a significant net gain in the degree of personal policing being delivered because of our willingness to grab the nettles.

Chairman, I am also delighted although not complacent about the signs that the confidence in the PSNI is also rising. I am pleased with the latest Omnibus Survey. More people think we are doing a good job in Northern Ireland than this time last year. Confidence levels in the PSNI's ability to provide an ordinary policing service are up, satisfaction with the level of police patrols are up, there has been a 7% rise, a significant rise in the degree of confidence held, particularly by Catholic communities in the PSNI, that is a significant step change over the past few months. More victims of crime are satisfied with how they have been kept informed and there has been a 6% rise in those feeling safe in their communities. I think that is a significant credit to my

colleagues working day in and day out, particularly in the light of the security situation to have had a significant rise in people feeling safe in their communities. I think that comes about by the work we are doing together through District Policing Partnerships, in other partnerships and the conversations we are having about the things that matter.

But, I also need to say, that we need to do more in relation to the quality of service we provide in every single encounter. I still do not think that level is high enough, my colleagues know it is not high enough and we have to work harder. Clearly the publication of our commitments and the way we are going to hold our own people accountable will make a step change in the New Year. The work we are doing, very ably I have to say, with the Public Prosecution Service who are working very closely with us in partnership, in reform with the criminal justice system and the giving police officers discretion, that is paying dividends and the significant work we are doing with the Policing Board in how we deal with calls for assistance and answer them will also make a difference. But I am still not satisfied, I know my colleagues are not too, from Police Constables right through to Chief Constable in the quality of service we are providing in relation to those moments of truth and we are going to do more on that because we are not complacent around these issues.

Chairman, at the Police Review Gala Awards at the beginning of November 2010 which I had the privilege of being at, I was delighted to see that we had 3 prize winners out of the 4 awards out of the 53 police services that were represented there. Sergeant Brian Caskey came third in Community Police Officer of the Year, we had a PSNI Inspector come second in the Life Time Achievement Award and our multi agency 'Unite Against Hate' campaign which is a fantastic challenge to others to join together in a shared future came third in the Diversity in Action Award. There has not been a police service that has carried off 3 awards in those major national ceremonies before and I am very grateful to my colleagues for the hard work they are doing.

We are coming into Christmas, it is a time of vulnerability. It is a time when we are determined to make sure that the security situation is made better. We are determined to make sure that people do not lose their lives on the roads through drinking and driving and careless actions and we are determined to make sure that particularly the elderly and the vulnerable, are protected in relation to the opportunities to steal money, commit fraud and break into people's homes. So, we have launched Operation

Seasons Greetings, that is a real intent to protect everybody. I would wish everybody in the community to take advice of what we are doing to look after themselves, but we are genuinely here to keep people safe over the Christmas period.

Chairman, we have a great challenge ahead of us still. We are making progress in terms of our budget, we are doing that quietly and responsibly. My ambition is to increase, if not to maintain, the level of personal policing we have. You have seen our intent in terms of our reforms but we do not underestimate the challenges, particularly in relation to the quality of service that we want to and are able to provide. Thank you Chairman.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

Thank you Chief Constable. Are there any Members who want to comment on the Chief Constable's opening statement? Jimmy Spratt first.

**Mr Jimmy Spratt:**

Thank you very much Chairman. Can I first of all welcome the results of the Omnibus Survey, I think that is very welcomed news and a major step forward. Can I also compliment the police in relation to and I know it is something we have been dealing with on the Human Resources Committee of the Board in relation to the fact that 600 police officers have been brought out onto frontline duties and I think that is a big step forward.

In your remarks Chief Constable, you referred to the fact that the numbers will drop next year due to the replacement of officers on guard duty and stuff like that, I assume that is at March? Can you give me some indication to how many police officers will have to be taken of frontline duties to replace Full Time Reserve and, indeed, regular officers, will they come from community policing?

Just a comment, I think it is disappointing that this Board did not support the paper that you brought to the Board in relation to civilian armed guards. I think it was short sighted of the Board and I think it is an area that this Board will have to revisit in the future. I think it was a common sense approach and an approach of value for money for the police service and for the public out there, and it is disappointing that major strides forward have been made in getting police officers out from behind desks and in fact that

is going to be disrupted simply because this Board had not the foresight to support the very sensible proposals which came from you in relation to that. So, can you give us some indication as to roughly how many police officers may well have to come off frontline duties as a result of the Patten process ending in March 2011?

**Chief Constable, Mr Matt Baggott:**

Chairman, we would estimate about 150 police officers posts will have to be found for that particular duty. Clearly that will be shared amongst police officers on a District basis, but about 150. That still leaves us with a significant net gain of course in terms of numbers on the street, both through recruitment and through the reform process that we have been carrying out. We have got more to do on that. I am particularly grateful for the way in which criminal justice partners are working with us because we have more to do. We can change some of the systems, we have more police officers who we can put back on the streets, but some of that is not in my control so we need to be continuing the process of reform at pace.

I think in relation to the civilianisation we have to find ways of making sure that both the Policing Board and others have confidence in what we are doing. I know we are having those discussions. I am very anxious to be able to put scrutiny arrangements across that if necessary make sure we look at how we recruit people and train them, they are issues we will be bringing back to the Board. I do not think it is a question of when, I think it is a question of timing but clearly we have to present the proposals that win the confidence of people in our intent for doing that.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

Okay Mr Spratt? Professor Sir Desmond Rea.

**Professor Sir Desmond Rea:**

Chief Constable. I concur with what Jimmy Spratt has said. Your success in getting almost 600 officers out from behind desks into the community and frontline policing is to be congratulated and I wish to congratulate your colleagues as well for that.

The figure in here that is disappointing is the figure in relation to anti social behaviour. Now, it is an area that has got to be causing you concern. Could you say something more about it and what you are in fact doing about it?

**Chief Constable, Mr Matt Baggott:**

Thank you very much. On the anti social behaviour side, we have hit our 3 year target a year early, so I do not want to underestimate the success we have been having against anti social behaviour. I think the issue for us is the more we have become trusted and the more we are involved in communities, which we are undoubtedly day by day, the more people are willing to share with us their concerns that ordinarily they might not have thought was a police issue. Whether that is off licences selling alcohol to children, whether it is vandalism, whether it is just noisy behaviour, all of that is included in the anti social behaviour definition. So, I think we are making real strides but I think what we are seeing is, a growth of our understanding of the day to day issues that are affecting people's lives and that is a good thing. If the numbers rose, which they are not, they are actually going down, but if they were to rise because people are having a better conversation with us, I would be very much delighted about that. I am actually not complacent about anti social behaviour but we are making strides. We have hit the target a year early, there are reductions this year but we know that quality of life issues are very real.

I was wondering whether my Regional Assistant Chief Constables would like to make a comment on that particular issue.

**Assistant Chief Constable, Mr Alastair Finlay:**

Anti social behaviour is still at the forefront of what Districts are pursuing in terms of their operational plans and the impact that has, we understand that. We are picking up a bit of a definition issue that sometimes communities understand anti social behaviour different than what we actually classify as anti social behaviour and some people might regard low level drug dealing and such like as anti social behaviour, which is not classified as such in this particular way of measuring it. So, there is a bit of a conversation to be had that we are taking forward and developing a bit of a suite and there are some changes to the Home Office counting rules that are going to be coming along next year in relation to how we classify some of these offences, that perhaps will help some of that. So, there is an awful lot of activity goes into anti social behaviour.

There is almost a small book of the different initiatives that each District and area will take forward on the localised area to interact and reduce diversion and working with

partners, lots of activity. Confidence in people telling us more absolutely, also I think people classifying that, that is an issue for us to deal with, it is not for us to say 'you are classifying it wrong', we will deal with the classification, we will listen to communities concerns and we will put resources towards those particular issues.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

Thank you.

