NORTHERN IRELAND POLICING BOARD

MINUTES OF THE 33rd MEETING IN PUBLIC OF THE NORTHERN IRELAND POLICING BOARD HELD ON THURSDAY, 2 JUNE 2005 AT 2:30PM IN CITY HOTEL, DERRY / LONDONDERRY

PRESENT:

MEMBERS:	Professor Sir Desmond Rea (Chairman) Mr Denis Bradley (Vice-Chairman) Mr Alex Attwood Mr Joe Byrne Mr Brian Dougherty Mr Sam Foster Mr Barry Gilligan Mr William Hay Mr Tom Kelly Mrs Pauline McCabe Mr Alan McFarland Mrs Rosaleen Moore Mr Ian Paisley Jnr
POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:	Mr Hugh Orde, (Chief Constable) Mr Paul Leighton (Deputy Chief Constable) Mrs Judith Gillespie (ACC Criminal Justice Department) Mr Sam Kincaid (ACC Crime Operations) Mr Duncan McCausland (ACC Urban Region) Mr Peter Sheridan (ACC Rural Region) Ms Sinead McSweeney (Head of Media) Deputy Director of Human Resources Chief Superintendent, Command Secretariat Chief Inspector, Command Secretariat
OFFICIALS IN ATTENDANCE:	Mr Trevor Reaney (Chief Executive) Mr Sam Hagen (Director of Corporate Services) Mr Peter Holt (Director of Communications) Mr David Jackson (Director of Community Affairs) Mrs Sinead Simpson (Director of Policy) Mr David Wilson (Director of Planning) Three Board Officials

Apologies

Apologies for non-attendance were received from Viscount Brookeborough and Mr Sharma.

Chairman, Professor Sir Desmond Rea:

The Board is delighted to be in Derry / Londonderry today. Before I get down to business I would like to say a few words about our work and the work of the PSNI.

The role of the Board is first of all to support the police towards the ends of effective and efficient policing and secondly, to hold the PSNI to account for the delivery of those ends and it typically does that through the Chief Constable. Since its creation on 4 November 2001, the Board has been getting on with the business on the policing agenda, as indeed has the PSNI. In that time, substantial progress has been made in effecting changes to policing policy, policing structures, policing processes and practices although many challenges and controversies no doubt remain. This, as no doubt all of you appreciate, has not been an easy task. You will get a flavour today of some of the range of issues that we handle, many complex, some controversial. The PSNI has grasped the challenge and opportunity of change. Accountability, openness and transparency is now firmly grounded in policing. Indeed Chief Constable, your Service is often referred to as the most accountable police service in the world. The range of questions you will face today from Members is yet further evidence of the truth of that. The PSNI is also unique in what it has delivered.

Let me take first of all, crime. Reduced significantly for the second year running, whilst detection rates has improved further let us be clear, Northern Ireland is safer and suffers less crime than virtually any comparable part of England and Wales. If you look at the various indexes of performance, there are only 2 which have moved upwards. Now we take very seriously those 2 areas, one is domestic violence and the other is hate crime, but nevertheless, the rest have shown significant increases in performance.

Secondly, a Code of Ethics a new oath, has been introduced and signed up to by every officer which ensures human rights lies at the heart of the PSNI does, unique in the United Kingdom and in Europe.

Efficiencies and innovations thirdly in many areas, with a new police helicopter launched this week. I pay tribute to your Chief Engineer and Head of Transport, David Graham, who was recently a finalist for the title of the Public Servant of the Year and is a good example of the commitment of officers and staff driving towards a 21st century policing operation.

Crime Operations Branch and Special Branch now come under one Assistant Chief Constable (ACC) Sam Kinkaid. Presentations received by the Board and indeed delivered in full at our public session on the role and work of Crime Operations are unique in accountability terms and evidence just how far as been travelled.

I would express on behalf of the Board, our confidence today in the intelligence and detective capacity of the PSNI. This is just not my view but it is supported by the expert independent analysis that we have commissioned from HMIC. Crimes are thwarted routinely because of effective intelligence. Just recently, I had this confirmed to me by a member of the public who expressed appreciation for the work done by the PSNI in preventing crime. Whilst we must be careful not to prejudice also any ongoing investigation, can I say how welcome it is to see apparent progress in the McCartney murder investigation.

Finally, a joint police / NIO programme to explore less lethal alternatives has made significant progress. Four detailed reports have been published and again in this area, we are leading the field internationally. I want though to acknowledge here in this city today, the strength of feeling that accompanies the issue of plastic bullets. The Board recently supported the Chief Constable's decision to introduce a new safer alternative to the existing plastic baton round, but even if the new ordnance is safer, I sincerely hope there is never need again to fire such a weapon but I acknowledge that there are those people who see this differently.

But perhaps greater evidence of the changes lies in the community and the numbers of people wanting to serve the community and be part of the policing in Northern Ireland. That is reflected in the recruitment and selection figures for the full-time Service. It is also, incidentally, reflected in the number of females who are coming forward to join the Police Service of Northern Ireland.

Policing with the community underpins all that the PSNI does. It underpins all that this Board is seeking to do. The District Policing Partnerships have played a vital part in bringing policing closer to the community and I welcomed earlier DPP members from this city and the north and west of the province to our meeting today. You are successfully working with the police to identify and deal with issues of local concern. As we move towards the end of the first DPP term of office and approach their reconstitution later this year, I would like to pay tribute to all DPP members for their hard work despite some receiving significant threats and intimidation. This Board has repeatedly condemned those threats, has condemned the intimidation and we call again on those people who engage in this to desist.

My thanks go also to all those others within our community who work with the police. I would particularly draw out the invaluable assistance of the Custody Visitors and Independent Community Observers, some of whom I had the privilege of meeting over lunch. Custody Visitors perform a very valuable role for this community. They drop in, unannounced, at all times of the day, to police stations across Northern Ireland to check up on the conditions in which prisoners are detained to ensure that their rights are upheld. The Independent Community Observers oversee every stage of the PSNI recruitment process and I have already referred to that, and they do so with an expert eye, to again add to community confidence that officer recruits are being selected in line with the proper agreed processes in place.

Now turning to the main business of this section today. Rather than receiving a presentation on a topic from a senior officer, we today are allowing our time in the public session to deal with a significant number of questions to be put to the Chief Constable by Board Members. Let me say where these questions typically come from. They could be submitted as a number have been today, by individual Board Members. They could be submitted by Committees of the Board, they could also have been submitted by a member of public and one member of the public here in this city has submitted a question which Tom Kelly will allude to in a question he will be putting later. So, if anyone here has a question that they would like to put, in terms of the Standing Orders of the Board, I would be very happy that Sinead Simpson, if they would put their hand up at this stage of the meeting, Sinead will get together with them and they will formulate the question and that question could then be delegated to a Board Member. If there is a anyone here who would like a question to be put please raise their hand.

Could I say, in terms of whether the questions are taken in the public session or the private session, we have a private session typically before lunch at each Board meeting and the public is also before lunch, but not today. What happens is, first of all, the Member says I want my question put in the public or private session. It may well be that we will get a response from the Chief Constable to say, I would prefer that that question is taken in the private session and he will give his reasons. One reason he might well give for that, is that the question is sub-judice or it is a personnel question and therefore it would make more sense but nevertheless, in the private session, there is a dialogue. If there is disagreement in terms of the guidance there is a dialogue between the Member of the Board and the Chief Constable or one of his officers and typically we reach agreement on how to proceed. So with that as background, could I then ask the Chief Constable to say a few words.

Chief Constable, Mr Hugh Orde:

Thank you Chairman. I will update as it has been some time since I last attended a Policing Board meeting. A number of operational matters have come to a conclusion in that time and just to update Board Members and members of the public in relation to a number of them.

Firstly this morning, locally, an event happened at the Carnmoney Water Works near Eglinton where sadly there was an explosion which is still be investigated and we are not sure what the cause of it was yet but there has been one fatality and 2 people injured, it would appear to be in relation to some activity being carried out on that site at the time. There is no risk as a result of that explosion, where there are chemicals that are stored, to public safety or public health.

On to events that have gone on since the last Board meeting. In relation to the Omagh Inquiry. One person, Sean Gerard Hoey has now been charged with 29 counts of murder and numerous other terrorist offences and is in custody now awaiting trial, which will be the largest murder trial in British legal history. In relation to the Brian Keenan murder which Members may remember took place on the 26 June 2004, a man has now been charged with that murder and we would like to put on record, the level of support we received in relation to that investigation by the local community which has brought us to that conclusion.

There have been 2 bombing incidents since our last meeting, the Lisburn Civic Centre on the 14 April 2005 which we put down to dissident republican activity, that was a car bomb which was disrupted by the army and the bomb that was placed on the route of the Marathon on the 2 May, again we see that as dissident republican activity.

