

NORTHERN IRELAND POLICING BOARD

**MINUTES OF THE 30th MEETING IN PUBLIC OF THE NORTHERN
IRELAND POLICING BOARD HELD ON WEDNESDAY, 2 MARCH 2005
AT 12:00 NOON IN WATERSIDE TOWER, BELFAST**

PRESENT:

MEMBERS:

Professor Desmond Rea (Chairman)
Mr Alex Attwood
Viscount Brookeborough
Mr Joe Byrne
Mr Sam Foster
Mr Barry Gilligan
Mr William Hay
Lord Kilclooney
Mr Alan McFarland
Mr Eddie McGrady
Mrs Rosaleen Moore
Mr Ian Paisley Jnr
Mr Sammy Wilson

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

Mr Hugh Orde, (Chief Constable)
Mr Paul Leighton (Deputy Chief
Constable)
Mr Sam Kinkaid (ACC Crime Operations)
Mr Duncan McCausland (ACC Urban
Region)
Mr Peter Sheridan (ACC Rural Region)
Ms Sinead McSweeney (Head of Media)
Chief Superintendent, Command
Secretariat
Chief Inspector, Command Secretariat
Superintendent McGuigan, Community
Affairs Branch

**OFFICIALS IN
ATTENDANCE:**

Mr Trevor Reaney (Chief Executive)
Mr S Hagen (Director of Corporate
Services)
Mrs Sinead Simpson (Director of Policy)
Mr David Wilson (Director of Planning)
Four Board Officials

Apologies

Apologies were received from Mr Bradley (Vice-Chairman), Mr Dougherty, Mr Sharma and Mrs McCabe.

Chairman, Professor Sir Desmond Rea:

First of all, a very sincere welcome to members of the public to this public session, also to the journalists who are present. Welcome to you Chief Constable and your colleagues to this public session.

I would call on the Chief Constable for his opening remarks.

Chief Constable, Mr Hugh Orde:

Thank you, Chairman. Before I make my opening remarks, the Board did ask for a short presentation on community relations as next week is 'Community Relations Week' and Andy McGuigan, one of my superintendents will do that first and then I will lead into the other bits.

Superintendent Andy McGuigan:

As the Chief Constable has said, next week is 'Community Relations Week'. The aim of it is, to highlight the range and variety of community relations work and to raise public awareness and media interest and that would be the aim of this presentation. It is going to be a 'whistle stop' tour so to speak, of community relations and what the PSNI are doing in relation to that, but I thought it would be helpful just to look at what we mean when we talk about community relations.

In the 1960s right through to the late 1980s, community relations was seen very much in terms of two communities in Northern Ireland. This is according to the Community Relations Council so these are not my definitions.

Whenever we got into the 90s I think there was a realisation that as well as the two main communities there was a variety of groups and the Community Relations Council changed the definition for community relations to be “the search for public relationships based on equity, diversity and inter-dependence. The big question is, how do the PSNI deal with that?”

One of the main things and I am sure the Board Members will be very familiar with Policing in the Community and that is all about partnership, relationships and engaging with others and I do not intend to say very much about this. Obviously that happens at different levels, from this group here which involves the top team. The District Policing Partnerships which involves the DCU Commanders right the way down to community forums and residence groups and including schools and that can be with Constables on the ground. I mentioned schools very briefly and we have, what is known as, our CASE programme and that stands for citizenship and safety education. You may be aware that citizenship forms part of the Northern Ireland curriculum and as part of that we have an education advisor who is temporarily seconded to PSNI. Part of the advisor’s job is to develop lesson plans that can be delivered in schools, particularly citizenship which looks at respecting the rights of others and diversity issues and that is delivered by what is known as our Community in Schools Involvement Officers. It is offered to all schools throughout Northern Ireland. It is taken up by the vast majority, both primary and secondary and we are working to try and roll that out to all schools. In order to do that, it is important obviously, that the people going into the schools are properly trained and we have training which is facilitated by Stranmillis College and it is accredited by Queen’s University. It promotes basically the relationship with the police, for quite a lot of the people that are involved, it may be their first contact with the police so it is important that we get that right.

Next point I will put up is Minority Liaison Officers, these exist in all districts. They have special training in relation to issues affecting minority groups. The role includes engaging with harder to reach groups. They are a point of contact within districts so that if there is an issue involving a minority group, they can make contact with the people in the group and build up relationships themselves and understand what the problems are at local levels. They get proactively involved in setting up local initiatives and that can be with lesbian, gay, bi-sexual and trans-gender groups, travellers or whatever relates to that specific DCU. They also support victims of hate crime and hate incidents, which is the next point I will say a few words on.

As you have recognised from next year's Policing Plan, hate crime is a growing concern. The number of reports have doubled more or less from last year. One of the things we have done to address that is to look at a new written policy. It is more or less finalised, what has happened is the Association of Chief Police Officers have developed and published very recently a policy on hate crime and we are checking ours with theirs to make sure there are no contradictions and we would hope to have our policy published in the very near future.

We have also looked at third party reporting of hate incidents and there are limitations on what we can do whenever a report comes in from a third party however, we feel it is better to know that an incident has happened than not to know at all. One of the ways we do that is we have internet reporting via our website or through groups. We have a number of leaflets that are available, which go out to minority groups which they can give out to people suggesting how incidents can be reported by the third party.