**Chief Constable, Mr Matt Baggott:**

Chairman, I wonder if I might just clarify the 584. This is not simply about getting people out from behind desks, it is actually about a re-prioritisation of where our police posts are. It has been about using money effectively to recruit police officers too, so the target was to increase response in neighbourhood. The 584 have not all come out from behind desks, there has been a reallocation of posts, there has been recruitment, a significant number have come out from behind desks but the reality is there are 584 more people on the streets as we see fit. Now, we do keep the numbers required for security duties under review and that is very much determined by our review of security which we carry out regularly and formally. So, the numbers of 150 may well vary, I cannot give you a fix of what that might look like in the future, but there has been a very real increase in police presence on our streets which I think is reflected in the Omnibus Survey although that is early days still.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

Thank you Chief Constable. Ian McCrea.

**Mr Ian McCrea:**

Thanks Chief Constable for your opening remarks and like other colleagues, I certainly support the work that you are doing in tackling the different aspects of either the dissident threat or indeed, the criminality across the country.

You will probably be aware there was a debate in the Assembly this week on drink and drugs and trying to tackle people who are driving whilst under the influence of both drink and drugs. In that debate I raised the issue of some type of a kit to be available to police officers to allow them to detect people who are driving under the influence of drugs and I know things have been looked at to try and see how that can be easily

made available rather than have to carry a big box in the back of a police car. But would you support that type of measure to be available to police officers to try to detect people who are driving whilst under the influence of drugs. Also, could you give us a bit of a flavour of what the service is doing in respect of the Christmas period to deal with keeping the deaths down?

**Chief Constable, Mr Matt Baggott:**

Thank you. ACC McCausland has been leading on this work, so I will ask him to give you a very full reply on that. Thank you.

**Assistant Chief Constable, Mr Duncan McCausland:**

Thank you Chief Constable. We are very much at the forefront with the Home Office in currently developing a kit, just as you have described it can be carried in vehicles and then can do the tests at the roadside. There is some legislative and technical difficulties being ironed through, but we would hope to see that within the next 12 months arriving on our streets, right across the United Kingdom. I am sharing with our Garda partners in relation to being able to tackle this issue and in effect test people on the scene before having to take them away.

In the wider sense of the word, the Chief Constable has commented about the launch of Operations Seasons Greetings. One of the key emphasis within that is to get people home safe from when they go out to enjoy themselves and as you may well be aware I have launched with Minister Poots the Drink Driving Campaign, as has Muir Clarke within the last few weeks. We will continue to push drink driving, not just drink driving for people going out to enjoy themselves in an evening, but also driving the next morning and we have a very clear and strong message about that, as you have probably picked up on the media. The key emphasis that we have driven in the last 12 months and I had a major meeting with all my Road Policing Sergeants and Inspectors yesterday for over 4 hours, is on 4 key themes we have been pushing – Prevention, Information, Enforcement and Reassurance and we believe combined, as the Chief Constable has said, with our partners and the local communities, that we have seen the significant reductions on our roads.

Members of the Board, the reality is, between now and Christmas if the figures follow last year, there may be another 11 people could lose their lives in the next 30 days on our roads. We are working doubly hard to prevent that from happening, but we need everybody to get involved and I think it is a comment in relation to what the whole community have done in the last 12 months together that we have halved our road deaths, but it is still as the Chief Constable says, 51 people have lost their lives. We will look into the Spring to try and build on that and potentially run a major conference which we would ask the Board to consider being involved in, to bring together a lot of police services across these island and from further afield to learn from and share best practice to take this potential development that we have had forward. But again, it takes everyone to make an effort in this or we will have more people lose their lives.

I am happy Chairman to share with you, as I said before at previous Boards, I have had a full analysis completed of why and the reasons behind the reduction in road deaths over the last 12 months and I happy if you wish to share that with the Board and even the Environment Committee at Stormont.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

Thank you very much ACC McCausland. Are you okay with that Mr McCrea? Alex Maskey.

**Mr Alex Maskey:**

Thank you Chairman. Could I just take you back to the issue Chief Constable about the 600 people coming out from desk duties. What would concern me would be your report this morning which tells us that we have 580 plus officers out but then you go on to tell us that actually they are not all out from desk bound duties, some of them are recruited and some are reallocation of posts, therefore we have not reached the 600 target. What more concerns me is your assertion that next year you propose to reduce that number.

Now, first of all I would like to put on record, the Board and yourselves have not agreed yet the target for policing with the community measurable outcomes next year for the incoming Policing Plan, we have not agreed any of that yet. So, I would suggest first of all, your assertion would be a bit arbitrary, if that is what you intend to do and I do not

like that because policing with the community is a core function of the police. It is not something that we would like to do, it is a core legislative requirement and the fact that we have not, from last year, been able to agree a policing with the community strategy which we think is commensurate for today's requirements and more importantly we have not yet agreed the targets by which we can measure the success of that strategy, then I would say that I think it is wrong that we would be told this morning that we have brought more or less 600 people out but actually next year we are going to reduce that again. Now I think that that actually first of all sounds arbitrary to me in advance of us having the agreement that we need to have between the Board and the police about policing with the community.

It also, I think, flies in the face of some of the good evidence that you have produced here this morning around confidence levels and increased co-operation that you are getting from a number of communities, particularly in light of difficult circumstances and clearly what actually helps to bring that confidence from within the community is precisely the way in which you deliver policing with the community, in partnership with the community and respectful of the community. So, then to suggest that you are going to then reduce that capacity in a number of months, well for me it flies in the face of the evidence, but again I just think the arbitrary nature of it because that is what it sounds like to me, I think it is actually unfortunate.

**Mr Jimmy Spratt:**

Chairman, could I come in and I did indicate to you and as clarification on that very point in relation to my initial question and the points raised. Chief Constable, in relation to the question asked by Mr Cree last month, and in the written response which we just recently received, you did indicate that it may be that in the short to medium term, a small number of officers will be required on a daily basis to perform a security function. However, the direction of the Gold Commander is, that officers will not be extracted from neighbourhood policing roles to do so. I welcome that, but can you assure the Board that they will equally not be extracted from response policing, because the bottom line is, response policing out there is not everything that it should be and the public are not terribly happy with a lot of the responses that they are getting in relation to police. But you made a very definite statement last month in relation to that question on the 4 November 2010 from Mr Cree and the answer indicated, so I would like clarification, as Alex Maskey has asked for clarification in relation to that. Where are

these officers coming from, the 140 or whatever officers that you indicated in regard to replacing the officers that are going to go in March 2011?

**Chief Constable, Mr Matt Baggott:**

Okay, let me just start off by saying first of all, the measurement of the effectiveness of policing is improved public satisfaction and confidence and reduced crime, both of those are happening and there has been a significant progress towards that. I am not complacent on that because I want even lower crime, my colleagues do, and we want even higher satisfaction and confidence. But against the Policing Plan, what you hold us accountable for is improvements in public safety and quality of service, both of that is taking place. I think we should be just mindful of the fact that that is the outcome, how we get there is a matter under debate. So, let us have an upbeat discussion around this, because from where I am sitting as Chief Constable, what I am seeing is success starting to develop and a higher level of confidence.

At the last Policing Board, I came and said that the public consultation we had with a District Policing Partnership was described to me as the most confident meeting in 9 years, and I have certainly found that in the last 3 months going from place to place, from Dungannon down to Enniskillen, in West Belfast, across communities.

Communities actually naming their police officers to me, praising us for having more on the streets and wanting more of the same, that is the bottom line.