In terms of organised crime and the high level of concern within the community about armed robbery, substantial work has been going on through our Robbery Squad on that and 2 persons were arrested in Newry on 22 April 2005 in relation to an attempted robbery of £1.2m from Securicor and are currently in custody awaiting trial.

In terms of Drug Squad activity, substantial activity on that front, £750,000 of drugs were seized in Lisburn and 3 people have been arrested and charged in relation to that offence. On the 19 April 2005, again another large operation, where a drugs factory was uncovered in Moy, 3 persons have been arrested and being charged with intent to supply a Class A drug, that was cocaine, the street value there again was £750,000.

On 18 May 2005, 60 kilos of cannabis which we valued at £300,000 was seized at Altnagelvin, 3 arrests were made and again £65,000 in cash was also recovered.

In terms of smuggling or intellectual property crime, there have been 21 seizures since the last Board meeting and 6 people have been arrested. In terms of property seized, over 7,000 DVDs, nearly 4,000 musical CDs, 1200 computer games, a substantial quantity of cigarettes, clothing and alcohol and that would come to well over £200,000.

A further investigation into dissident republican activity in March 2005 resulted in the arrest of 2 people and £60,000 was recovered as well as replica firearms and ammunition, which we see as being used in the terrorist campaign, was also recovered.

In relation to extortion, 4 people have been arrested in relation to attempting to extort a business man and again follow up searches recovered firearms and ammunition.

In relation to burglary, which is as you know, down over 13% from last year, a creeper burglar was arrested in possession of a highly valuable car in Castlereagh district.

In Ballymoney, a man has been charged in relation to terrorist offences and an armed robber was arrested following a pursuit by officers shortly after the offence had taken place.

Many of those arrests which span the province have been as a result of substantial work from all officers from all departments, including our intelligence gathering officers who are working extremely hard with local officers to bring these matters to a satisfactory conclusion. I think it is a fair reflection on the activity that goes on in the routine of policing.

Finally, Members will be aware of a fatal car accident on Thursday, 22 May 2005 which raised a lot of public concerns. It was a stolen car that had been involved in a high-jacking and a robbery. As a result of the accident, 3 people in the car were seriously injured, one died at the scene and 2 are still in hospital. It is a matter of record that all 3 had substantial criminal convictions and one of the other people involved was on High Court bail at the time for high-jacking and 2 of the individuals in that accident were in breach of bail conditions which required them to be inside on a curfew after 7:30 at night until 9:00 in the morning, 2 are in the hospital recovering and one sadly died in that accident.

Chairman, Professor Sir Desmond Rea:
Could I congratulate you on the continuing commitment in respect of Omagh, Chief Constable, and this Board takes a particular interest in that, because it spent a great deal of time in terms of looking at those Omagh reports and generating recommendations from them. Therefore, the progress that is being made will be much welcome, not simply by the Board, but the wider community.

Moving into the questions now, question on Enniskillen bombing. Sam Foster, question 10.

Mr Sam Foster:
Thank you Chairman. Chief Constable, can you give me a report on the situation towards bringing before court, those who murdered 12 citizens in the Cenotaph bomb in Enniskillen on 8 November 1987, that is almost 18 years ago?

Chief Constable, Mr Hugh Orde:
I will ask ACC Sam Kinkaid to deal with that.

Assistant Chief Constable, Mr Sam Kinkaid:
Chairman, it is recognised that the incidents that led to the murder of the 12 people attending the Cenotaph on the 8 November 1987 was one of the most abhorrent in the history of Northern Ireland and police investigations therefore, have continued to pursue every avenue right up to and including the present day.

In 2004, I had the investigation, subject to a further review, to see whether there were any new evidential lines of enquiry and the review officers made a number of recommendations that are now being actively pursued.

Detectives from Crime Operations Department have recently sought to trace and re-interview some 111 people as part of that process and put their recollections into context. Some 80 witnesses have been seen to date and efforts will continue to be made to speak to the remainder and some additional 45 witnesses identified by those already spoken to, these are new witnesses that have come to light. This will, of course, be a painstaking process in which every piece of information will have to be thoroughly analysed. In addition to tracing scores of new witnesses, other investigators were concluding some of the details in liaison with colleagues in An Garda Siochana is presently being pursed and we remain committed to ensuring that were there is sufficient evidence to bring charges that those persons responsible for this particular crime are brought to justice.

Chairman, Professor Sir Desmond Rea:
Question 13, a question from Joe Byrne and it relates to the Gareth O'Connor case.

Mr Joe Byrne:
Chairman, could the Chief Constable give an update into the case of the abduction and disappearance of Gareth O'Connor some years ago?

Assistant Chief Constable, Mr Sam Kinkaid:
Detectives from Crime Operations Department continue to investigate the disappearance of Gareth O'Connor and recently, on the 2nd anniversary of his abduction, together with his family, renewed their appeals for assistance. This joint family and PSNI press conference was held on the 10 May. Appeals were made both by the senior investigating officer (SIO) and by the family.

The investigation into the incident, which is now 2 years old, remains active and some lines of enquiry have not yet been exhausted. In order to protect the integrity of the investigation, the SIO have sought to keep the details of some of these matters confidential, however, the family of Gareth O'Connor have been kept abreast of these issues and I believe, from the indications I have, are satisfied with the actions the SIO has been taking.

The investigation has lead to nearly 2,000 specific lines of enquiry and has amassed over 1,500 documents. There have been extensive searches, including ones along the route thought to have been used by Gareth on the morning of his disappearance. We have put significant police resources into this search and into this enquiry. There have been numerous searches and requests for information about Gareth's car and widespread house to house enquiries have also been completed. Again, I would have to emphasise that this investigation has benefited from assistance and help from colleagues in the Garda Siochana. Despite this, and a total of 5 arrests during the course of the enquiry, it remains the case that Gareth's body has not yet been found, nevertheless, we will continue to put sufficient resources into this investigation.

Chairman, Professor Sir Desmond Rea:
Could I take then question 15, this is a question that relates to the incident at Violet Street, Derry / Londonderry on the 30 April 2005, Brian Dougherty.

Mr Brian Dougherty:
Chief Constable, you are well aware of the incident in the early hours of Sunday morning the 30 April at Violet Street in the Waterside, I think it has got quite a high profile already. I would like your comments on the DVD footage that was recorded at the time by a neighbour and also your comments on the actions of the officers involved. Is there an internal investigation into their actions and if so, what stage are they at?

I would also like your comments on the perception that there is now here in the City in Londonderry, that young protestant people in the city are treated differently to young nationalists, in the sense that there is much more aggression shown to people from loyalist areas.

Chief Constable, Mr Hugh Orde:
I will ask Paul to deal with the discipline side and I will ask Peter to comment on the wider issues.

Deputy Chief Constable, Mr Paul Leighton:
To answer the question about the Violet Street incident, yes we have viewed the DVD that was forwarded to us of the incident. We have enhanced our viewing capabilities because initially we were not viewing it on a big enough screen. We have now viewed it on a larger screen in slower time with a better quality player along with some of our public order trainers and action has been taken. I would not want to say anything further than that at this point in time because it is a subject of an Ombudsman's investigation. There is an internal investigation running parallel with that and we will co-operate fully with the Ombudsman on the incident.

Assistant Chief Constable, Mr Peter Sheridan:
There is absolutely no difference in the treatment of people from either community in the City and the Commander here, Chief Superintendent Russell is very firm on that.

Mr Brian Dougherty:
Chairman, is it possible that ACC Sheridan or through the Chief Constable, to get an analysis of the number of arrests of young protestants for disorderly behaviour compared with young nationalists?

Chief Constable, Mr Hugh Orde:
Yes, that is fine, we will certainly do that.

Chairman, Professor Sir Desmond Rea:
Could I say that I have received a note from Mr Eamon McCann and he asks, “will the Chief Constable and the Chairman agree to take a look at the video footage of the incident in Waterside on 30 April in which a number of young Protestants claim they were the victims of police misbehaviour?” The answer for my part is yes.

Chief Constable, Mr Hugh Orde:
There is some slight technical difficulty in that in terms of I, because I am the appellant authority, my Deputy leads. If DCC Leighton has viewed the video on my behalf and taken the action is has deemed to be appropriate. The problem is, if I look at the video then I cannot ajudge on the appeal process, but it has been looked at by my Deputy.

Chairman, Professor Sir Desmond Rea:
I assume that Mr McCann understands that.

(Interruption from a member of the public).

Mr Alex Attwood:
The Chief Constable has actually just made a very important commitment to the question from Brian where he said that he would try to provide information in respect of the numbers of protestants and therefore the number of catholics and perhaps the numbers of others who had been arrested in the City of Derry in respect of disorderly behaviour.

That is a very important commitment because the British Government has resisted agreeing that the Director of Public Prosecutions does precisely that in respect of serious crime in Northern Ireland. The Director of Public Prosecutions has refused and the British Government has resisted an analysis being done of those who are arrested and convicted, on the basis of religion or perceived religion. If it is now the case that the Chief Constable is making that commitment, that is an important commitment and that is important to build confidence in the administration of policing and justice.