Also in relation to hate crime, I am aware that there are some Members who will be attending a presentation we are doing at the Hilton Hotel in Templepatrick and that is to District Policing Partnerships and that is taking place next week as part of 'Community Relations Week'. That will include representatives from the Northern Ireland Council for Ethnic Minorities,

Disability Action, Coalition on Sexual Orientation and the Springfield Inter-Community Development Project.

Obviously in relation to establishing community relations you need to be able to communicate with people. During the last 12 months we have looked at our interpreter services and we have now employed the services of the National Interpreter Service. This is a system whereby you can phone the national telephone number, very quickly you will be put in touch with an interpreter. If you have someone with you who does not speak English, the interpreter can speak to this person and you can very quickly establish communications. That happens on phone, we also have phones that we can take out to peoples houses with 2 handsets. You plug the phone in and again we can establish communications very quickly. The service is set up so that the police pay for the telephone bills so there is not even a cost implication for the person you are dealing with who could be the victim of a crime.

Also, we have a contract with the Northern Ireland Council for Ethnic Minorities in relation to people coming down to stations to act as interpreters and they can provide interpreters for over 150 languages.

Finally, not to forget the Royal National Institute for the Deaf, and we have a contract with them as well, so in terms of communicating with people, obviously it is vital that we have procedures in place.

The Guide to Cultural Diversity, many of you may have seen this book. This was issued last October and it deals with quite a few issues in relation to minority groups within Northern Ireland. It is specific to Northern Ireland and basically it outlines the various beliefs and the needs of the main faiths within Northern Ireland. All officers have a copy of that and it is very useful if they have to attend the home of a minority ethnic group or a place of worship and there are details on that, including contact details of representatives from the various groups.

Independent Advisory Groups are something we have set up and they basically look at the needs of various groups. We have some at the minute for older persons, the disabled, lesbian, gay, bi-sexual and trans-gender groups. We have minority ethnic groups and we are also looking at setting up a group for young people. These meet regularly and give us the opportunity to see what are the issues affecting members of the group, and also allows us to get feedback in relation to policy and the implementation of various policies.

I have mentioned here restorative justice. We had our conference yesterday and on Monday and whilst it does not openly look to be a community relations issue, the point we make is, it is all about restoring relationships, not saying that people are bad people but they have maybe done something that was bad and by taking a restorative intervention, we can integrate people back within the community.

Finally, attending and supporting specific events. The Indian Mella was an event which was held in Botanic Gardens. We are constantly being asked to either attend or support events by particular groups within Northern Ireland and we are very happy, where possible, to do that.

In conclusion, this is just a 'whistle stop' tour. Lots of activity going on that I have not mentioned. I have not mentioned Section 75 of the Northern Ireland Act. A lot going on at DCU level, police are involved at all levels from the Chief Constable down to the officers in the street. There is still a lot of work to be done, a lot of challenges ahead and ultimately, it is going to be for those within the communities to determine how good the community relationships are. We will do our best to try and facilitate and make that possible.

Chairman, Professor Sir Desmond Rea:

Thanks indeed Chief Inspector McGuigan. Sammy has a question.

Mr Sammy Wilson:

Could I just ask one question and it is really on the restorative justice end of the community relations programme. You mentioned the recent conference, I suppose the worrying thing from the police point of view is that, although you have restorative justice down as part of your community relations programme, the groups from the republican areas refuse to attend that. Are you happy that the groups which are carrying out restorative justice programmes in nationalist areas are actually working to the same agenda as you are working to and what conclusion would you come the fact that on block they decided not to attend that conference?

Superintendent Andy McGuigan:

There are a couple of questions there. I think there are a number of issues to do with community restorative justice. The scheme that I am talking about is obviously a statutory scheme in which we take to do with our Youth Diversion. There are a number of issues that have to be worked out in relation to community schemes and I know that the Northern Ireland Office are looking at a protocol in order to allow those things to take place. I cannot really speak for why nationalist groups did not attend the conference, certainly the invitation went out.

Chairman, Professor Sir Desmond Rea:

Eddie McGrady.

Mr Eddie McGrady:

Could I just follow up on that question and answer. There seems to be 2 distinct disparate groups of restorative justice. One which is within the system relating to the courts system, the probation system and the policing involved with the acknowledgement of victim and the perpetrator. Then there is another section which is on record as stating that they have nothing whatsoever to do the police and therefore nothing to do with the system which is restorative justice and yet they appear to be funded in exactly almost the same way as, let us call it the 'official restorative justice' is funded. Are you

concerned about that and are you also concerned about the fact that the protocols that are alleging sitting gathering dust in the Northern Ireland Office have been there for a long long time and there is no movement on them whatsoever, in order that we can judge self appointed groups against the protocols that are required to have a truly effective and involved restorative justice group in our system?

Superintendent Andy McGuigan:

There are 2 points that you made. The first one was in relation to funding. My understanding actually at the minute is that the community restorative justice funding has dried up. I could be corrected on that point but certainly that was the point that came out yesterday at the conference.

Certainly in relation to protocols, it is going to assist the whole restorative justice debate whenever the protocols become available.

Chairman, Professor Sir Desmond Rea:

I am going to take one more question, Sam Foster.

Mr Sam Foster:

Thank you very much Superintendent for your presentation. Just one or 2 small points. When you speak about community and there is some great positive work being doing as far as bringing a community together is concerned. When it comes to the hard and fast things, do you believe in your experience or what experience would you have in whether in fact a community has actually been drawn together or are they still poles apart as ever before?

The other point is, would you define citizenship please?

Superintendent Andy McGuigan:

I thought you were going to ask me to define community because there is a whole academic argument as to can you live within a neighbourhood. There are issues with regards to what is a community.