Now, how we have got there in relation to the first year of the Policing Plan was to increase the number of police officers on the streets with which we could start to develop our approach with the Board on policing with the community. There are 584 more police officers in neighbourhood and response duties at this moment in time. That is a cause for celebration. I would challenge anybody, anywhere, to show me where a police service has increased its numbers in operational policing by 584 or following a strategic review in a very limited period of time. That is the reality. There are more on the street, they are being accepted, they are being used and that is welcomed. Where we move now in relation to working on policing with the community is a strategy. The wording of the strategy, I am very much aware, is something that we are working on together at the moment, so it can be both a public facing document and a business plan. I think we need to be careful not to confuse the two. Sometimes a public facing communication is something that is very straightforward and

understandable, a business plan is much more about our accountability to you as the Board, and sometimes if you are not careful you can confuse the two.

But we are working our way through that with you, and I would be very confident that we will have an agreed policing with the community strategy that we can publish very shortly. But what we will have in the New Year, is a series of unique Northern Ireland shaped commitments, one of which will be, when we guarantee neighbourhood policing in a certain area it will be there. The police officers will be there for at least 80% of the time. There will be the right numbers of police officers in the most vulnerable communities to make a difference, and the start point of that over the last year has been to develop these plans to make sure we have the very good conversation about how it is going to work. But we will be publishing in the New Year to every household and as from the New Year we will be measuring our levels of satisfaction and confidence, broken down by District, and we will be doing that as a PSNI and very willing to shape that with the Board.

Let me give you the guarantee on this to the Policing Board. There is no stepping off the intent of this. I think you can see that in where the figures are going. You can see that on the numbers on the street, but what I want to move to is a very consistent quality of service that would apply as much in Bangor as it does in Garrison and that is where the commitments are going to come in and that is where I think the Board can be reassured that we absolutely and utterly mean business.

Now, in relation to the specific point of having to cover some of my human rights obligations. I have an Article 2 obligation, a legal duty, to protect police officers and communities. Some of that, in the absence of civilianisation, must involve taking police officers away from ordinary duties to do guarding functions, that is entirely appropriate, that is a public safety issue I have to cover. In the future we will work together on how we might resolve that, but that will not involve neighbourhood officers. Let me be clear about that, that will not involve neighbourhood officers. I am not having neighbourhood officers taken off the streets to do guarding functions. So, those duties will be found from a combination of response and other functions. The commitment to have the sufficient numbers of neighbourhood officers to make a difference will be very real and we will be measured and I will bring those figures back to you so you can hold us accountable.

Can I just invite ACC Kerr who has been responsible for leading on this, if he just wants to add anything that I have got to say there.

**Assistant Chief Constable, Mr Will Kerr:**

No, I think we are reasonably close to having a Policing with the Community Strategy. We have been listening very carefully to how we show you that we are actually committed to the 3 component parts of policing with the community. Good consistent service delivery on policing basics, including the facility to be able to phone people back consistently and tell them what we have done and how we have done it. Around partnerships and engagement, we still have a few months work to do on that but I am very satisfied we will get to the point where we can assure you, with a combination of the data from the commitments next year, is it working or not because we could have as much strategic intent as we want, if it is not actually working on the street and people do not experience a different service, then it is wholly irrelevant.

What we are trying to do at the minute, is bridge that gap between having lovely corporate policy and it making a difference to a police officer on the street, 11 o'clock on a Friday night and actually dealing with a real person who has got a real concern, and that is what our priority has been over the last couple of months and I am quite, as much as I can be, I am satisfied we can come down with a robust enough plan that will show you that we are taking it seriously and you can hold us to account against that.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

Thanks very much. I will let Alex Maskey respond and then Jimmy Spratt and then we have 3 other speakers and we will try and wrap this up.

**Mr Alex Maskey:**

Well, I am also confident that we will get an agreed Policing Plan on policing with the community because the Board has already told yourselves that we are not going to accept a second year without one, so we will agree one whatever we have to do to get that.

I normally consider myself to be quite thick skinned, but I do not like to be lectured and I feel as if I was lectured there for about 5 minutes and I do not appreciate it. Let me remind yourself Chief Constable, the reason why your organisation referred to the number of 600 officers that needed to come out from behind desk duty was because your organisation identified that you have police officers doing work that they should not be doing and you needed to get them out doing frontline duties. I have commended your organisation for having the courage and integrity to do that work, so our job here as a Policing Board is to delve down into this kind of work. So, let us not be too over sensitive about getting queried about our figures and our facts and our assertions. We are all suppose to be adults around this table here to work out what the good things are and what the bad things are and what we have to do collectively to resolve the difficulties that we both face, both as a Policing Board and as a police organisation.

I do not want to labour the point. I am just making the point that we have to make sure that policing with the community, as a core function of policing, is delivered in a way which puts people from behind desks, which are very important duties but do not need to be carried out by a warranted police officer, that allows then the police officers and we have a good strong police complement here, let us remind ourselves per head of population, notwithstanding the other difficulties that we face, so we have a sizeable complement of police officers. The art of what we have to do, and I have already publicly commended yourselves more times than enough for having the honesty of an organisation to look at itself and say "let us improve how we do our business", and that is what you are doing. So in delivering that, all I am saying is, that I did not like to hear then we might go backward next year again by somewhere in the region of 150 officers, that is your quotation, not mine. I am simply saying that we need to work together to make sure we up the number of people who are on frontline duties, not reduce them. If we have to have that kind of a conversation, then we need to have that conversation in private first and foremost before we come into a public domain.

**Chief Constable, Mr Matt Baggott:**

Chairman, thank you very much. Can I just say 2 things around that. Firstly, forgive me if you thought I was lecturing, that is not what I am about, you know that. What I am about though is providing the Board with a reassurance that we mean business on this. I know there has been all sorts of interpretations around the way we present the Policing with the Community Plan and it is entirely right that we thrash that through and

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sometimes that is going to be a bit spiky, but I just want everyone to have the reassurance around the intent and the outcomes and what we are about. I will come back to that point, to have got that increase on the street is a significant achievement, albeit I want to guarantee it.

Second point is, some of the things are not within my control. I would like to move ahead more on the reform and the civilianisation gender but I am very mindful of the fact that requires a consensus of confidence and we have got to earn that trust, I absolutely get that. Secondly, I am delighted that we are working close with partners in the justice system because we still have too much delay, too much bureaucracy, too much involved in the system. What I am hearing from communities is they want their police officers being able to exercise commonsense judgements, but I cannot make that happen on my own. I have said consistently at the Board in public, that the reform agenda is one that we have to rely on other partners to help us with at the same time. That is not a critical comment, it is a reality. So, I want to increase the numbers further, I want to guarantee that presence and I am entirely at one with everybody on the Board on that, but I do think we have seen the signs of progress and I want to make that clear because that is a matter of trust and confidence in what we are about even if we have not worked out the detail.

So, let me be clear. I apologise if that felt like lecturing, it was not meant to be.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

Let me bring back Jimmy Spratt.

**Mr Jimmy Spratt:**

I just want to come back because I mean I think it is unthinkable Chief Constable that there will be any extraction from response policing. Response policing is what the public want. The public makes a call in relation to some incident, they are in need and they want response and they want response as quickly as possible. It is unthinkable that you have indicated that you are going to further reduce the number of response police officers in Northern Ireland. I think that is a backwards step and I think it is a very dangerous step, because I do not think response policing is what it should be at this minute in terms of the need of the public out there. That is what, certainly as public representatives, we hear on a fairly regular basis about the length of time that it takes

police officers to respond to calls, and even to 999 calls, and I think that you do really need to seriously think that if you need 150 police officers, and I hope that this is not a lecture, but 150 police officers you should be looking for them within the other parts of the organisation, maybe from behind desks and get them out to do the guard duties or whatever needs to be done, but to reduce response is unthinkable and I think it is a backward step and it is a very dangerous step in terms of public confidence in the police.