Chairman, Professor Sir Desmond Rea:
Chief Constable, would you like to comment?

Chief Constable, Mr Hugh Orde:
I cannot comment on behalf of the Director as that is his business but we will do our best. You know my views on this, the more information we can give to inform the debate around policing the happier I am, however complicated or difficult it is. We will do our best to get that information, we do not collect data in that way so it will be a best guess on the perceptions of the people who will be looking at the information to see if we can come up with some meaningful figures that inform a meaningful debate, which I think is an important way of doing it. Certainly that is the form of debate that I would like to see take place certainly between the District Policing Partnership and the District Commander.

Chairman, Professor Desmond Rea:
Question 18 refers to an incident in Maghera on Saturday, 14 August 2005, Mr Willie Hay.

Mr Willie Hay:
Thank you Chairman. It is an incident that took place in Maghera on 14 August as you say where there was the high-jacking of a vehicle and where a legal parade by the Apprentice Boys was stopped and were basically there was a riot. Could the Chief Constable maybe indicate to us what is the update on the preparation of those files in respect of that incident and how many people have been interviewed by police in respect of it and has there been any prosecutions to date and is there likely to be in the future?

Assistant Chief Constable, Mr Peter Sheridan:
Just for clarity, this is the parade on the 14 August and it was a local Maghera Apprentice Boys parade who were on their way to the main parade in the city. It was a legal parade, there was a protest in Maghera on that day that prevented the parade going where it had intended to go. The parade was not stopped, it was decided by the people themselves that in the best interests of the community they would not go the full route and they made their way to the city. As a result of that, there was an investigation carried out and as is the same in each of these

investigations whether it is a legal protest or a legal parade, we focused on the people who are organising the protest and an investigation happened in that way. Five persons were interviewed who we believed were involved in the organisation of it, a file was sent to the Director of the Public Prosecutions and the Director has directed that 2 people will be prosecuted for a range of offences including Contrary to Public Order and offences against the Public Processions Act, so that is currently where it is at the moment.

Mr Willie Hay:
Mr Chairman, just to briefly come back on that. It is unbelievable that there was a riot, there was a high-jacking of a vehicle by masked men, there were quite a number of people blocked by the legal parade of the Apprentice Boys and only for the Apprentice Boys taking the initiative to walk away, it could have been a very serious incident. I understand that and know what ACC Sheridan is saying, that the police have sent 5 names to the DPP for prosecution. I also understand from the police video that there could certainly be a lot more people identified who were clearly creating a major problem.

I want to say Chairman publicly, I think there is a major problem within the DPP office in prosecuting people who are members of a certain political party. I do not believe that the size of the incident, the way it happened and the seriousness of it, that we end up now with just 2 people prosecuted. There is something seriously wrong, I think there is fundamental questions that need to be asked, not maybe on the police side but certainly the DPP side.

Chief Constable, Mr Hugh Orde:
Our role in the judicial process is to produce the evidence to the Director who then directs us in the way forward. I think the other point is, bearing in mind we are coming up to another marching season, was the good sense and the restraint and the common sense from the Apprentice Boys who did not inflame the situation but managed it in a way that enabled them to achieve their objective without causing my officers any more difficulty than they were already facing. Five persons were put forward because we thought 5 people had had to have the decision made against them, the Director said 2 will be prosecuted and they will be.

Mr Willie Hay:
My understanding Chairman that there was certainly pressure put on the DPP not to have any prosecutions by the police.

Chairman, Professor Sir Desmond Rea:
Can I take you to question 27, the McCartney murder, Alex Attwood.

Mr Alex Attwood:
Chief Constable, I am asking this question somewhat cautiously, given that there may still be people who are in custody in relation to this matter. But in order to create certainty and to avoid doubt, and given in particular, the allegations of some with a political agenda, about the nature of the police investigation, there are a number of questions which I think the public need to have some answers to and they would be as follows. How many people have provided statements to the Police Ombudsman in relation to the investigation, either in person or through a solicitor? How many people have provided sworn statements and how many statements have been unsigned? How many individuals have attended for interview by the police and have exercised their right to silence at interview, because around all those questions there is some public discussion and I think if the police were able to answer those questions with certainty and accuracy then that can further increase the already high level of confidence in the police investigation of this matter. Are you, mindful that there are 2 people in custody at the moment, in a position to give an update generally in respect of the investigation of the murder of Robert McCartney?

Chief Constable, Mr Hugh Orde:
I will ask ACC Kinkaid to give the detail on that where he can, bearing in mind the observations you have made. The overview I would put on this particular case is this case has our total commitment, it has from the day it took place. It is one of our largest enquiries, we are utterly committed to bringing it to a judicial conclusion, which is not only our objective but the objective of the family as they have publicly stated and I will ask ACC Kinkaid to cover the points again.

Assistant Chief Constable, Mr Sam Kinkaid:
Chief Constable, this, like the murder of Lisa Dorrian, is a category A murder investigation and the PSNI continue to treat it as a critical incident.

At present 10 persons have provided statements through the Office of the Police Ombudsman. All these were signed statements in a format presentable to the courts. In addition, 3 clarification statements have been received and the Police Ombudsman's staff have conducted one video recorded interview. All statements have been signed. The Police Ombudsman have notified us within the last few days, of the existence of 2 additional statements have been provided to them.

Can I just place on record, our thanks for the work and the co-operation we have had from the Police Ombudsman's staff in relation to this investigation.

Thirteen suspects have now been arrested by police and interviewed in connection with serious offences arising out of the investigation into the murder of Robert McCartney and the attempted murder of Brendan Devine. All the arrested persons up to now currently have exercised their right to silence. As I speak to you, 2 persons are currently being interviewed following arrests in England and Belfast. The general update then will show that a total of 15 persons arrested, of 25 house searches. We are currently looking at over 80 hours of CCTV footage, 151 witness statements have been received, a small number of those in real terms from solicitors via the Police Ombudsman. We still keep to the same line that we have said that members of the Provisional IRA were involved in the murder of Robert McCartney but we do not believe that it was sanctioned by that organisation. Various statements and press announcements made since that date would, I believe, would support the assessment of the Police Service of Northern Ireland.

There is clear evidence of forensic cleanup of parts of the scene, in the bar in particular and the CCTV footage from the bar at the material time was taken before the police could use it for part of their investigation.

We have received no direct complaints from people that they have been intimidated but it has been clear, from information coming second hand to us from intelligence, from other members of the community and indeed through the press and other areas, that there had been intimidation going on, particularly at the early stages, in relation to potential witnesses. We are particularly grateful that many of those have come forward, following appeals, mainly from the family and have been giving increasing assistance to the investigation.

There have been 2 reported main incidents of threats against the McCartney sisters and the partner of Robert McCartney. The first was by criminal elements who indicated the intention to burn down their houses, the second was from republican elements who warned the sisters to refrain from criticising the movement or reprisal measures would be taken. We applaud the bravery of the family in the way that they have dealt with that and the police took the necessary actions required.

We have worked hard to ensure that there has been sufficient and professional family liaison work, working closely with the family of Robert McCartney and increasingly we have been very grateful for the community support and help that has come forward. Clearly there are a number of people in custody, I am saying nothing more about that, that investigation continues and I have confidence in my officers who are handling this investigation with their professionalism and their skills.

Chairman, Professor Sir Desmond Rea:
Chief Constable, ACC Kinkaid referred to the Lisa Dorrian murder and that takes us to question 24, Ian Paisley Jnr.

Mr Ian Paisley Jnr:
Thank you Chairman and before I ask the question, could I express my condolences to the family who obviously lost one of their loved ones this morning in Maydown and to have it placed on record given that we are in the City today.

With regards to the Lisa Dorrian murder, can the Chief Constable update the Board on its investigation into this tragic murder of Lisa Dorrian?

Chief Constable, Mr Hugh Orde:
ACC Kinkaid will cover the details.

Assistant Chief Constable, Mr Sam Kinkaid:
Lisa Dorrian was reported missing on the 1 March 2005, some witnesses having said that she was last seen leaving a caravan in Ballywalter with a female on the 28 February 2005.

This was declared a murder inquiry on the 8 March 2005 due to information received that indicated that she was dead and the lack of response from urgent press appeals, Crime Ops Department then took over the investigation. Information available to the Inquiry Team and to the Senior Investigator from that date and relayed to me to support the contention that unfortunately, Lisa is dead. To date, 3 person have been arrested and released pending further enquiries. We believe that some of the persons connected with this incident have individual associations with the Loyalist Volunteer Force but the murder was not believed to have been sanctioned or carried out on behalf of that organisation. As with the case of the death of Robert McCartney, that connection at times obviously causes difficulties for the investigation.