Citizenship, there are many definitions of citizenship. Certainly what I can do is, that I can give you the lesson plans for our citizenship and safety education programme. I do not know the definition off the top of my head but I can certainly supply you with one.

Chairman, Professor Sir Desmond Rea:

Could I just say Superintendent McGuigan, your last answer suggests why you have moved from an Inspector to become a Superintendent, could I say a very sincere thank you to you. Just one thing that came up in terms of our private meeting earlier. The Board would like to, through the Chief Constable, congratulate the PSNI for the initiative on Monday and Tuesday of this week in terms of the restorative justice conference and the Board would like to receive a report on that conference and maybe copies of the papers that were given so that we can distribute them.

Mr Sammy Wilson:

I think we should also congratulate the police on the whole area of community relations on the fact that this year the number of complaints against the police has been the lowest for 15 years and it does show that you are moving in the right direction and I think that should be noted.

Chairman, Professor Sir Desmond Rea:

Chief Constable, could you go on with your initial statement please.

Chief Constable, Mr Hugh Orde:

Thank you Chairman. There are a number of issues that are fairly high on the public agenda so I thought it would be useful just to go through a few fairly briefly just to update the Members of the Board on where we are.

Members may remember, that just before Christmas on 19 December 2004 the murder of Mr Patrick McGrath and the serious assault on his 76 year old sister. A man has been arrested and is currently in custody and being interviewed in relation to that offence. I think it is worth mentioning that this was a mass screening exercise undertaken by the PSNI and led by D/Superintendent Williamson. Over 600 local people have volunteered to give their samples, we had hundreds of calls from local people wanting to help. In terms of community relations and positive relationships between police and community, I think this was a fine example, the catalyst being the tragic event of the murder.

I would like to thank the Coalisland community for their support and commend my officers for what they have achieved to date. Taking mass screening is always a challenging issues for communities and I think it is also important to note here, that the community has trusted the Service. I am grateful to the Police Ombudsman for her support in overseeing the process of destruction which will take place of all the samples we took when people go to court if and when the case is closed, but currently one man is in custody.

In relation to the Northern Bank robbery the enquiries continue. We have been working very closely with the Garda in the south in relation to the substantial recovery of cash they have found. We are still not in a position to confirm categorically that that money comes from the Northern Bank but all indications suggestion they are definitely linked. Our level of engagement has been so substantial that it goes even to agreeing joint forensic strategies as well as other relationships that are ongoing, so that is an ongoing investigation. Just by way of information, D/Supt Andy Sproule is due to retire shortly so currently D/Supt Phil Aiken is working alongside him so we have a substantial handover and he will take over the lead when Andy moves on.

In relation to cash in transit robberies which was a concern to the Board earlier in the year, since the 20 December 2004 i.e, the post Christmas period, there has been 8 attacks on Securicor vehicles. We arrested 2 males on the 15 February in relation to armed robbery offences and 6 hand guns have been recovered in follow-searches in relation to that particular offence.

In relation to the murder of Robert McCartney, I can inform Members of the Board that I did an interview on Radio 4 this morning in relation to this particular crime. The particular interest seems to be the determination and extremely dignified approach of the family who are determined to see justice as described and as we would describe justice, people going to court and being convicted for the murder of Robert McCartney. It is worth repeating I think, that the Provisional IRA statements around expelling people do not do an awful lot to impress me or any of my officers. Illegal organisations and criminals need to be dealt with through a judicial process.

We are keen to get witnesses and we are keen to encourage witnesses to come forward and speak directly to the Police Service. However, we are clear in keeping of best practice in the rest of the United Kingdom if people do not feel able to do that we have no difficulty with people talking to third parties, as a first step to build confidence before they come and speak to us. That has always been our position on serious crime, as evidenced by other cases we have been dealing with. The important bit is that it is worth remember that there is no value in people turning up to police stations and saying nothing, that is simply not going to get the family what they deserve. We need the community to come forward with the confidence that they can, not only give evidence and make statements, but they can give evidence in court to a judge about the matters they have witnessed, that is what will get a clearance in this case. We will continue to put in as many resources as we need to achieve that objective.

In terms of current activity, since the murder 10 people have been arrested, there have been 18 house searches, we are still awaiting substantial forensic results which are still an ongoing process. So, that is really where we are currently in relation to that crime.

Members will also be aware that at the last Board meeting I updated you on a series of incendiary attacks committed by dissident republicans. I am pleased to inform Members of the Board that on 5 February, we arrested 6 people in relation to those offences, 5 of which have been charged. We have recovered during those arrests, 3 more viable incendiary devices which no doubt would have been deployed had our officers not intercepted them. It is also worth mentioning, I did say last time that Linton and Robinson in Strabane that was burnt to the ground were at risk of having to lay off workers, that has since happened and 20 staff have now been made redundant in what is one of our worst black spot areas.

Other things very briefly, I am mindful of the launching of our Policing Plan yesterday and one of our new targets around Prevention of Crime Act and money seizures. We are slightly ahead of the game but on the 1 March we retrieved over £15,000 in sterling and £13,000 in Euros which had been seized under that particular piece of legislation. We have also recovered a substantial amount of counterfeit washing powder and vodka in joint operations in the last month. That is really where we are Chairman.

Chairman, Professor Sir Desmond Rea:

Thank you very much. Could I take you to Question 3 and 13, these relate to several different incidents of civil unrest in Derry / Londonderry. Willie Hay and then Ian Paisley Jnr.