**Chief Constable, Mr Matt Baggott:**

Chairman, just 3 quick answers to that. One is, I mentioned in my opening address that we are involved in quiet, responsible discussions around budget and need, those discussions are not finished, they are understandably below the radar. Some of our needs in relation to our establishment I would hope would be answered through those budgetary negotiations, so I will come back to the Board on that when they are completed, but clearly they will include our security needs.

Secondly, we are making significant changes in relation to the way we deploy people. We have got satellite tracking coming into vehicles. We have got better management of our transport fleet. We have got the whole work we are doing on Call Management. Our response policing function will see no reduction in its effectiveness, but we will see a far better degree of effectiveness in how we deploy people. I think that also affects where we can take people from if we have to.

The third issue is, we will continue to reform but again the number of people I have currently servicing the justice system and other functions, is also dependent on my partners and that is a discussion we will have to have in private with people how we do that.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

Thank you Chief Constable. I have got Trevor Ringland, Basil McCrea and Dominic Bradley in that order.

**Mr Trevor Ringland:**

Chief Constable, just in the performance summary in the Policing Plan, there is a decrease in the number of PSNI interventions directed at criminal finances. Could you comment on that? Could you also comment on the focus on the seizure of criminal assets and finances, whether or not that is being maintained by both the PSNI and your partners in that endeavour?

**Chief Constable, Mr Matt Baggott:**

ACC Harris will take those questions.

**Assistant Chief Constable, Mr Drew Harris:**

I hate to say seasonal adjustment, but just these figures do vary, we take 6 months at a time and it just depends where we are in terms of investigations against organised crime gangs in particular and at what the point of action is in terms of bringing offenders to book and then going through the whole process of restraining and confiscating assets and at what portion we are at.

It also depends as well on the work in the ports. We had a very good year and some information has come to hand that criminal gangs are finding alternative routes to try and move cash. We do use the 'money dogs' in particular and they have been very successful in identifying in effect wads of notes in suitcases and the like. So, there has just been a variety of different tactics by the organised crime groups around the movement of cash, but also just where we are in investigative cycles, so it is hard to draw any conclusion from it. Overall, our work against organised crime groups carries on and we are in this financial year, at over 70 gangs either frustrated or dismantled. So, there is a lot of work ongoing and it varies from gang to gang what cash you are going to retrieve and sometimes you can be very lucky and then sometimes, just in terms of pure cash, it can be slim pickings.

**Mr Trevor Ringland:**

And the co-operation with your partners in this as well, you are happy with the current level of co-operation?

**Assistant Chief Constable, Mr Drew Harris:**

Well, we probably have the strongest partnerships anywhere in the United Kingdom.

We also have very strong partnerships north/south as well and we would share information, we share investigative processes, we would pool our resources and we are constantly operationally working very closely at hand with HMRC (Her Majesty's Revenue & Customs) and with SOCA (Serious Organised Crime Agency). But, also then a lot of this crime is very much based on an all Ireland basis, and so it is imperative then the relationships north/south work well, and constantly we are carrying out very successful operations which have started in either jurisdiction and which will see the fruition either north or south, just depending on the circumstances.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

Okay Mr Ringland?

**Deputy Chief Constable, Mrs Judith Gillespie:**

Sorry Chairman, if I may. ACC Harris pointed to the co-operation with our Garda colleagues and I think just on that note, Members of the Board would be interested that the Cross Border Strategy will be launched on Monday of next week and just for Members information to give a very, very quick overview of the areas that it covers.

Joint analysis of cross border crime which ACC Harris has alluded to in terms of the financial crime, operational tasking of resources, intelligence sharing, human resources and training including secondments, specialist equipment, safety and security of officers and staff both living and working on each side of the border, emergency planning, a review of the current legislation which enables cross border investigations and a mechanism for capturing the success of the strategy. So, those are the very broad headings. The strategy will be launched on Monday and a copy has been sent down to the Chairman to share with Members.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

Thank you DCC Gillespie. Basil McCrea.

**Mr Basil McCrea:**

Thank you Chairman. A number of points I would like to raise.

First of all, the DUP and Sinn Fein have had a fair bat around about the issue of numbers and I would like to thank my party colleague, the Ulster Unionist Leslie Cree, for actually getting a written question in on this issue and for agreeing to defer it last month to actually expedite the matter for the Board. So, I would just like to come back to it on that point briefly if I may.

The issue about the numbers increasing the 584 does that come about from the fact that we used to have a Patten recommended level of 7,500 but that we were reducing numbers towards 7,200 but we have now actually increased that number again. Is that where the increase comes from?

**Chief Constable, Mr Matt Baggott:**

I am going to invite the Deputy Chief Constable because she has been very much leading on the Resource to Risk process which has been about getting numbers increased in relation to a target around to increase the number of people in response and neighbourhood functions and that is what the target was, it was very much related to that. But I will ask DCC Gillespie to give you some more detail on that.

**Deputy Chief Constable, Mrs Judith Gillespie:**

Thank you. Board officials are briefed regularly and are involved with the Resource to Risk team so they are briefed regularly on the detail of how we have achieved the 584 out, so we are certainly being as open and transparent with the Board as we can be around the detail of that. We have also asked our internal auditors to come in and review exactly where those posts and people are, so that we can say with assuredness, that there is definitely 584 more police officers on the street in visible roles than there were in June 2009 when we conducted the Strategic Review so to give you assurance that this is absolutely open, transparent and accountable as a process and the Board are involved at official level in that process in the detail.

But it has been achieved through allocating recruits, our new student officers to the priority Districts. Switching off the transfer tap from those Districts so that only the key priority operational posts are filled. So, we have stopped transfers out of the Districts, turned off that tap completely and only filled applications for transfer out of the Districts into key operational posts. We have also civilianised a number of posts through civilian detention officers, for example 60 civilian detention officers recruited and potential for more. Stopping less critical functions, for example, inspection and review and functions like that in Headquarters which has got officers out from behind desks back out onto the streets. Centralising the likes of call handling which has released officers back out onto the streets and longer term, as the Chief Constable has referred to, further criminal justice reform will undoubtedly release a large number of officers who are performing back office functions right now. But that is in partnership with the Public Prosecution Service and our other criminal justice partners.

**Mr Basil McCrea:**

The real question DCC Gillespie, if you do not mind me saying, was have your numbers gone up? The issue is that we were going to get 600 people out from behind desks was the issue and that was good and you were going to do that. Whilst it is good that you get more officers on the place, have we got more officers, is the establishment going up or down?

**Deputy Chief Constable, Mrs Judith Gillespie:**

You will know Mr McCrea, one of the key recommendations of the strategic review was to move to a budget base rather than a numbers based approach, so what we are talking about is an increase in our street presence, but police officer numbers overall have not increased.

**Mr Basil McCrea:**

If we move on to the point then that you talked about information on things. I think it is worth saying by the way, that congratulations are due to the excellent efforts that you are doing on hearts and minds and gaining confidence, I think that should not go unnoticed.

I am interested in the Cross Border Strategy that you just outlined in your comments there. I do think that that is something that maybe bears a little bit more explanation for the Board and you might like to comment and we really ought to comment that there was a very significant interaction by the Guards with regards to the bomb south of the border. I just wonder what conclusions that we should draw from that and how we should respond?

**Chief Constable, Mr Matt Baggott:**

I am very happy if you want the Deputy Chief Constable just to give you some more detail on that, but this is all about keeping people safe. It is not just about tackling security, this is about the way we work together in a modern European way to share information, to share talent, to share skills, to make sure that people living both north and south are kept safe, whether that is road deaths, smuggling, whether it is people trafficking which we have had some great success on in saving people together, whether it is tackling the problem of anti social behaviour and sharing that, and of course it is all about security. But there has been a really important move forward in relation to the practical working as well as the strategic working.