A summary of the investigation shows that over 1,500 actions have been raised by the 25 May 2005. One of the most significant parts of this investigation, compared to others, is the level of searching that has had to go on. Over 50 searches have taken place and that is area searches, looking where the place of death or her body could be, a large number of searches of vehicles, caravans, house searches. To date, a lot of the material has been submitted for forensic examination and we are awaiting some of the results.

I think it would be opportune for me to reinstate the appeal we are giving. We clearly believe that there are people, particularly in North Down, who have information about the events of the night in question, of what happened to Lisa and where she is. Clearly, on behalf of the police and the SIO and the family, I would have to appeal that those people come forward and give assistance. Not all of them were involved, many were not involved in the events that led to her death but they may have heard about it from third parties and we think there is more information that we need to get.

This particular family is suffering tremendous stress as it is a very stressful thing when a member of your family dies in circumstances that lead to a murder, but when you do not have a body and the opportunity to lay someone to rest and that kind of closure is not occurring, you can image the stress that the Dorrian family are going through and consequently, we would appeal for any witnesses to come forward. The Dorrian family have indeed issued a reward for the return of her body.

Chairman, Professor Sir Desmond Rea:
Question 19, relates to the Claudy bombing, Mr Willie Hay.

Mr Willie Hay:
Chairman, I thought it would be useful as we are in the City of Londonderry and I know there has been an ongoing investigation headed by Assistant Chief Constable Sam Kinkaid and I suppose, from that investigation has there been any new evidence and if so, are there likely to be any arrests leading to prosecutions?

Assistant Chief Constable, Mr Sam Kinkaid:
On the usual caveat, obviously I am not going to indicate whether there would be arrests in relation to prosecutions or not. I appreciate there is an interest in relation to that, but clearly as a senior police officer, this is something I cannot comment on.

I would say that the investigation has completed many of the local enquiries that we gave them to do and that included a full review of the intelligence material information supplied to and obtained by the police over 30 years ago when the incident actually happened. It is quite surprising, when we have gone back and looked at this, the amount of information and knowledge that is still retained in the community. This clearly was an event that had a massive impact on the village concerned and the memory of the people who were there.

It has been a major task for us to go back and revisit many of the issues and the Family Liaison Officer and the Senior Investigator, Detective/Inspector Paul who are leading the team, have been regularly updating the family and relatives, in particular, of each of the 9 murder victims. I recently chaired a number of meetings to ensure that the remaining issues are being dealt with expeditiously and that they are being treated as a priority because you can imagine there are many other murders and serious crime happening and this was not being put on the 'back burner' so to speak.

I am holding a further formal meeting with the relatives this month to update them on the lines of enquiry and what we are doing and give them some indication in terms of the closure time and how long this will go on for, I think that is important, but I think there is probably only a month or two of major work left in terms of the main parts of the investigation.

Mr Willie Hay:
Could I just said to ACC Kinkaid through the families, that they do appreciate the work that ACC Kinkaid and his officers have been doing, there is no doubt about that, but emphasising on ACC Kinkaid and his team that closure in this is very important and the sooner the better.

Chairman, Professor Sir Desmond Rea:
Question 23, relates to the 5th IMC Report, Ian Paisley Jnr.

Mr Ian Paisley Jnr:

The 5th IMC Report says that people released in Northern Ireland under the Belfast Agreement with former paramilitary links form a considerable proportion, are apparently involved in either paramilitary activity, organised crime or both. I want to know if the Chief Constable can comment on these findings, particularly the re-offending rates by released prisoners under the Belfast Agreement?

Chief Constable, Mr Hugh Orde:

As outlined in the IMC Report which I am sure colleagues will have read, 14% are former paramilitary prisoners from all groups, that is, INLA, LVF, Provisional IRA, UDA, UFF, UVF and Red Hand Commandos have been charged and convicted or have prosecutions pending in the period from release up until September 2004, as mentioned in the IMC Report. In terms of the highest percentage, the LVF have the highest percentages of paramilitary offences and the UVF have the highest percentage for other offences. We work very closely with the Prison Service to respond to illegal activity by released prisoners and where we have evidence of re-offending we report it to the relevant authorities and a number of such cases are in progress currently.

Mr Ian Paisley Jnr:

The Report, Mr Chairman, goes on to indicate that the IMC would like to refine and develop the crime analysis that flows from this research and the IMC is looking for help in that and I am sure the police would be willing to provide additional help so that analysis can be provided.

Chairman, Professor Sir Desmond Rea:

Question 25, relates to the Northern Bank robbery, again Ian Paisley Jnr.

Mr Ian Paisley Jnr:

Can the Chief Constable update the Policing Board on the investigation into the Northern Bank robbery. Are we any closer to an arrest or to the recovery of the money? Are you able to give us an indication how the money has been laundered and if so, where?

Chief Constable, Mr Hugh Orde:
I will ask ACC Kinkaid to cover the detail but in broad terms, Members will be aware that the Northern Bank agreed and very quickly changed the notes completely rendering the new traceable money stolen worthless and we have intelligence or evidence to suggest that any of that money has surfaced anywhere and the longer it runs, the harder that money will be to get rid off anywhere in the world let alone in Northern Ireland, where it would have been a challenge for them anyway.

In terms of the used notes, we are very clear that the money recovered by An Garda Siochana in Cork came from the Northern Bank robbery which has again, further negated the value of that crime to those who committed it.

In terms of the detailed investigation, I will ask Sam to cover that.

Assistant Chief Constable, Mr Sam Kinkaid:
The investigation into this robbery appears to be one of the largest investigations currently undertaken by Crime Ops. By way of explanation, there are currently somewhere around 3,000 separated investigated actions being followed. That investigation would mean that it would be considerably larger than an average murder investigation in terms of the size.

In terms of searches or arrests, the points I said earlier to Willie Hay, would apply here, that as with any serious crime investigation, we will conduct searches or arrests whenever it is in the best interests of the investigation and the administration of justice.

In this particular investigation, we have to say we work very closely with An Garda Siochana the Criminal Assets Bureau in Dublin and the Assets Recovery Agency in an effort to try and identify and recover the proceeds of this crime. As the Chief Constable has said, the changes in the banking system have totally made superfluous the whole business of being able to use the new notes that were stolen but there were a considerable number of used notes that were taken. We strongly believe and I cannot emphasise that too lightly, we strongly believe that the money recovered in Cork came from the Northern Bank robbery and was

moved into the Republic of Ireland as part of a Provisional IRA money laundering operation. I am ensuring currently that the relevant expert evidence is made available to An Garda Siochana to support that assertion on our behalf, bearing in mind they are not new notes, they are used notes, but it is clear from analysis of the amount of notes they recovered and the amount of notes of that nature that have been stolen in Northern Ireland, that technically those notes could only have come from the Northern Bank.

Chairman, Professor Sir Desmond Rea:
Question 3 relates to the challenge of diversity, hate crime in Northern Ireland, Tom Kelly.

Mr Tom Kelly:
Chief Constable, you are aware of the Northern Ireland report on the Challenges of Diversity, Hate Crime in Northern Ireland, we would like you to comment on the PSNI plan to address the recommendations, particularly in relation to the low clearance rate and I have been looking at your Performance Plan and it is not one of the areas of glowing recommendation for the PSNI at the moment. If I could add into that, the question from the member of the public Ms Vij, have you any views on the source of a lot of the racial attacks that go on in Northern Ireland. Are they coming from one particular side of the community or another, that would be useful and also what plans you have to increase the reporting of crime from minority communities?

Chief Constable, Mr Hugh Orde:
ACC Gillespie will cover this in detail.

Assistant Chief Constable, Mrs Judith Gillespie:
(tape unclear) ….. this website during our 'Hate Crime is Wrong' campaign which ran over January and February and will be running again over the summer. We also have third party reporting available through a number of organisations and it is hoped that we can further develop this in fact, I was having discussions with some groups on this issue on Tuesday night and we hope we will gain an even greater insight into the reality of hate crime and hate incidents in Northern Ireland.

I mentioned the Service Policy, that includes a review of all hate crimes that have not identified the perpetrator. After 28 days a review by a senior police officer of Chief Inspector rank or above to make sure that we have done all we can to support the victim and to identify the perpetrator.

On the point of clearance, Tom Kelly is quite right. Our clearance rate is not good, we can work much harder in this area and we can do much better. The fact that we have a performance target that is specifically monitored by the Board, will make sure that we work a lot harder in this area and make sure that our clearance rate will be regularly monitored publicly and within the organisation. We know that minority communities consistently indicate their concern about the low clearance rate, so what we will be doing, is everything within our power to identify and prosecute the perpetrators, but in that regard, the support of the public is essential, both in making complaints about these crimes and reporting them when they are witnesses to them because we rely on public support.

One positive point is that the proportion of people prosecuted and cautioned for racist and homophobic crime last year has increased and whilst the numbers are small and we can do much better, this is an encouraging sign.

Chairman, Professor Sir Desmond Rea:
A question relating to …..