Mr Willie Hay:

Can the Chief Constable comment on recent street protests by republicans on 10 February, when many main alternate routes across Northern Ireland, including the City of Londonderry, Craigavon Bridge both lower and upper decks were blocked between 5pm and 5.30pm and out of these illegal protests will there be prosecutions?

Mr Ian Paisley Jnr:

Chief Constable, I want to ask you a question, if you can explain the policing arrangements at the football match involving Linfield Football Club at the Brandywell on Tuesday, 22 February. It has been put to me by supporters, that they felt abandoned by the police, that they felt very let down, that they were in the dark over security arrangements and that in fact, they felt they were put into an area that was effectively 'no go' for police officers. Now these are very serious allegations that have been made and I want to know what your understanding is of the security arrangements? Was it the case, that the third party security firm that was given the task of providing security in the city that night, that they had no direct communication at any stage with the Police Service? Is it your understanding, that that organisation is in any way linked to a person who has confessed himself to be the second in command of the Provisional IRA? Is it your understanding that that security firm was not in a position to actually give any of the guarantees that it did give and therefore we had this security breakdown? I cannot image a situation ever where we would ask a bus load of roman catholic citizens to come to a protestant locality, for the police to hand those citizens and their bus over to disreputable people and for those people to be left in charge of those citizens. I think that represents a reprehensible breakdown in security arrangements and is not an acceptable way to police this country and I hope that you are

able to give us something which indicates that the police have learnt from this and what they are going to put in place to ensure that citizens, both protestant or roman catholic are never left in a situation where they feel abandoned by the police and put in a situation where effectively they relied on the bravery of Translink drivers to get them out of what could have been a very serious and indeed fatal situation.

Chief Constable, Mr Hugh Orde:

I will ask ACC Sheridan to deal with this.

Assistant Chief Constable, Mr Peter Sheridan:

In relation to the first question, I would just say a bit about our Service policy in relation to protest activity in public thoroughfares. It is governed principally by the requirements of the Human Rights Act and specifically the rights of freedom of assembly and association which is Article 11 and police action at such activity has to remain necessary and proportionate, taking fully into consideration the balancing of the rights of protestors and those who want to go about their lawful business.

In relation to the specific incident on the 10 February and those protests, police responded to a number of protests at Belfast, Londonderry, Strabane, Newry, Dungiven and Ballygawley. Evidence gathering teams were deployed and a number of those people who were involved in the protests were identified. Some persons have been interviewed, others are yet to be interviewed and others yet to be identified. Files are currently being compiled and will be forwarded to the Public Prosecutions Service for their consideration and it will be a matter for the DPP as to whether or not prosecutions are pursued.

Mr Willie Hay:

Chairman, could I briefly come in on that.

I hear what ACC Sheridan is saying on this particular issue, could we get reassurances from the Chief Constable and from the policing service. There is a notion abroad out there and we have a litinary of cases where republicans flaunt the law right across Northern Ireland and we have a list going back quite a while but there seems to be a reluctance on the police and the DPP to prosecute any of these people. We have a list going back over the last year or 2 years and there is a reluctance to do what needs to be done.

Chief Constable, Mr Hugh Orde:

Chairman, there is no reluctance, the point has been well made, we have to deal with these proportionately. There is no violence, what I do not think anyone around this table would want would be pictures of riot squad officers moving children out of roads, that does not seem to me to be a particularly clever plan. What we did was what was right, we gathered evidence, we presented it to the Director of Public Prosecutions and it is a matter for him as to whether he prosecutes or not, if you have a difficulty with his prosecution policy, that is not a matter for us. We present the evidence to him and he makes the decision.

Chairman, Professor Sir Desmond Rea:

ACC Sheridan, would you have anything else to add?

Assistant Chief Constable, Mr Peter Sheridan:

Other than the Chief Constable has said, that this is proportionate and the action we take and on that day, particularly on Craigavon Bridge there were quite a lot of school children involved and females and it was not in either our interest or the public interest that we had anything other than what we did which was to gather evidence and present that evidence to the DPP who will make a decision then whether to prosecute or not.

Chairman, Professor Sir Desmond Rea:

Alex Attwood has a supplementary. Do you want to go into the detail of that.

Assistant Chief Constable, Mr Peter Sheridan:

I will go into the detail of it in a moment of this incident in relation to the football match.

Could I say first of all, this is a very difficult decision for police officers, there was 38 years since Linfield Football Club had played in Derry City.

Therefore, to do anything other than have a partnership arrangement with the Football Club to come to agreements and arrangements to allow that match to happen would be foolish on our part, otherwise that match would not have happened. The easiest thing, of course, would have been for the police to flood that area with enormous numbers of vehicles, people would have felt sealed into their houses and the football match would simply not have taken place and it would not have advanced the relationship between Derry City and other football clubs in this province to allow that to happen in the future.

In relation to the event itself, just to give you some outline of the police planning on the day. The agreements were that Derry City would steward the inside of the ground as usual, in addition 2 police liaison officers were present inside the ground to observe and act as a point of contact between the club and the police. One was a designated Bronze Commander, his role was to co-ordinate the police response in the event of an incident requiring police attention.