So, what Monday is about is a sharing of expertise, a sharing of knowledge of how we might take things forward even further just to make sure that people are looked after. No politics involved in this, it is simply about very pragmatic changes. So, I think it is a step changing co-operation. I think it is really important we do this. I am delighted for the support we have had from the Garda. We have always been very clear that this is not a compromise to anything around the politics, but it is very much around working seamlessly to protect people and seeing how we can bring that together.

Is there anything specific you would like in relation to it because I know DCC Gillespie has very much been at the heart in developing this strategy with colleagues and the Chief Officer Team? I am very happy to clarify some of that if you wish us to.

**Mr Basil McCrea:**

I do not want to take the time as the Chairman will want to move on. I just think that we might as a Board have been a little more involved in the discussions and things, but we can deal with that at a different time, because I do think it is a significant development. I would just like, because it has been glossed over, if you do not mind because of other  
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things, the issue about the benefit of such co-operation was shown a few days ago and I just wonder about the intelligence issues and the fact that we have had significant bombs coming through.

**Chief Constable, Mr Matt Baggott:**

Well, the challenge to us has always been one that is an all Ireland challenge, but all I would say is, I am hugely grateful for the Garda for their operational effectiveness and they have done a very good job here on behalf of everybody and I think that is what I want to say about that.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

Okay Mr McCrea. I will bring in Dominic Bradley.

**Mr Dominic Bradley:**

My question was about the Cross Border Strategy as well. I was wondering if you could tell us, even in general terms and I know the document has not been released to the public yet, how the strategy will improve and enhance co-operation between An Garda Síochana and the PSNI. Just in relation to the officers being released from desk bound duties, do you have new targets set for the work that is ongoing at the moment?

**Chief Constable, Mr Matt Baggott:**

I would very much invite the Deputy Chief Constable to talk about the specific issue about working with the Garda.

Could I just come back to this point? The important thing is, it is not about numbers. It is about effectiveness and as the Deputy Chief Constable has said, the numbers on the street have increased from having a really good grip of what our business is. Not using police officers to do the things that are not important. Re-prioritising, putting the right people in the right place. I just want to say, the team has worked incredibly hard and pushed this pace of change really effectively on my behalf.

Just to clarify, this is not a debate about getting people out, it is a debate about effectiveness and reform and making sure we have the right people in the right place. I would be quite nervous about having a new target which is 'get so many out from behind desks'. What we need to do is look at where people are, the way they are

working and justify that as an entity. So, I just want to clarify that because we may well set some more targets but I would rather they were about the commitments, quality of service, satisfaction, confidence, all the things Alex Maskey quite rightly challenges us on all the time rather than simply being about numbers on the streets, it has got to be about quality.

**Mr Dominic Bradley:**

Surely Chief Constable, if you have more personnel at your disposal, it makes it easier to achieve those objectives that you have just mentioned?

**Chief Constable, Mr Matt Baggott:**

I do not disagree with that and part of that is obviously part of our budgetary negotiations at the moment. I will come back to that point. The gift of getting people out is not necessarily mine. The criminal justice system and the reform of that and the way we would like to bring it about would liberate lots of people to be doing more effective policing.

The issue of civilianisation is a very real, a very difficult debate. It is one we will be having over the next couple of years, I am sure, about how we can civilianise more.

Reform, I think we should be not complacent but encouraged by the degree of reform we have already brought about following the strategic review. But some of that requires other partners to work with us. There is a whole range of areas where we are spending money at the moment that we might not want to spend money on in the future, but that requires a degree of consensus and co-operation which is not necessarily in my gift to deliver.

**Mr Dominic Bradley:**

Could I just ask you, is there ongoing work at the moment to release further officers from behind desks?

**Chief Constable, Mr Matt Baggott:**

Absolutely. We have been right on the front foot in terms of identifying posts, things we could do differently. Right on the front foot in terms of our budget negotiations to make sure we have the resources we need and particularly in relation to justice. I think we

have been right on the front foot in bringing partners together ourselves to have these discussions in the absence of that taking place in other places. So, I genuinely can say to you, that we are exploring every possibility, being self critical as well as making sure that we are pushing the reform agenda ourselves, some of that has been very controversial. You have heard for example, some of the issues and we are going to have a question later about the money we are spending on dealing with the past. I want to bring resolution to families and victims and justice, but at the moment, some of that is un-co-ordinated so we are trying to make sure we get effective resolutions to some of our problems, but also we can spend the money on dealing with the present and the future. Big, big issue of reform at the moment. The phrase I would use is, "we are moving from an age of regulation to responsibility" and we are certainly up for that.

I wonder if I could invite DCC Gillespie to talk about the strategy, ACC Jones, ACC Finlay or ACC Kerr to talk about some of the things we are doing around the resource to risk process?

**Deputy Chief Constable, Mrs Judith Gillespie:**

If I can take the question on the Cross Border Strategy. I want to say first of all, that the depth and breadth of co-operation with our Garda colleagues is second to none, I would suggest, possibly anywhere else in the world but certainly in Europe, in terms of 2 police services working hand in hand together and that is based on mutual trust, respect and confidence which has been built up over many, many years. So, the strategy is not seeking to fix something that is broken in any way, it is seeking to build on existing excellent co-operation and relationships between the 2 agencies.

I have been working very hard with my colleague, Deputy Commissioner Martin Callinan from An Garda Siochana over the last year to develop the strategy, and that co-operation which already exists, has already covered counter terrorism, things right through from serious harm through to positive action initiatives for Gender Action Plan which I know some Board Members have already attended. We have just recently launched the Christmas Roads Policing Anti Drink Drive campaign, jointly with Garda colleagues, so it is about building on that existing co-operation.

The strategy outlines our vision for the next 3 to 5 years and we look at major issues like the cross border legislation, where in the devolved administration, we now have the

2 Ministers working hand in hand together to review that legislation and signing up to making sure that the legislation facilitates effective cross border investigations rather than prevents them. So, we are looking forward to the launch on Monday. It will involve both the Chief Constable and the Garda Commissioner and both respective Ministers and we will be happy to update the Board on the progress against the strategy as it develops.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

Thank you DCC Gillespie. ACC Jones do you want to come in?

**Assistant Chief Constable, Mr Dave Jones:**

Yes, just in relation to the 600, it did stem from the Strategic Review which we did to ourselves and identified issues that we needed to address.

I think the first attempt was to actually make sure that we were putting our people to the neighbourhood agenda and also to serious harm, I think it is an ongoing process. We are also, and I think people need to realise, this is about increasing street presence but also maximising the amount of time officers have to deal with the public. I know Members have been briefed previously on the Mobile Data project which actually we have enhanced considerably over the next 6 month period which should in theory give every officer at least 30 minutes extra per shift per officer, which is an inordinate amount of time that people can then spend in the areas that the public want them to.

I also think that as we develop the satellite navigation which allows us to know where our officers are actually going and what they are spending their time on, we will actually be able to demonstrate to the public that when people raise an issue in relation to a particular estate, that we can actually demonstrate the information which actually shows you how many times officers went to those scenes, how many times they spent in a particular which have given our supervisors and managers excellent management information.

But in the longer term, we have started civilianising custody. There is longer term plans around custody where we can potentially free up more police officers. Call handling is another area again that we are looking at through the R4 project and obviously the longer term criminal justice processes that ACC Kerr is leading on will again, will again

free up officers time. So, it is not just about numbers. It is as the Chief Constable has said about the effectiveness and freeing up time for police officers to focus on the things that the public want us to.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

Thank you ACC Jones. Okay Mr Bradley. We will go to the questions now if you do not mind.

We have got question 1 and 2 from Basil McCrea on behalf of the Human Rights and Professional Standards Committee.