(Interruption from a member of the public)

I will take you to question 11 which relates to the policing of traditional Orange marches, Sam Foster.

Mr Sam Foster:
Just a little clarification, Chief Constable, is it your intention to cost the policing of traditional Orange, Royal Black Institution and Apprentice Boys marches to the organisers of such marches? If so, do you think it would be a fair position on these organisers of traditional marches whose membership do not cause disturbance on the routes of the march because they are disciplined, responsible and dignified and do not bring about riotous situations?

Chief Constable, Mr Hugh Orde:
It is our intention to cost marches in the sense of how much does it cost, as a police organisation, to police these events so we can then report back, through our District Commanders to District Policing Partnerships to make them aware of the money and the commitment of officers in dealing with these issues. It is not my intention to send any bill to any organiser of any march. Our responsibility is to protect both those who want to march and those want to demonstrate and protest against the march. We have no intention of sending anyone a bill.

Chairman, Professor Sir Desmond Rea:
Question relating to the recent Northern Ireland Affairs Committee Report on ways of dealing with Northern Ireland's past, question 2, Brian Dougherty.

Mr Brian Dougherty:
Chief Constable, I am sure you are aware of the recent Northern Ireland Affairs Committee Report entitled 'Ways Of Dealing With Northern Ireland's Past'. Would you please comment on the recommendations in the Report, in particular recommendation 9 relating to the level of support currently afforded to all vulnerable communities and also recommendation 10, relating to the way in which the police communicate with victims and their families.

Chief Constable, Mr Hugh Orde:
This is a complicated question, I will try to do it in 2 sections.

In terms of dealing with the historic issues, which was the focus of this report, which was a slightly different report from the Northern Ireland Affairs Committee to the normal ones they produce. You will be aware, that we have stated very clearly our commitment to reinvestigate all the unsolved murders, killings, deaths during the Troubles over the next 4 - 6 years and have achieved substantial additional funding to deal with that and we have now established our Historical Inquiries Team who are currently in the process of researching and recruiting people to work in that operation. The critical part of that will be, in my view, how we deal

with the families and how we liaise with victims families whilst we reopen and reinvestigate these cases to see if we can take them forward, or where we cannot take them forward, where we make sure we communicate as much as we possibly can, maxim disclosure as I call it, to those families so at least we bring them some form of closure.

Currently, the Inquiry Team is producing a Family Liaison Information Booklet which will be sent out to all people who may be affected by this work. This is a very significant development, but in addition to that, in terms of the routine of policing now, since 2002 we do have a system of Family Liaison Officers who support and keep members of kin informed on every single homicide we have to deal with. We also use Family Liaison Officers, for example, in fatal road accidents and missing persons enquiries, where we think it is appropriate.

In addition to those experts we also have, as briefly touched on by ACC Gillespie, Minority Liaison Officers in every single district to make sure we keep a proper and professional relationship with victims of hate crime and those Minority Liaison Officers also provide support and advice to investigating officers to assist the victims of hate crime and assist the victims to access the support agencies where they can.

It is quite a complicated setup, but it is a fundamental piece of our business. We also do the same, for example, with domestic violence officers, to make sure we have that role covered as well.

In terms of the routine of crime, our Crime Management Unit now write to all victims of crime giving the name of the investigating officer, the crime reference number and advising them in relation to crime prevention advice and the services of our local Crime Prevention Officer. We also liaise very closely and work with Victims Support who can also give advice regarding how their agency can be of help. There is a lot of work being progressed. Can we do better? I think you can

always do better at keeping families informed, certainly in the routine of policing, as well as in the more serious cases. I think that the new piece of business for us is dealing with historic cases, where I think we will be judged quite frankly, on how successful we are at keeping victims of those crimes up to speed on what has been going on.

Chairman, Professor Sir Desmond Rea:
Chief Constable, a question I should have put to you before the last one, question 4 relates to the Diversity Strategy, Rosaleen Moore.

Mrs Rosaleen Moore:
Chief Constable, the Human Resources Committee noted recently on examining the HMIC Refresher Course that the PSNI Diversity Strategy had been presented to the Police Constable's Forum as far back as September last year. Would you provide an update on the development and implementation of the Strategy?

Chief Constable, Mr Hugh Orde:
I will ask ACC Gillespie to cover the details.

Assistant Chief Constable, Mrs Judith Gillespie:
This matter was actual raised with HMI when the Refresh Report was in draft form. A Diversity Strategy had not, in fact, been presented at the Chief Constable's Forum in September. The Gender Action Plan was launched in October 2004, however, taking forth the Home Office Circular 4/2005 which introduces the police Race and Diversity Learning and Development Programme, the PSNI has appointed myself as Service Champion to lead on equality and diversity. We have also establish a Programme Board, the first meeting of which is to take place on the 6 July 2005 and Denis Bradley and Suneil Sharma have been invited to represent the Board on this Strategic Body. The key action of this Board is to develop the strategy in relation to equality and diversity and that will be the major item of discussion at the meeting on 6 July 2005.

The Board will also be supported by an Implementation Group, which will be representative of the Staff Associations and departments within PSNI so that there is ownership of the strategy across the whole organisation.

Chairman, Professor Sir Desmond Rea:
A question in relation to the anticipated number of police stations, question 30, Alex Attwood.

Mr Alex Attwood:
Chief Constable, in the Estate Review there are identified over 60 police stations that will be subjected to review and potential closure in the future. Based upon your current consultations, both with the Service and with DPPs, could you indicate to the Board at this stage, if you are in a position to anticipate the number of stations that you may be recommending to the Board for closure in the period between now and the end of December of this year.

Deputy Chief Constable, Mr Paul Leighton:
As the Board know, the Estate Strategy was approved at the last Board meeting. There are a multitude of things in the Estate Strategy, largely investment works in new stations and improvement in buildings but there are also comprehensive review programmes. There are 17 stations currently awaiting submissions to the Board for approval within the financial year, we have not been able to identify up to the 31 December 2005 unfortunately, we work in financial years for this. Seventeen that we are aware of in this financial year which will probably come to the Board although some things may change.

The stations are – Ardglass, Castlewellan, Moy, Ballygawley, Caledon, Ballinamallard, Derrygonnelly, Irvinestown, Castlerock, Kinawley, Rosslea, Moneymore, Lisbellaw, Newtownbutler, Tempo, Dromore Co Tyrone and Plumbridge. Those are the 17 that are possibly going to come to the Board, there are an additional 3 which will be reviewed in the next 12 months and may or may not then result in an application to the Board.

Mr Alex Attwood:
There is nothing in Derry then?

Deputy Chief Constable, Mr Paul Leighton:
No.

Mr Alex Attwood:
That would be a matter of some regret to some people, but is it your view that the closure of those stations if that comes to pass, will actually lead to an enhanced local police service as opposed to a reduced local police service.

Deputy Chief Constable, Mr Paul Leighton:
I have said this repeatedly to the Board, it is not about closing police stations it is about how do we bring our Service into the 21st century to provide a better service to the public. Many of our stations are over 100 years old, many over 50 years old. They were build at a time when the only telephone in a particular village may have been in the police station, now 99% of our communications from the public is by telephone. The world has moved on and we have got to move on with it and make sure that our Estate is fit for purpose, but it will be aimed at enhancing the service to the public.

Mr Willie Hay:
Chairman, just to follow up on what has been said, it is a very emotive issue on the ground and many people just see it as a closure of police stations, no matter how we try and move the whole issue forward, but I think the real question that Alex Attwood really wants to ask, when will we see the closure of Rosemount police station?

Chairman, Professor Sir Desmond Rea:
Denis Bradley is going to ask the question on behalf of someone who has filed the question.

Mr Denis Bradley:
This is a question submitted by Cecil Hutchinson, but I would not mind attaching my name to it as well and I am sure a few other peoples names in this situation and I will explain why in a few minutes.

There is a station about 10 minutes walk from here that is costing up to £300,000 per year and it is a blight on the landscape, in fact, I do not think it can be called a police station any more. I think it is just an outlook tower, I do not think it is proper to call it a police station. I do not think that the local people see it as a police station and I do not think that the local police see it as a police station. I think it is just a listening device. It is visited by one member of the public on average each month, and I am not too sure that that is even accurate and that costs about £225,000 per visitor.

Cecil Hutchinson says that we do not want to wait on any consultations or policy documents or political concessions, we want it closed. There has been a lot of discussion in this City over the years and in the deepest political discussions that took place last December and of the 4 other main political discussions that took place over the last 5 years about this station. Part of the question is, would you meet with the local residents who are involved with this to talk about how soon it could be closed?

Deputy Chief Constable, Mr Paul Leighton:
Could I ask Peter Sheridan as the local Assistant Chief Constable to deal with the bones of the question because all of the recommendations come from local commanders, they do not come from the centre, we do not tell people what they should be closing, they come from local commanders. But to make one point, the procedures for the closures of any police station or police establishment will be the same for everyone, because I know from my negotiations with the Board, that consultation was seen as one of the most important things that was in the Estates Strategy, so we will have to go through the same procedure for them all.