The second Bronze Commander was appointed outside the ground and his role was to supervise the escorting of travelling fans into and out of the ground and to co-ordinate the police response to any incident which might occur outside. Four TSGs were on standby to assist. Travelling fans were instructed to meet some distance from the ground on the Waterside and were escorted to within a short distance of the ground and as had been agreed, police escorted the fans as far as the Craigavon Bridge and having checked

that the rest of the route was clear, allowed them to proceed. They were able to do this without any incident on the way into the ground. The only incident occurred as the coaches containing Linfield supporters left the ground. A large group of people gathered ostensibly to watch the coaches leave but as they drove out of the ground a small number of youths, somewhere in the region of 10 to 15 threw stones at the buses, striking 6 of them and damaging 8 windows. Ten supporters reported suffering shock and one reported a minor knee injury, total damage was estimated at £3,500. Two police officers were present on the lead bus and the Bronze Commander and driver were also present at the scene but were unable to prevent the incident. There was insufficient time to summon police assistance from nearby with the whole incident lasting less than 2 minutes.

Derry City employed a private security company, Estate Services Limited, to assist outside the ground. Estate Services are a legitimate private security company certified by the Secretary of State. Derry City Council employed them in a similar capacity during the Halloween Festival last year and they also provide a door supervisor service to many of the licensed premises in the city.

On the night in question, there were over 100 police officers employed and a military helicopter also provided assistance with a police officer on board.

Mr Paisley has asked the question, was there any learning to be gained from this and yes in our view there was. The lack of direct communication between Estate Services and the Community Restorative Justice Group provides for difficulties such as has arisen and it would be our wish that people would have that direct liaison with us in advance of these events.

As I have said, I am content that the police operation was planned and implemented in a fashion that was similar to the Glentoran football match in November which passed without incident. There was considerable emphasis on partnership with the club and other key individuals and that is in line with Policing with the Community.

Mr Ian Paisley Jnr:

Mr Chairman, by way of follow-up on that, is the Assistant Chief Constable telling us that the Estate Services has a policy, even though it is approved by the Secretary of State, a policy not to engage with the police? Is that the policy of this organisation?

Assistant Chief Constable, Mr Peter Sheridan:

I am not sure what their policy is, but I know on this occasion and on other occasions, they do not liaise directly with police. In the case of the Halloween Festival it is done through Derry City Council who employ them and on this occasion it was done through the Derry City Football Club who employed them, but obviously it is preferable to us if those people would engage directly with us.

Chairman, Professor Sir Desmond Rea:

Could I say to all of you now, I know there is an election coming up and I think I have got to be fair to each and every individual here so that they get their opportunity to ask their questions and I am saying to all of you, less of the speeches, go to the questions, make the questions succinct and to the point and I will be able to get through them all.

Mr Ian Paisley Jnr:

Mr Chairman, with all due respect, I am neither a candidate in this election, I am not electioneering and I have duty in law to hold the police to account. I believe and it has been put to me, that the police made an error on 22 February 2005 and I think it is important that we address that. Now, there has been something said to us today which indicates that there is an

organisation in Northern Ireland entitled to carry out security and that the police are told that they have to deal with that organisation even though it will not talk directly to the police. That is an invidious situation for the police to find themselves in by a direction of the Secretary of State and I think the Board has to note that and the Board should take that forward with the Secretary of State.

How can the police make an arrangement securing this country if the organisation that they make that arrangement with is either and I am not referring specifically to any organisation but generally, has links with a terrorist organisation, has former terrorists in that organisation or will not even talk to the police. It is impossible and I think the police are in an impossible situation but the community has been left to wear this and it is not acceptable.

Mr Willie Hay:

Chairman, the other thing I want to ask Peter directly as I represent the area, I know ACC Sheridan talked about the partnership but do you really believe ACC Sheridan that a partnership that excludes police from an area is really a partnership and I think that is the issue? Certainly, I think we have all learned lessons, but one thing it does do Chairman, it certainly throws a cloud over a future football match of this nature if we cannot get policing right, there is no doubt about that.

Chairman, Professor Sir Desmond Rea:

Alex Attwood has a question to ask in respect of the McCartney case arising from the Chief Constable's initial statement.

Mr Alex Attwood:

Yes and then a more general question arising from the situation. The question is this Chief Constable, I do not want you to compromise your enquiries in any way but are you saying to the Board and to the public, that people who may be making themselves available for interview at police stations are then not in any meaningful way, assisting police with their

enquiries into the murder of Robert McCartney? Is that what you are indicating to the Board, that whilst people may now be going to the police, some of those people who go to the police are not, in any substantive way creating a situation where evidence is being prepared in order for people to be brought before the courts in the north?

My second and a broader question is, that there has been comment made recently by some, that the Sean Brown case is an example of how the public should deal, when it comes to the investigation into the murder of Robert McCartney. Could the Chief Constable confirm that the Sean Brown inquiry is actually a model of best practice when it comes to policing, in that, as part of the reinvestigation into the Sean Brown murder, the police established an Overview Group that meets on a regular basis, that includes the police, includes people representing the family, includes Human Rights organisations, includes other independent people who overview and review the police investigation and work directly in partnership with the police in order to bring the perpetrators of that brutal murder to justice and that actually the Sean Brown case is an elevated example of good policing and good police community practice?

Chief Constable, Mr Hugh Orde:

On the first point, people who are suspects to murders and people around the table will be aware, are entitled to say nothing and are cautioned when they are arrested, they have their human rights and exercise their right to say nothing. I will not comment on that as that is the proper operation of the law.

The key in this case is to get people to feel confident, not only to come forward and make statements to the police but to feel equally confident that they can then go to court and give evidence to a judge who can then find as to whether people are guilty or not, that is how we will solve this crime.

Currently I am not persuaded, despite the noise that is going around this case in terms of statements and encouragements and all of that, that the reality if you witnessed that crime is that people feel safe and secure that they can do that without fear of intimidation over some period of time post event. That is the situation, it is as clear as that.