***Q1 - Following Mr Justice Gillen's judgement in May 2010 whereby he dismissed PSNI's application for judicial review, you advised the Board in June 2010 that there would be significant resource implications for the PSNI should you be required to disclose all coronial material during inquests to the Coroner and families without the test of relevance first being applied. You have since advised that the Coroner indicated to the court through his counsel during the course of the appeal proceedings in September 2010 that the Coroner will now read all of the material and that the Coroner will then make the necessary decisions on relevance. Please clarify the new process that has been agreed and outline the resource implications this will have for the PSNI.***

**Deputy Chief Constable, Mrs Judith Gillespie:**

Chairman, I will take question 1 if I may.

The Police Service has consistently stated that we want to show all of the material to the Coroner and we have said that in previous responses, both to questions by the Policing Board and in other public fora. It is our firm view that we want to show all of the material to the Coroner and he will decide in the interests of transparency and consistency, what is relevant and what is not, once he has seen all the material.

Now, the Senior Coroner has indicated to the court through his counsel, that he will now read all of the material relating to these matters and will make the necessary decisions on relevance, and we very much welcome that.

He has since confirmed that no ruling on relevance shall be made until the material concerned has been seen by him or on his behalf. So, now that that clarity has been provided which we very much welcome, we have invited the Senior Coroner to commence that process by coming in and seeing all of the material and deciding what is relevant, and once he has seen all of the material and decided what is relevant, that will allow us then to review the material to fulfil our Article 2 obligations because this is very much a balancing act between our obligations under Section 8 of the Coroner's Act and our Article 2 human rights obligations.

The question also asked about the resource implications for PSNI. In fact, this ruling does not really affect the resources because it is still going to require considerable resources to deal with the legacy issues. Alone, the staff costs in the Legacy Support Unit are over £1m per year and there is also significant capital expenditure on IT and legal fees. So, broadly speaking, it is our current assessment that around £6m per year will be spent on the legacy inquests and legacy inquiries. But that is very much a moving feast, because it very much depends on the complexity of the particular legacy inquest, the legal fees involved and the searching of the relevant papers. But just to stress, we are committed to working with the Coroner and fulfilling all of our legal obligations, and that process is about to start by all of the material being shown to the Coroner.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

Martina Anderson, do you want to come back, or Basil McCrea for question 2?

***Q2 - You indicated at the Board meeting in June 2010 that you intended to discuss the issue of disclosure of coronial material with the Attorney General for Northern Ireland. What advice has the Attorney General provided to assist the PSNI in discharging its obligations?***

**Mr Basil McCrea:**

I do not mind if you want to take question 2 along with that as well, because the whole issue here was the amount of workload that you thought you were going to have. I just wondered if the Chief Constable has had the opportunity to meet with the Attorney General and to get any advice from him on this matter?

**Chief Constable, Mr Matt Baggott:**

The Attorney General has, as I understand, the legislative ability to open inquests. Part of my concern has always been that the number of inquests now which exceeds 35 and the scale of that, requires some degree of co-ordination in terms of time lining them, in terms of managing the sheer volume of material that needs to be processed. I know, because I have been meeting with organisations such as a committee for the Administration of Justice and the Finucane Centre, the frustration for families in a sense of you cannot deal with that degree and scale of need in a quick time and fulfil the very real legal obligations that we have under Article 2 of the Human Rights Act which I cannot ignore.

Now, the issue here is, at the moment we now have a decision by the Senior Coroner, that he will make a test on relevance, that relevance test now quite rightly places responsibility on the Coroner to determine what material is necessary for the running of inquest and the discovery of truth, as opposed to the process we had before, which was we would have to go through line by line through every document, one of which case alone has 70,000 documents, then give it over to the Coroner which would take years. The difficulty with this process has been, no-one has taken a step back from it and actually looked at the sheer scale of it and determined what resources do you need, how are we going to manage relevance and how are we going to do this. The point is, I do not think the Attorney General has the responsibility or the legislative responsibility to do that. So, to some degree we have had to manage that ourselves through a judicial challenge which has now been resolved in relation to the Coroner's responsibility for relevance. But it is not for me, and neither should it be for me, to determine what is relevant. That very much now rests with the Coroner and that is the principle that we have determined.

At this moment in time, we still have a system that runs in parallel to the Historical Enquires Team process which is having a high degree of satisfaction for families and victims and a process that is taking an incredibly lengthy amount of time because nobody has actually looked at the needs of all the organisations, and particular, the needs of the family in relation to this. I think we are making steady progress towards that, but there is still nobody and no organisation that is responsible for overseeing the collective quantity and the needs of the inquests system.

**Mr Basil McCrea:**

The Attorney General is in a statutory position though to give advice to the Government and to other statutory bodies. In discussions with him, he has suggested that the Chief Constable might be able to apply to the courts for a Protective Order that would actually remove much of the concerns that he has on this, particularly if you are looking at figures of £6m. First of all, has the Chief Constable discussed this matter with the Attorney General and did he receive that advice?

**Chief Constable, Mr Matt Baggott:**

I have had a number of meetings with the Attorney General of a private nature and they are not matters I would wish to discuss in public because he has a very clear independent role, and he has not compromised that. His job is...*(tape unclear)*... we acted very honourably here in order to try and bring clarity to this process in a way that has been responsible. There have been many meetings taking place to try and clarify this. It has taken a legal challenge to do that. I do not do that anything other than reluctantly and now we have got the determination, I think the system can move ahead. I am optimistic we will progress on this. I think it is now one I have to leave to others to determine having taken my responsibilities very seriously on this.

**Mr Basil McCrea:**

Could I just ask finally and very briefly? Because we are trying to be helpful in terms of the costs because you raised it as a problem, we understand it is a risk and we are trying to be helpful on it. It would be useful if we could actually get a definitive list of all of the cases, perhaps you give provide that for us in some sort of written response and give us some idea about what the costs are likely to be on the back of that.

**Chief Constable, Mr Matt Baggott:**

Thank you Chairman, we will certainly do that. I really am very mindful of the needs of families, victims and truth and that is why I put out in a public place the need to support the Historical Enquiries Team (HET) and inviting others to come in such as the Victims Commissioners to advise them on how they are doing that process, that has been very open and transparent. Again, we were the people that went forward and said "we need to keep this work going for at least another 3 years and if needs be, to extend that", so there was nothing other than an honourable intent here, but very happy to provide a list of inquiries or inquests if that would be appropriate, and cost.

**Ms Martina Anderson:**

Chief Constable, just thinking about what you said with regards to the family and Rosanne Mallon's family for instance have had that inquest adjourned 25 times and Pearce Jordan's family have attended approximately 130 court hearings and you can imagine the trauma and the stress and the pain of all of that for those 2 families particularly but for all of the families concerned. It was only after exhaustive legal challenges by the family to European Court and to the House of Lords, that we are where we are today with regards to this. I am just looking for some further clarity from yourself and I want to thank DCC Gillespie's office for sending us the extract from the court's hearing because we have been confused ourselves with regards to whether the Coroner was actually going to determine relevance. You can see by that, that he is going to read the material and he is going to determine relevance and what I would like to ask is the process after that, because I am concerned that that could lead to further delays, particularly when I read the extract around disclosure, redaction, then a full hearing to determine all of that. What does that actually entail in timeframe and what are we going to be subjecting the families through in terms of what are they going to be going through after the relevant issue now has been perhaps resolved?

**Chief Constable, Mr Matt Baggott:**

Thank you for that. Firstly, in terms of the scale of inquests and the numbers, that is obviously a matter for the Coroner and the Attorney General and we do not have any determination of that. I am not sure before inquests have been opened, there has been sufficient, by anybody, understanding of exactly what that means in terms of the sheer scale of this and the need and the legal responsibility.