Assistant Chief Constable, Mr Peter Sheridan:
Ultimately Mr Hutchinson, the closure of the police station, the decision will be made by the Board but it would be fair to say, I fully understand, having worked and lived in this City for 27 years and I understand the difficulties and the angst that Rosemount police station has caused and still causes to people. I look forward to the day when people in Rosemount will feel satisfied with the type of policing service and the delivery of service and the style of service that they wish for. I recognise we are not there yet and I know in your question you said that we are not waiting on political concessions. Unfortunately, there is a link between political stability and security in the province and we had hoped, like many other people in this province in December, that political stability would have become a realisation and part of the normalisation process, Rosemount would have been part of that process, I look forward to the day when that will happen, sooner rather than later.

Chairman, Professor Sir Desmond Rea:
Mr Sam Foster.

Mr Sam Foster:
Just to make a point on the closure of stations. It seems very much that Fermanagh is getting sliced very badly here. It seems to me that about 50% of the stations which are closing and which have been referred to are in Fermanagh, we are being left adrift again. I have heard all the explanations before Chairman and chief officers and can I say that if, in fact, it was decided years ago that the stations were needed and required if these places, why is it now they are no longer needed? Is it the order of the day or the flavour of the day, because people are very concerned along the border areas about these closures?

Chief Constable, Mr Hugh Orde:
It is partly because the world has moved on and the style and the way of policing has changed substantially as articulated by ACC Sheridan. I think Fermanagh has 13 stations with a population of 57,000 which is a very tight ratio of police stations to people and what we are determined to do is, deliver a more effective service and we think we can do that more effectively using more officers outside police stations than having officers inside police stations.

That having been said and as we have also said, we will not close anything without proper consultation. A full debate at the local level because the local District Commander is responsible for delivering local policing and I am very keen to give as much power as I possibly can to District Commanders, to work very closely with their District Policing Partnerships and other groups to give a service that is bespoke to that part of Northern Ireland. So none of that will change, but it is always an emotive issue.

It is a huge issue everywhere in the United Kingdom where this happens. People are nervous about closing police stations but it is how we sell that and how we sell the product and the benefits of it that will allow us to make a rational judgement and hopefully convince communities it does not mean they lose police officers, it means they get more police officers responding to calls than sitting in police stations that no-one visits.

(Interruption from a member of the public)

Chairman, Professor Sir Desmond Rea:
Two questions relating to recruitment and selection, question 6 Rosaleen Moore.

Mrs Rosaleen Moore:
Chief Constable, the question relates to the employment of agency staff by PSNI and at the outset, to say that the Committee would absolutely support the notion of ex officers being able to apply for temporary posts that have been civilianised on the same basis as the other members of the general public. Would the Chief Constable comment on whether he feels that having 40% of the current 416 agency staff being ex officers, that that is compatible with the spirit of Patten? Would the Chief Constable commit to undertake a review of this seemingly exclusive arrangement that apply to ex officers because there would be a perception in the wider community, that this could amount to restrictive practices thereby creating an enclosed market in this issue and there would appear to be some evidence that some officers on the cusp of retirement may well be pre-planning into some of these posts?

Chairman, Professor Sir Desmond Rea:
Would you mind Chief Constable, taking a supplementary from Sam Foster in respect of that question?

Mr Sam Foster:
Chairman, my question is something similar to what has been referred to by Mrs Moore. It has been cited to me recently, in my own particular area for instance, that a Full-Time Reserve officer coming out of the Service, got his usual handshake, but that same Reserve officer I understand is going back into the job he used to cover, to assist the person who has taken over from him, directly after he resigns. That does not sound good or feel good and that is one of the points that must be put to you, that this does not sound good to the general public.

Chief Constable, Mr Hugh Orde:
I will deal with the broad issues first. It is hard to comment on individual cases but I will have to look at it Sam. The current arrangements of the temporary staff were set up in consultation with the Procurement Unit and in line with Recruitment Best Practice. We select people for their skills rather than their history as we are obliged to do, a point recognised in the question. It has taken some time to collect the details to this response but this is what we have come up with.

Since the beginning of the PSNI in 2001, 2816 have now left the Police Service of Northern Ireland, 237 of those officers are now assigned as agency workers within the PSNI and that is just under 8%. Of the 237 ex officers who we employ, 171 have left the Service under the Voluntary Severance Scheme. They perform a range of roles and the big numbers are around these issues – reviewing historical murder inquires – 54 retired officers and those are officers with detective skills, currently collecting data for the historical inquiry team 28, those are officers who are currently searching every single police station and police building in Northern Ireland to recover every possible piece of evidence, exhibits, paperwork in relation to those crimes that we can then collate and organise at our new central store to

make sure that we investigate every single piece of material they can have and we do own and we can say with absolute clarity that that has been achieved. We have 4 officers employed to support the Corry Inquiries that have just been in the process of being set up and started. There is a huge amount of work in relation to supplying material to other agencies on the Corry Inquiry. There are a small number of ex C3 officers employed by Crime Operations Department but none of them are involved in any such things as agent running or intelligence operation, they all are administrative staff and it is a small number. So that is where we are, it is not a huge number of officers if you look at the number of people we do employ in the Police Service of Northern Ireland.

In terms of the civilian security guards, that is contracted out work. They are not employed by us, they are employed through an agency who are given a specification of people, for example, to guard our police stations. That was done through the Government Procurement Service, we did not arrange who got the contract, it was done through the NIO and the Procurement Services. The declaration of previous employment history, I have to say, is not a requisite under those terms. The key issue for this organisation is a quite simple one in terms of agency or full-time staff, it is one of flexibility of the workforce. You have heard of the Estates Plan, you have heard of the Workforce Plan, you are also fully aware of the current Administration Review or Review of Local Government Administration, which hopefully will leave us with a far smaller number of districts to cover and a far more efficient and effective Police Service. That will mean we will have to have a workforce that is flexible to enable us to respond to those sort of demands and changes as they come. If the Board is concerned about us employing agency staff then we need to have a debate around, should we or should we not. The alternative is, we employ people full-time and run the risk of having to make them redundant in the near future.

What we have done and what we are continuing to do, is reviewing our current staff. For example, because the world has moved on, we have a number of people who have been engaged in typing over the years who no longer have full-time jobs because the typing has dropped off and we are looking at re-employing those, working very closely with the Civil Service because they own these individuals rather than I do, to re-employ those people within our own organisation to give

them useful and meaningful work and enable us to reduce the number of people we have on agency staff. It is work in progress, it is a complicated picture but that is the situation as we stand at the moment.

Chairman, Professor Sir Desmond Rea:
Question 7 on a similar line, Pauline McCabe.

Mrs Pauline McCabe:
Can I just briefly say on the back of the answer to that and accepting what the Chief Constable says, it still amounts to a situation where 40% of our agency staff are ex officers and I would just like to say, that we have been talking about this now for a year or 2. I know it causes frustration in some quarters and I just wanted to say, so that it is clear why it keeps coming up, that for those who have made a choice to play their part in making sure, or trying to ensure that we have the support of the whole community for policing and that everybody will engage with the police, that everybody will play their role in delivering policing in the community. These are really important issues because, firstly, they are to do with the integrity of the implementation of Patten. Secondly, they impact directly on very important confidence building measures. Recently, I have been out and spoken with all of the District Policing Partnerships up and down the country and time and time again the questions that we are asking you today, the examples like the ones that Sam Foster has mentioned, those questions are being asked and for those people who are trying to play that role and support the development of policing, they are important issues. We are really asking you then in the context that we need your help on this one, maybe it is time to talk again about the agencies, but we need your help on it, it is something that we need to work together on I feel.

The related question that I wanted to ask is, recently we advertised a number of Crime Scene Investigator posts and we have been advised by you, that we got in the region of 900 applicants for that post. People who had applied in good faith to an advert that we placed. Now one of the desirable criteria for that post did mean, because of particular training course attendance requirements, that in Northern Ireland terms, and these were permanent positions, it would almost exclusively be police officers who can satisfy the conditions and we have identified there are

other posts, both permanent and agency, where we have civilianised and where the same thing applies and indeed we have had senior officers who have said to us, yes in the scheme of things for some of those jobs they would rather have the experience of an ex officer. That does beg the question though, are we selecting the post because it is a genuine civilianisation opportunity or one where we take out a more expensive police officer and put in a cheaper police officer?

Our question is really, acknowledging that ex officers have every right to apply for civilian posts and be considered on an equal and just basis, can you give us an assurance, given the number of posts that have been identified as potentially available for civilianisation, that in the future, we will select the civilianisation posts where the essential or desirable criteria, do not give ex police officers an unfair advantage over other potential applicants?