We want to build a case, we need the community to build a case, the family have a right to have that case built. Seventy people were in that public house when a man was there who was then shortly after murdered and we need those people to come forward to tell us what happened. We need the people who witnessed the event to come forward and tell us what happened. In my judgement, that is the way we solve this case. The reality is, as it is well known, post event the scene was cleared, tapes were stolen, intimidation was put into place. What we are trying to do is to dismantle that, we are working very closely with the family, we are utterly committed to doing whatever we can to solve this crime which is why I do mention, whilst our preferred option is obviously they come and speak to us, if people feel more confident in the first instance as a stage before they come to us speaking to other people, that is best practice. It is best practice in the rest of the United Kingdom, it is what we have done in the Sean Brown case, this is no different. Your other observations in relation to murder investigations where families do not necessarily have confidence in the police, gold groups are operating in that case, you are right, it is good practice, it has been tried elsewhere and it is successful.

Chairman, Professor Sir Desmond Rea:

Three questions from Sam Foster relating to PIRA and PIRA activity, that is questions 4, 5 and 6. Sam the Chief Constable is prepared to take them together.

Mr Sam Foster:

Thank you Chairman. Chief Constable, in the light of the PIRA refusing to further decommission their arms and equipment, do you think it justifiable to continue to follow slavishly the Patten recommendations by reducing the number of personnel in the PSNI. You did say and you did use the words capability and capacity by the terrorists to continue their evil work and that is very concerning I must say?

The second question is, have the intelligence services of the PSNI been weakened by the continued requests by Members of this Board for you to change the method of intelligence, thus giving the republican movement an advantage in their continued war strategy now called criminal activities by losing some expertise within your Force?

The last question is, the PIRA have decommissioned arms and equipment on at least 2 previous occasions, from that it is logical some personnel of our Sovereign Government and that of the Republic of Ireland are aware of where the hides might be. That being so, is it not criminal that lawful forces of the 2 governments should acquiesce to accepting such scenario to remain?

Chief Constable, Mr Hugh Orde:

I will deal with the first and last question and will ask ACC Kinkaid to comment on the intelligence issue.

In relation to the last question, if we knew where hides were we would recover them. I have never come under any influence whatsoever from any government, north or south of the border to do or not to do what we are obliged to do under Section 32 of the Police Act. There are some specific exemptions which Members will be aware of in relation to decommissioning but in the routine of policing, we do recover firearms, we do recover bomb making equipment, we do it routinely we have recovered some this week, we are not impeded or encouraged to do or not to do that by anyone.

In relation to the decommissioning and resources, the Board will be very aware of the debate that has taken place between us on the establishment of this Police Service. I am satisfied currently that 7,500 regular officers supported by my current Full-Time Reserve officers is sufficient. I am also confident that what we agreed with this Board in terms of the reduction in numbers of the Full-Time Reserve is still sustainable. It is not actually about the overall number, it is about how we use our resources and by reviewing what we do, by getting more officers onto the front line of policing, by working smarter, by using technology, I am happy that we can continue to provide the high quality of service we currently do to the communities in Northern Ireland. If you look at the crime trends that suggests we are being fairly effective at doing that. That is not to say we do not constantly review the situation and if I form a view that I need more resources I will come straight back to the Board and raise that with them.

In relation to intelligence, the short answer is no. This is one of the best intelligence gathering organisations in the world but I will ask ACC Kinkaid to give a bit of detail.

Assistant Chief Constable, Mr Sam Kinkaid:

Chief Constable, we briefed the Board previously about issues to do with intelligence including the special briefing that we gave on the Northern Bank robbery. Frankly, no police service is ever going to have an intelligence system that predicts all events and we like the RUC before us and other police services have to operate in a world of incomplete information. We have kept under review, our ability to respond to threats from criminal and terrorist groups and that means at times we change the way we gather intelligence. I have not been minded that that has been to do with any pressure from Board Members, it is because of best practice, particularly the application of the National Intelligence Model which is the UK wide system that is used to ensure that your intelligence capability is fit for purpose, as the Chief Constable as called it 'focused and prioritised'. I just have to reinforce to this Board that in terms of the United Kingdom and Ireland, the PSNI

continue to have the largest number of officers deployed in intelligence gathering of any police service. Those numbers still are considerable and there is no intent to ever reduce them and none of the changes currently introduced over the last few years have reduced the capacity of the PSNI to gather intelligence. Indeed, I would argue that they are refocusing activity, they have ensured that our intelligence gathering system is better and more fit for purpose.

Chairman, Professor Sir Desmond Rea:

Question 14, Alex Attwood relating to files that have been passed to the DPP.

Mr Alex Attwood:

Chief Constable, there is a concern that there may be elements in the Orange Order that do not wish to comply with the authority of the Parades Commission or the police when it comes to Orange Order parades. There has been some evidence of that, that would be alleged over the last 2 weekends in Belfast. So, could you or your senior officers indicate, if it is your intention to pass files to the DPP in relation to the various incidents over the last 2 weeks in or around Orange Order parades in Belfast, if any file has yet been passed to DPP in relation to any matter and what is your advice to the DPP in relation to any alleged incidents over the last 2 weekends in Belfast?