It is relatively easy to open inquests but actually making sure you go through the detail with a relatively limited amount of resource to do that, is something that I think we are in retrospect probably saying we could have dealt with a lot better collectively early days. There are issues about that because the Coroner I think understandably retains a very strong independence from the police service, and has to do so. So, the discussions around what did it actually mean together have never really been had. Why I think that is important is because I think families, to some degree, may have been given an unrealistic expectation of how quickly these inquests could be run. There are enormous amounts of documentation, witnesses to be called, processes to be managed here and having opened them, then it came down to the police service to say,

“well redact and do what you have to do”. I am trying to be clear on this because I genuinely want families to understand the dilemmas here and I am really saddened by the fact people have been left not knowing what is happening here. To some degree, the onus has been placed on the police service and somehow we are delaying this, we are not, we are not delaying this. In fact, as we speak, in spite of the judicial review, we have been working on the public interest immunity and redaction issues relentlessly.

How do I know that? Because under law, I personally as Chief Constable have to agree page by page the public interest immunity applications and that is a slight concern to me and it probably is a concern to you. Because even last week, an entire day was used up by me sitting down going page by page just through one set of papers in relation to one inquest. So, this is a very real duty. No-one actually has worked this through in terms of what it means for people and the individuals. We are doing that now and I think that is very important.

In relation to the public interest immunity, I do have legal responsibilities which go through me. I am advised by counsel on this, I am advised by solicitors, which is entirely about the protection of people, entirely about the protection of ways in which we can tackle the very real threat, they are legal responsibilities, I cannot shy away from. I do not make those decisions myself. They are also advised by senior counsel, they are advised by lawyers and they are very much in line with our Article 2 obligations to the human rights and I cannot avoid that which means that whenever documentation is going to be presented to an inquest, that has to be gone through page by page, line by line otherwise we would be in serious breach of our responsibilities, but we are doing that and I am doing that as fast as I can through that rather complicated process to get the details out there fairly quickly. I would hope that we would be able, and particularly in some of the inquests, get that detail out by the end of the year. I have no desire to deal with the past other than speedily and effectively because I think all of us would want to make sure the families needs are resolved, but also that we move on in relation to spending that money on protecting people today as quick as we can, but without losing our accountability.

**Ms Martina Anderson:**

Could I just ask for some clarity of that when you say the end of the year and obviously you are wanting to be mindful that this is not going to be for all of the inquests, this is for one or 2 inquests or whatever to be through by the end of the year. Are we talking about both relevance, disclosure, redaction and the process concluded by the end of the year for one or 2 of these inquests or more?

**Chief Constable, Mr Matt Baggott:**

Yes, I hope to get that done by the end of the year for some specific inquests and then we will move ahead relentlessly on the others as quick as we can.

**Ms Martina Anderson:**

Do you see in terms of the families that these inquests relate to, have they been informed of that so that the families have been made aware of this process?

**Chief Constable, Mr Matt Baggott:**

That is a matter for the Coroner. They will clearly get copies of material, but I need to be clear on this. Some of this relates to the key documentation. The difficulty with relevance is, underneath the key documentation there will be boxes and boxes and boxes of logs, of notebooks of stuff going back for a long, long time. Until we got a determination on relevance, we had to do all of that before the Coroner would even decide what he was going to give to the families. Now we have got a determination, the Coroner can say, "that is relevant, actually you know something, on good advice and legal advice, that material is not relevant to the key facts which are presented in these documents". So, we can probably run inquests a bit speedier now. That is obviously a matter for the Coroner, but what you do have my assurance on is, we will get this material out as quick as we can because I do want to move ahead as fast as possible on this.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

Trevor Ringland, do you want to ask a question?

**Mr Trevor Ringland:**

Just a quick point Chief Constable, as we talk about this issue. Thankfully for a couple of families who suffered loss during the Troubles, the bodies of their loved ones have

recently been found and identified as such. Are there inquests going to be carried out into those situations as well or what is the position, I am just wondering to the disappeared?

**Chief Constable, Mr Matt Baggott:**

That is entirely a matter for the Attorney General in relation to open inquests. I cannot give you a decision on that because it is not mine to take.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

We had intended to have this session over by 12 o'clock, so if people could keep their contributions to a minimum without restricting the importance of what people have to say.

Jimmy Spratt has very kindly agreed to defer question 3 given the sensitivity of it, to a private briefing at a future meeting, thank you Mr Spratt.

Question 4, Alex Maskey.

***Q4 - Will the Chief Constable provide an update or any information in relation to the decision by the PPS not to prosecute a Reserve Constable in respect of the attack in Loughinisland in which 6 people lost their lives? Can the Chief Constable advise the Board of the current status of the officer in question?***

**Deputy Chief Constable, Mrs Judith Gillespie:**

I will take that one if I may Chairman. This criminal investigation was conducted by the Police Ombudsman's Office, who submitted a file to the Public Prosecution Service (PPS) and I want to make it clear, that the officer was not investigated for involvement in the actual horrific attack at Loughinisland, nor was there ever any inference that he was directly involved in this horrific attack.

The Police Ombudsman's Office did not charge the officer, they reported him to the Public Prosecution Service for attempting to pervert the course of justice in relation to matters after the fact. The PPS directed no prosecution and the Ombudsman's Office is currently progressing a misconduct investigation and at this juncture, the officer remains suspended, but that misconduct investigation continues so accordingly I am

limited in what more I can say. But it is important to point out, he was not ever suspected of any direct involvement in the Loughinisland attack.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

Question 5 is down to Leslie Cree.

**Mr Basil McCrea:**

We will defer that to the next meeting.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

Professor Sir Desmond Rea, question 6.

***Q6 - The publication of the Prisoner Ombudsman's report into the death of a foreign national at Maghaberry raised some concerns about the length of the police investigation and the period this prisoner spent on remand. Can the Chief Constable update the Board on what progress has been made to date by police in reducing delay within the Criminal Justice System?***

**Assistant Chief Constable, Mr Will Kerr:**

Yes, I will take that with your permission Chairman and I am conscious of your request for brevity but it is a very complex issue, so in fairness to Professor Rea I will try and cover it in 2 minutes.

A lot of people have been exercised right across the criminal justice system and our politicians quite rightly about avoidable delay in the criminal justice system. The Chief Constable has touched on what some of those issues are. The challenge quite frankly is, that we have tended to look at the issue of delay as a symptom of quality, and one of the component parts of the criminal justice system and recommend solutions only within that component part, so policing, PPS, courts service and it is only since devolution that we have actually started to look at the whole criminal justice system end to end.

We have been trying to drive the debate to say there are 2 broader issues and contributory factors to the delay. One is the volume of material we put into the formal criminal justice system in the first place and the bureaucracy that is associated with it,

and we have been doing some great work with the PPS over the last year. I will give you a couple of very quick practical examples of what has helped. The reintroducing of discretion. Now, discretion has been about since Sir Robert Peel's 9 principles of policing in 1829. Nothing new in this I have to say, but it is about a commonsense prevention of us criminalising somebody who does not need criminalised. Somebody accidentally breaks a window, a push in a playground, no previous offending history, admits to it and wants to make a bit of reparation, it makes entire sense that we deal with that based on commonsense. We have dealt with about 400 discretionary disposals this year, a 95% victims satisfaction rate and we want to plough ahead with that over the next number of years.

Diversions decisions at the end of the phone by a prosecutor, 8 to 8 seven days a week. It means that drugs detection for a minor drugs possession in Ards a couple of months ago was dealt with from detection to a caution being administered in 25 minutes and kept the police officers out on the street where they belong to be.

The streamlined file from no prosecution decisions has went from, and I can give you a visual description, that to that which helps keep police officers out of the stream and helps to speed up the process as well. Yes, we still have some residual issues with quality, we are managing those. We are introducing minimum standards for case files with the PPS. It is not unreasonable to expect that a highly paid police officer can do a high quality investigation.