Chief Constable, Mr Hugh Orde:
A number of issues have been raised by that question Chairman and I think, in a way, it dispels some of the smoke that is flying around this issue.

In terms of the integrity of Patten, I am absolutely committed to Patten and I want to be absolutely clear and absolutely on record. I will do nothing that challenges or interferes or discredits the Patten report, that is what I have been doing for the last 2½ years with my senior colleagues around this table and that is what I intend to continue to do. If there are issues at a local level around local examples then I am happy to deal with those. I would hope they are dealt with at a local level by the local District Commander together with local District Policing Partnerships because that is where it needs to take place. If the law needs changing to prevent a certain group of people who, by dint of their history, would make them ineligible for jobs, then so be it, but that matter is outside my bailiwick.

In terms of the specifics, my job is to deliver effective and efficient policing. I am held to this Board to account under Section 32 of the Police Act because that is my obligation. It is the case, quite often, as it has been the case in other places, that where we are looking to put police officers back on the streets, the sorts of jobs those officers may have had in the backroom, for the want of a better description, is a sort of job that historically was seen routinely as a job where police skills were

quite useful and, therefore a substantial investment, in for example, crime prevention officers, which I alluded to earlier. To become a crime prevention officer, substantial investment in training and substantial time spent on training to build that expertise and therefore they are likely, by dint of their history, to be well qualified for a future job without the skills of another police officer being attached to it. That does not surprise me, it did not surprise me in London or Newcastle and it does not surprise me in Northern Ireland. I understand the wider issue so I will come back on that particular job advertisement.

Currently, I have 59 Crime Scene Investigators in the Police Service of Northern Ireland. Of those, only 4 remain as serving police officers, the remainder 55 are support staff. Of those 55 only 2 are ex police officers. They left the Royal Ulster Constabulary as it was then even before the Severance Scheme was introduced. I do have 3 other support Crime Scene Investigators who had previous service in the RUC Reserve a number of years ago, so the total is 5 out of 59 for serving officers.

The recent recruitment I think is a very positive thing because it shows just how popular jobs in policing are and that is extremely positive. We identified 6 posts which means under our current rules, we apply the 50:50 rule to this recruitment process and I can inform this Board that not one police officer or retired police officer has been successful either being shortlisted or getting any of those posts. The process selecting for civilianisation as I said, is on the basis of freeing up officers for the frontline, for delivery of service.

The criteria in this particular competition, did not exclusively require to have a specific background in crime scene investigations, the job description did reflect our desire to attract a wide range of applicants based on their aptitude for the job. Whilst there are only 6 vacancies, in fact there were 2,437 application packs issued and 969 came back, which is a 39% return rate. The criteria were as follows:

- 5 GCE ‘O’ levels in separate subjects including 2 science subjects which were essential criteria
- 2 ‘A’ levels were seen as essential criteria; and
- To be educated to a degree standard or equivalent in a material science subject, that was the desirable criteria;
- The alternative was to have 3 years experience as a Crime Scene Investigator and to have completed the Development Crime Scene Investigation course at a National Training Centre for Scientific Support to Crime Investigation, that was seen as a desirable criteria.

Due to the high application rates, we did use desirable criteria to reduce the number of applicants, but as I said, not one police officer got one of those jobs. It is also interesting to note, that 30% of the applicants came from the catholic community and we did apply 50:50 to that job selection process. I hope that shows just how seriously we take the issues and I take it very seriously the concern, that are we creating jobs through the back door. I think this process, which was substantial and expensive because of the numbers who were keen to join us and I hope it is seen to be transparently fair to all people who are judged on their ability against the criteria we need. I have to have a Service that is fit for purpose and I will do everything I can to ensure that takes place.

Chairman, Professor Sir Desmond Rea:
Supplementary, Ian Paisley Jnr.

Mr Ian Paisley Jnr:
I welcome the facts that has been given as opposed to the hearsay and drivel that we got earlier. I think it is absolutely essential that we stick to the facts on this issue. I must say, I hope we do not get into a situation where former police officers feel that employment opportunities say at the bottom, “former police officers need not apply”, I think that would be a terrible message to be sent out. Former officers

who have given of their time, have immense skills and could be used, if they are available, if they fit the criteria, I hope the Chief Constable will agree that they will be given a fair chance like anyone else who meets that criteria. I hope we do not have a situation where former officers receive a signal from this Board or from anyone on it, that they do not have a future, they should have a future and everything should be done to ensure that employment opportunities are there for them, like for others.

Chief Constable, Mr Hugh Orde:
I stand by what I said. We are determined to get the right people to do the right jobs and what is very pleasing is, that so many people not only want to join the Police Service of Northern Ireland, were we get an average of 5,000 applications for every 220 jobs we advertise, but also on our support side which is equally vital. By way of further examples to reassure people, the most recent campaign I refer to took us 13 weeks to complete, which is sometime but is worth the investment.

By way of other application rates to police staff campaigns we have had recently. We advertised for Systems Analysts, 23% of the applicants came from the catholic community, Programme Analysts 25%, Human Resource Business Partners 42%, Health and Safety Advisors 63% and I think what we are showing is that there is great interest in joining the police family to deliver a service to their community.

This is not unique to Northern Ireland, there are specialist agencies in the rest of the UK who spend their time supplying retired officers to Police Services across England and Wales for specific jobs, short-term and long-term because of their specific skills. The importance I think is around the qualities of individuals rather than generic and we will do our level best to reassure communities that we are determined to have a fair and open selection process but we must comply with the law as it currently stands.

Chairman, Professor Sir Desmond Rea:
I just want to go back Ian, that each and every Member of this Board as the right to their own opinion and to express it and I think that the use of the “drivel” is unacceptable.

Mr Ian Paisley Jnr:
That is an opinion that I hope I extend to have the right to.

Mrs Pauline McCabe:
Can I just make one final comment please Chairman. First of all I would just also like to say that I regret that Mr Paisley should say that. I do not recall ever being so discourteous to him.

Can I just say, firstly to emphasise, that at no time ever, has any Member of this Board suggested that anything should be done to discriminate against an ex officer. We have always said that they should be able to compete in a fair, equitable and just way. The second thing, I just want to emphasise that the people raising these concerns are truly doing so in good faith because of their commitment to try and take the policing agenda forward, often in difficult circumstances because of the communities they represent and again I reiterate, my request for help and to work with you on finding ways forward through this because whatever we sit here and say, there are issues around perceptions, there are concerns, there are examples cited and they do not help us when we try and take the agenda forward and we need to work together on that.

Mrs Rosaleen Moore:
I am not going to respond to Ian's comments because they are unworthy of him, but just to say this was a serious question from a properly constituted Committee of this Board who had debated this issue with great intensity and concern. I just want to make that point, it was not an idle query, it is something we will be pursuing obviously.

Chairman, Professor Sir Desmond Rea:
Could I say that there are 2 further questions that came from you, one relates to the Attenuating Energy Projectile and Alex Attwood is going to ask it.

Mr Alex Attwood:
Could I just make one comment on the last conversation, the Chief Constable said that the information he is providing today had taken time to gather, those were his words and therefore, if information is taking time to gather and is not in the knowledge of the Policing Board or the wider public, it is inevitable that questions will arise around the recruitment of agency staff or the recruitment of other civilian staff, so the questions are quite proper and well grounded especially when information up until now was not available within the PSNI.

The question is from Paul O'Connor, the Pat Finucane Centre and as consequently, its content would not necessarily reflect the views of the spokesperson. The question is as follows. Why was the decision of plastic bullets taken behind closed doors? Why did the Chair and Deputy Chair and a third person abstain? Why were the representations by families who had lost relatives through plastic bullets and requests to speak to the Board in advance of any decisions, ignored? Why did the Steering Group that made the recommendations and the Policing Board that accepted the recommendations in favour of the plastic bullet not consult within independent human rights and technical experts? Why in a Policing Board that is intended to reflect the political differences in this community, did only 3 of the 18 Members present vote against plastic bullets?

Chairman, Professor Sir Desmond Rea:
Could I say that in respect of that part of the question that is addressed to the Chairman that I would not normally vote if there is a clear indication of the mood of the Board, but if I had been called upon to vote I think that each and every Member of the Board knew that I would endorse the proposals. So that gets rid of that part of the question.

I think the larger parts of the question relate to your area Chief Constable.

Chief Constable, Mr Hugh Orde:
I cannot comment on the decision of the Board, it is a matter for the Board. Obviously people will be aware that the Patten recommendation was, that there needs to be an acceptable and less lethal alternative to baton rounds and the research that has gone on since that recommendation has been substantial, it has

been worldwide and the sad reality is, there is nothing that has been found that is acceptable, if that is the word, or an alternative to a baton round. What has happened, in parallel research, has been to make a less lethal alternative to baton round by making the current baton round safer and that what has been devised after several million pounds of research in the worldwide search.