Assistant Chief Constable, Mr Duncan McCausland:

Thank you Chairman. On 19 February 2005 an Orange Parade took place in East Belfast, there was an issue in that the requirements set out by the law were not completed correctly. Consequently, the Parades Commission ruled that the parade organisers did not comply with the legislation. To this end the parade was warned by police for a breach of the legislation on a number of occasions and evidence gathering teams were deployed to identify those participating. A prosecution file is currently being prepared for consideration by the DPP and should be with the DPP in the next few weeks.

In relation to the second parade on 26 February 2005, last weekend, there was a parade in North Belfast which had restrictions placed on it by the Parades Commission. An investigation is currently ongoing in relation to potential breaches of the Parades Commission's determination in any other offences, that includes examining fully the CCTV that was operating on the day and meeting with the DPP tomorrow to view the CCTV and to identify any offences that are coming from that evidence. If in either case the DPP is of the opinion that the law has been breached and it is appropriate that prosecution should follow, then it is our view that such prosecutions are appropriate and should take place.

Chairman, Professor Sir Desmond Rea:

Questions again on parades of different kinds, 11 from Sammy Wilson and then 17 from Ian Paisley Jnr.

Mr Sammy Wilson:

Chairman, I hope at some stage you will give me the opportunity as you suggested earlier to ask a question on the Robert McCartney murder.

Chief Constable, could I ask if permission was sought from the Parades Commission for the republican parade through Strabane on Sunday, 20 February 2005 and what conditions were imposed by the Parades Commission on the parade? Are the police content that those conditions that were imposed were met by the organisers and not breached during the parade and if the conditions were breached, what action have the police taken to investigate the breaches and has a file been prepared or is it being prepared for the Director of Public Prosecutions?

Mr Ian Paisley Jnr:

Thank you Chairman. I am just wondering if the police, with regards to the same parade in Strabane, are considering any prosecutions against any of the people who appeared in IRA uniform? There has been numerous photographs of them appearing in the paper, you can clearly identify who they

are and I am wondering if the police intend to bring any of them in and question them for the show of strength?

Assistant Chief Constable, Mr Peter Sheridan:

With regard to the parade, this was a parade by the Strabane **(tape unclear)**... restrictions on it and the parade itself passed of peacefully. Two paint bombs were thrown by hangers-on, with one hitting a police vehicle and police video footage of the paint bomb incident is currently being examined to establish if the offenders can be identified.

With regard to the clothing worn by people involved, the District Commander in Strabane has already spoken with the DPP, the CCTV and papers have been submitted to the DPP to decide if there is the potential for commission of any offences, that being the case then we will prepare a file.

Mr Sammy Wilson:

Did I hear right, that despite the fact that the Parades Commission will normally impose restrictions on all Orange Parades as to tunes that are played, display of emblems that although they knew this was a parade in commemoration of 3 IRA men who were killed by the army, that no restrictions at all were placed by the Parades Commission on either the kind of emblems that could be carried, uniforms worn or tunes played?

Assistant Chief Constable, Mr Peter Sheridan:

My understanding is, other than the normal conditions that are applied to any band parade taking part, there were no restrictions placed on this band parade.

Mr Ian Paisley Jnr:

I am just astounded Mr Chairman, that once again we appear to have a situation where there are 2 laws in this country. If you are a republican you can get away with murder, bank robberies and the boot and if you are anyone

else the full rigor of the law will rightly be used against you if you are breaking the law. It is not acceptable.

Chairman, Professor Sir Desmond Rea:

Joe you were first and then I will take your question Willie.

Mr Joe Byrne:

Chairman, further to the republican anniversary and commemoration recently in Strabane, can I ask the Chief Constable and the PSNI to revisit the file of a young man, Mr McCrory who was murdered by the IRA some weeks after the army killings. Mr McCrory was a former student of mine in Strabane and would have been regarded as a simple minded person, who at worst could have been classified as a young delinquent. Quite frankly he was sacrificed without justification or good reason as a cover up for the 3 murders of the IRA men. There is a strong belief that any suspicion of informants surrounding those IRA murders would have involved more informed and perhaps senior participating informants rather than Mr McCrory, a completely innocent young man sacrificed without any due process or fair treatment. I do realise Chairman, that I had not that formally on the notice today but I think Chairman it does give some meaning to some of things that is currently going on.

Chairman, Professor Sir Desmond Rea:

I think it is only fair that we take it that, you are giving notice of that question to the Chief Constable and since it relates to a specific case then you would expect a considered reply at the next meeting of the Board.

Chairman, Professor Sir Desmond Rea:

Mr Willie Hay.

Mr Willie Hay:

Very quickly on the Strabane issue. We heard earlier at the meeting about looking at prosecuting the Orange Institution in Belfast for a few forms not being filled in right and here is a parade that was organised to celebrate

murder. Could the police tell us, what advice, if any, did they give to the Parades Commission on this particular parade on the policing point of view.

Chief Constable, Mr Hugh Orde:

I will ask ACC Sheridan to cover that supplementary. I just wondered if it may be helpful if the Board considered inviting at some stage, the Parades Commission to have a debate with your Members on how they operate and also the DPP as it seems to me, that as we will do our level best to answer some of these questions they are outwith our jurisdiction. One of the biggest strengths of policing in Northern Ireland and elsewhere is, that we operate as part of a criminal justice process. Dealing with statements and questions that are better asked of other people, who can explain the rationale behind their decisions may be quite helpful, but I will see what ACC Sheridan can do on this.

Assistant Chief Constable, Mr Peter Sheridan:

There was a comprehensive police report given to the Parades Commission giving a history of the parade but in part of it the police said that this is a republican parade which goes around Strabane town centre. The town centre is a neutral location. The parade has stopped at the PSNI station in the past and bricks and bottles have been thrown by hangers-on. That is only a brief part of it but a substantial report has been sent to the Commission.