But if I could just finish with, there are some elements of the criminal justice system that are outside the control of either the police or the PPS to manage. I will give you a very simple example. We have broadly comparable numbers of guilty pleas in Northern Ireland as they have in GB, but in Great Britain they happen to them much earlier in the criminal justice system and there are a number of causation factors for that, a lot of them legislative. They do not have a committal stage in England and Wales. Obviously the legal aid reform we are sincerely hoping will speed the process up locally as well, but the broadest is, actually they have a mandated incentivisation for early pleas in England and Wales that we do not have in Northern Ireland and we certainly do not have the consistent application of that in Northern Ireland. So, there are things that are within the gift of legislators to help us manage the criminal justice system in a more

effective way. But it is a very complex issue and I am conscious about your admonishment for brevity, so I will stop there.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

Professor Sir Desmond Rea.

**Professor Sir Desmond Rea:**

Can I ask, it really arises out of your last point, because it seems to me that there is scope for the Department of Justice to bring together the police and PPS and to ask itself the question, “have we taken the initiatives, all the initiatives that have taken place in England and Wales”, in other words what can we learn from there and begin to incorporate and drive forward?

**Assistant Chief Constable, Mr Will Kerr:**

To give you reassurance, the Chief Constable has had that discussion with the Minister and we are starting to drive that debate forward. But there are still elements outside the control of either the police or the PPS. There are issues that are set in legislation as to how the judicial process is going to be managed in Northern Ireland and there are lots of lessons that we can learn from elsewhere to help expedite that process.

**Professor Sir Desmond Rea:**

Then the legislators then it follows from that have got to take ownership of it?

**Assistant Chief Constable, Mr Will Kerr:**

I do not disagree.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

Trevor Ringland, do you want a quick question?

**Mr Trevor Ringland:**

That was my point as well. I think we should really put the pressure on the legislators to look at it and see if things can be changed. Maybe some of the politicians on board here will take that into consideration.

**Assistant Chief Constable, Mr Will Kerr:**

We would be delighted for the support.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

Thank you Mr Ringland. Question 7 Basil McCrea.

**Mr Basil McCrea:**

As stated.

***Q7 - To ask the Chief Constable in light of the recent 'baby dummy theft case' to confirm the nature of the relationship between the PSNI and the PPS in terms of prosecution of offences?***

**Assistant Chief Constable, Mr Will Kerr:**

I am going to deal with that again hopefully quickly. We cannot talk about the specific case, the person was acquitted in the Crown Court and is recognised as entirely innocent in the eyes of the law. I can talk generally. The relationship is defined in legislation, that is between ourselves and the PPS under the Justice (Northern Ireland) Act 2000. We investigate, we pass the case to the PSS.....

**Mr Basil McCrea:**

I know we are under pressure for time, but I do think knowing the points that you might want to make, I think you should just state them slowly and precisely so that they get it, we are a bit rapid fire here.

**Assistant Chief Constable, Mr Will Kerr:**

I will move from brevity then to a slightly more detailed response, with the Chairman's permission.

**Mr Basil McCrea:**

Just slowness in delivery might help me, that is all.

**Assistant Chief Constable, Mr Will Kerr:**

I am still trying to stay within the 2 minute timeframe here as well Mr McCrea. The relationship is defined by legislation. The Justice (Northern Ireland) Act 2000 states

very clearly, that we investigate where there is evidence of an offence or an offender, we pass the case onto the PPS who decide on the best prosecutorial disposal. Obviously, we want to balance the needs of justice with a bit of commonsense as well, but that has to be tempered with the fact, that to apply a discretionary disposal, one of the issues I highlighted to Professor Rea in the last question, we still have to have an admission from the offender. We still have to have certain conditions and criteria that are met for obvious reasons. For example, for a Penalty Notice for Disorder (PND) when they come under the statute books, the goods have to be in a resalable condition for a PND to be issuable. In fairness to the PPS, the decision to prosecute this case on indictment in the Crown Court was not their decision, that does not lie within their gift, again, this is an issue about local legislation. The decision to actually elect for trial by jury lies with the defence in Northern Ireland, that how it is written into local legislation. The PPS in this case actually recommended that the case should be prosecuted summarily. The challenge as I say, is to balance the needs of justice on behalf of society as a whole with a commonsense disposal that does not unnecessarily criminalise somebody who does not need to be criminalised, but nor can we set a minimum value around theft either. Sometimes that is a judgement call, sometimes it works well, sometimes it does not, but I think there is a broader issue about the justice system, the regulatory environment in which it operates in Northern Ireland and the role of policing within that that I would be delighted to have a longer term, more detailed debate with you on that.

**Mr Basil McCrea:**

Without going on because we have to keep in our 2 minutes bit. But I do think it is important that we deal with the legislation that is required. There ought to be a relationship between PSNI and the Board, it is not just that you need to go directly to the Minister for Justice. If there are issues that are actually becoming problematic, then we have to find a way of engaging.

I will just say for the record, you are aware that the view of the general public and most of my colleagues here, that this was a crazy case. This does not actually do anybody any good anywhere... (*interruption*)...then some of my colleagues I should say. But the issue coming back into it is, I understand the point you are making just for clarity is, that you have an obligation to investigate, which you did. The PPS have obligations under

the law to do what they did and a result comes back up which maybe was not as satisfactory as might have been required.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

Thank you Basil McCrea. Dominic Bradley has very kindly agreed to take question 8 in a written answer, thank you for your co-operation Mr Bradley.

Question 9, Mr Ian McCrea.

***Q9 - What discussions are ongoing with the Northern Ireland Executive to progress the new training college at Desertcreat, Cookstown?***

**Deputy Chief Constable, Mrs Judith Gillespie:**

I will take that one Chairman if I may. Board Members will recall I gave a full briefing at the public meeting of the Policing Board on 1 April of this year, and engagement with the Northern Ireland Executive on the new Police, Fire Service and Prison Service College has been through the 2 sponsoring departments, that is the Department of Health and Department of Justice and both Health and Justice Ministers have received presentations by the project involving myself personally in the Spring of this year and we have had ongoing engagement with Ministers through their respective officials, through the College Steering and the College Programme Board. I have to say, at every possible opportunity when we have political representations in to visit the Chief Constable and the Top Team for whatever reason, I always stress informally, the benefits of the College going forward. But that engagement is ongoing and the business case for the College sits with the Minister for Justice and the Minister for Health and they have yet to make a decision, but the only outstanding issue is now affordability and that is their decision.

**Mr Ian McCrea:**

Thank you very much. Without trying to be parochial given that it is in my own constituency. Obviously there are economic benefits to this for the local area, but the major issue obviously is the reality factor and the financial aspect of it. I know in previous discussions there was the potential if the Health aspect of the funding was not going to be made available and the others were, that the project would still commence on a lesser scale. If that is the result of the CSR (Comprehensive Spending Review)

and the other is monies available and the Health is not, when do you feel the cut off period is to move the scheme forward without the health component for the Fire and Rescue Service and move forward on the other aspect? Do you feel, given that you have I think a date of 2013, to open it late that year, how do you feel that would work if things do not happen soon?

**Deputy Chief Constable, Mrs Judith Gillespie:**

Well the target date of summer 2013 was predicated on the College being ready for the World Police and Fire Games which are happening in the summer of 2013, but it is very clear that that target date is not going to be met even if we achieve the full funding, and so that target is really no longer of relevance.

I would prefer not even to consider the option of Health not being fully involved in the project because it would be a very much sub-optimal position. What we have stressed is, this should be a joint services college, the very embodiment of partnership across public service. A college in which the whole community can have a stake, not just the Police Service, the Fire Service and the Prison Service but the whole community, and so it is a Ministerial decision and we await that decision.

**A/Vice Chairman, Mr Gearóid Ó hEára:**

That concludes the questions. On behalf of the Acting Chairman and the Board, could I just thank you very much for coming along and answering our questions and wish you all a very Happy and Peaceful Christmas. Thank you.