If one looks at alternatives, one of the alternatives that was looked at, was one used by Boston police recently where a young student was killed after a baseball match, so this is a very difficult piece of territory. Personally, I do not like baton rounds, I do not think my officers like baton rounds, they are a necessary part of the range of less lethal weapons available to officers that range from simple arrest right through to the lethal use of firearms depending on the circumstances.

The Steering Group that was setup has not found anything better. The debate that went around this Board was to replace one baton round with another. The new round is a baton round let us be absolutely clear about that, it is nothing different, it is safer, it is less likely to hurt or to commit fatal injury if it is fired and that is what we came to the Board with. I would have severe difficulty, certainly under Article 2 knowing that there was a safer alternative to what we were currently using to refuse to deploy it in favour of one that we now know is more dangerous. So what we are simply doing is downgrading what we have to something that is less lethal but is still a baton round, we need to be clear on that. It is in keeping with national policy, that is UK policy where this round has now been introduced across the United Kingdom and for the grounds of clarity and understanding to make sure people understand, this is not the old round, it is being referred to as the impact round and that is the terminology this Service will use in keeping with all other Services in the United Kingdom.

Success for me is we do not fire them quite frankly. We have not fired a baton round for nearly 3 years, that reflects on a number of things. It reflects on the changing situation in Northern Ireland, it reflects on the immense amount of work that goes on between communities and officers around this table and their colleagues around and before and after the marching season, to try and negotiate a commonsense solution to areas of contention and concern. I sincerely hope that that continues as we approach the next marching season.

I hope I do not have to fire these, in the same way as I have not had to fire the old ones and that is partly dependent on how people behave on the streets. We have also, as people will be aware, under Patten got water cannon which is a less lethal use of force and has to date been successful where violence has escalated. But I would appeal to everyone in this debate, success is we do not use them, they have not been fired in Foyle for 7½ years, I think that is a statement in its own right. We have not fired them for nearly 3 years anywhere in Northern Ireland, I think that is also a statement of our intent to use the minimum amount of force we possibly can on every single occasion. I am utterly committed to that and it would be an extremely sad day for Northern Ireland if we have to use one of these things ever.

Chairman, Professor Sir Desmond Rea:
Do you want to say something about how the Board went about considering this, Vice-Chairman.

Vice-Chairman, Mr Denis Bradley:
This is always a difficult area for people on this Board and perhaps more for me than most other people because some very close friends of mine have been damaged or killed by the baton rounds in their old form or perhaps even better, the ones that preceded that which was the old rubber bullet.

I do not think there is any easy conclusion and there is always a tension between some of the human rights organisations and police. I think that the human rights organisation come at this with 2 very strong criticisms which need to be taken note of and which is difficult for this Board sometimes to decide that came up in the last debate.

One is the credibility, not the integrity but the credibility and the substance of the medical research. There is always a question around the medical research and people come to the Board with different versions of medical research on this.

The second one has to do with the involvement of human rights organisations themselves and the development committees and people in the Northern Ireland Office say, we invite them and people from the human rights organisations say, either one or two things, I think there is a diversity. One was either, we have not

been invited or secondly, we do not want to take our place on that, that is not our role, that is not our task, we have to keep our distance and our independence. This is not always a debate that gets there but only adding to what the Chief Constable has already said is, that this research is not finished, this research goes on.

There is the possibility and there is new technology coming in which is away from baton rounds altogether and it may be possible, the last update I had was that there were good advances but even at that, you need to be careful because sometimes I think you are being told about advances from the makers of the possible substitutes. You need to be very clear that they are terribly well tested, over a period of time by the right people. I do think that whatever about the differences around this, that people should acknowledge that Patten had the foresight to actually setup a research committee which actually led the world in this, it may not have led it brilliantly but at least it give some focus around this issue which you are now finding taking place throughout the heartland of Europe into North America and further afield. I hope that that research continues for less lethal rounds and for better options in the greater diversity.

I have also made appeals and I know people sitting on this Board do not always look at it, because I would like us to get into the debate about, even less lethal than that, that we should be considering which comes in under Patten as well, discussing every so often the possibility of establishing a non-armed Police Service. There are dangers on this island at this moment in time that we will go down an American route and I think that that should be avoided and should be tested and contested and debated both in the wider public and within this Board, but I would hope that people would continue to be creative around it and engage in it. I do not know the answers, I get sad about the memories of it, particularly Richard Moore and Paul Whitters whom I know and knew personally but I need to have substance on this Board to actually bring a situation forward realising that

more lead bullets killed more people than plastic bullets. There may be occasions and there certainly has been occasions on this island, if not in this jurisdiction, one of which is in the news currently, that had there been an alternative then perhaps a man in Abalava would not be dead. These are complex issues, emotive issues, hurtful and painful issues and I do not know the answers but hope that the debate continues to be creative and inclusive of all people.

Chairman, Professor Sir Desmond Rea:
Alan McFarland.

Mr Alan McFarland:
Chairman, thank you. This is an emotive issue but we must remind ourselves I think that this Board has a duty of care for the police officers, that is part of our charge. If you place yourself as a police officer who is facing someone coming at you with a petrol bomb, you can produce your firearm and shoot them dead or you can stand and be burned to death yourself. Now the alternative is to have something that keeps that petrol bomber at a distance that he cannot kill the police officer. It is our duty of care to protect that police officer and the difficulty that we had with this was, that had we chosen to go for a less lethal alternative, we would almost certainly have ended up in court and particularly at a time when the rest of the United Kingdom are moving to this new form of baton round. So, in a way this is a 'no brainer', it is absolutely logical that we should go for the less lethal alternative and we have the duty of care on our police officers not to have them killed in the line of duty because we have not provided them with the required protection to protect themselves and their colleagues.

Chairman, Professor Sir Desmond Rea:
One last question relating to the issue of criminal damage, again it came from the floor.

(Interruption from a member of the public):

Mr Willie Hay:
Mr Chairman, just in answer to that. I heard this morning the same person on the radio referring to the Londonderry Sentinal and the editor of the Londonderry Sentinal and let me assure that gentleman that the editor of the Londonderry Sentinal does not speak for the vast majority of unionists here in the City of Londonderry (not taped)…. and do we, as a Police Board, send police officers out under, sometimes very serious situations, to stand alone and have nothing to defend themselves because this is what we are being asked to do by these people.

Chairman, Professor Sir Desmond Rea:
People, as you would expect Mr O'Connor, they make up their own mind in the light of the evidence that is presented and they vote accordingly and that is what they did on that day. It was a pretty comprehensive debate that took place and the vote was very clear. It happens, on this occasion you may not have liked the outcome, but that is the reality of a democracy.

Thank you and if you would like to discuss it with some of us afterwards with some of us we would be very happy to.

Chairman, Professor Sir Desmond Rea:
The final question, Mr Bradley.

Vice-Chairman, Mr Denis Bradley:
This is the final question which has come in from Sadie Logan who is a Custody Visitor and it is on the issue of criminal damage.

The question relates to criminal damage, painting kerb stones, graffiti on bus shelters, flying flags on road signs and lamp posts and what powers do the police have to deal with such activity and what action do the police propose to take to deal with these matters.

Chief Constable, Mr Hugh Orde:
I will ask ACC McCausland to answer that question.

Assistant Chief Constable, Mr Duncan McCausland:
Thank you Chairman. It is often a misconception regarding the powers that the police and other agencies have in dealing with this issue. Particularly the issue of flags and emblems. The police are mainly concerned with the display of flags supporting prescribed organisations where flags are likely, for example, to cause a breach of the peace or other possible criminal intentions, such as provocative conduct or criminal damage.

After discussion over the last 12 months with this Board and with DPP members and the community, we the police, took forward a protocol setting out an agreed partnership approach, dealing with such issues that have been described in the question, between ourselves, the Department of Environment, the Department for Regional Development, the Department for Social Development, the Northern Ireland Housing Executive and led by the office of the First and Deputy First Minister. This protocol will now be taken and is being taken currently to all local councils so that all local councils can sign up and basically together in a partnership approach, we feel that all the agencies can in effect, bring their various responsibilities and powers to deal with the issue that is outlined in the question and we would hope, that through consultation, assured understanding, negotiation and where necessary, proportionate enforcement will be used in effect to deal with this issue across the whole of Northern Ireland.

Chairman, Professor Sir Desmond Rea:
Joe Byrne, the last contribution.

Mr Joe Byrne:
Chairman, I want to make a comment in relation to this issue. I think it is fair to say that people that live in communities and have to suffer graffiti and the painting of kerb stones realise there is a great chill factor in those communities. There is one

village in particular in this district and that is New Buildings and I would like to see the police and the District Policing Partnership and others here in Foyle combining to try and do something about that issue, because I do think that it does affect the wider community relations in New Buildings.

Chairman, Professor Sir Desmond Rea:
Could I say thank you to all the members of the public for attending this session, I hope you found it interesting. I would say thank you also to the Chief Constable and his colleagues and would remind Members of the Board that we have some remaining business to do.