Chairman, Professor Sir Desmond Rea:

Sammy, you have a supplementary on the McCartney case.

Mr Sammy Wilson:

Chief Constable, yesterday you had reported that some of those who the police were wanting to speak to had gone across the border. Can you confirm that they have now returned and have the police any plans to interview them?

Secondly, could I ask, are you aware of any ongoing intimidation of people who would be potential witnesses?

Thirdly, is it the police view that the riots which occurred in the Markets during the search for evidence were organised and as a result of those, did the police operation have to be curtailed and did that in any way jeopardise the chances of collecting evidence?

Chief Constable, Mr Hugh Orde:

I did raise the issue of people disappearing which is a common theme on all sides of the divide when crimes are committed here. We have no difficulty in finding people or having support from the Garda when we seek it. Currently we are not pursuing people actively with the Garda, as it does not suit our strategy, or any other police service. I did not actually refer, to my knowledge, to any specific area but we have a strategy. There is no point, frankly, arresting people until you are in a position to put something useful to them.

In terms of intimidation, I think it is self-evident. It is reported and other people are reporting on it as well and far more articulately than I can.

In terms of the riots, this is part of the problem initially faced, not only the clean-up but of course, the tactics of making it very difficult to make forensic recoveries or the opportunity to determine whether there is a chance of forensic recoveries or not in other locations. It becomes extremely difficult to manage a crime scene when you are under attack and decisions have to be made to that regard. So yes, there were serious disturbances in relation not only to this, but in relation to other searches in other crimes, Northern Bank robbery for example, which were orchestrated clearly to prevent us carrying out what is our duty.

Chairman, Professor Sir Desmond Rea:

Recently Chief Constable, there was a review of the Northern Ireland Police Fund conducted by John Steele, question 7 Lord Kilclooney.

Lord Kilclooney:

Chairman, the question refers to police families that have suffered over the years. The review of the Northern Ireland Police Fund, Chief Constable, recommended that the Fund should liaise with the PSNI in identifying ways of convincing widows and the disabled that their sacrifice is recognised and that they are still valued. Can you advise the Board if there is any progress on this subject?

Chief Constable, Mr Hugh Orde:

I will ask DCC Leighton to deal with that, but in the broad terms we work as close as we can with both those groups and the Parents Association to exactly make that point and I think since I have been here, either DCC Leighton and I have been to every single event they have organised to show our support but in relation to the specifics, I will ask ACC McCausland to speak on it.

Assistant Chief Constable, Mr Duncan McCausland:

Thank you Chairman. I am the representative of the Police Service on the Board of Directors of the Police Fund. In relation to this recommendation, the Police Fund believe that the matter is primarily a lead for PSNI, however, the Fund intend to hold a conference for all relevant groups in the autumn to address this and other issues.

To take forward this recommendation, PSNI have carried out a series of initial meetings with representatives of the Widows and Disabled Police Officers Associations and ask them to consult and identify ways to continue the

recognition that their sacrifices are still valued for their members. Not just have the Associations been asked to present their ideas but we, the police, have also put forward a number of practical steps that could be taken to give assistance to these organisations. The ways are being considered for example to secure a long-term funding stream over and above any external

support to ensure the continuation of these organisations in perpetuity.

Follow up meetings have been arranged to discuss these proposals. Such a meeting has already taken place with the Disabled Police Officers Association and clear tangible support has been requested and actioned in such areas as, accommodation, transport, liaison officers, emotive support and inclusivity to the future in particular, building contacts with the Disabled Police Officers Association and new PSNI trainees. The PSNI plans will be shared with Police Fund and the Board will be updated in due course when we have seen all Associations.

The recommendation will continue to be progressed to ensure that the widows and disabled police officer continue to feel part of the extended police family both now and in the future and their sacrifice has to continue to be recognised. Unlike the Steele Report, we are also including the families of officers who were killed, namely the Parents Association that has been formed under the auspices of support of the Police Fund, so it is not just the widows and disabled police officers but it will also be the Parents Association that will be looked at in terms of giving support.

Lord Kilclooney:

Could I just say very briefly that that is a very encouraging reply, obviously there is ongoing progress. Can you tell us, has a date actually been settled for the conference in the autumn?

Assistant Chief Constable, Mr Duncan McCausland:

I am led to believe it is October.

Chairman, Professor Sir Desmond Rea:

Ian Paisley Jnr, a supplementary.

Mr Ian Paisley Jnr:

I find that a very helpful answer with regards to the work that the Police Fund is I know recognised and helpful to people who have sacrificed more than many others. I wonder when you are considering issues which the police could do, could you may be turn your mind to issues that you think broader organisations and things that the Police Board could do, in conjunction with the police, in making issues available or indeed in doing things that would be of assistance to recognising the sacrifice and indeed the service that has been given because I think that joined up approach would be very helpful.

Assistant Chief Constable, Mr Duncan McCausland:

I think it is fair to say Chairman, once we have consulted with the Associations we would then look to write to the Board and ask for their views, to get the Board involved as well as the Police Fund. Can I offer Mr Paisley apologies, there is a letter in the post responding to his written correspondence to us on this and it has probably crossed in transit, but this answer has been given first.

Chairman, Professor Sir Desmond Rea:

Could I say thank you to members of the public for their attendance at this meeting and to members of the press and thanks to the Chief Constable and his colleagues for taking our questions.