

## **NORTHERN IRELAND POLICING BOARD**

### **MINUTES OF THE 24<sup>th</sup> MEETING IN PUBLIC OF THE NORTHERN IRELAND POLICING BOARD HELD ON THURSDAY, 3 JUNE 2004 AT 12:00 NOON IN WATERSIDE TOWER, BELFAST**

#### **PRESENT:**

#### **MEMBERS:**

Professor Desmond Rea (Chairman)  
Mr Alex Attwood  
Viscount Brookeborough  
Mr Joe Byrne  
Mr Fred Cobain  
Mr Brian Dougherty  
Mr Sam Foster  
Mr Barry Gilligan  
Mr Tom Kelly  
Mrs Pauline McCabe  
Mr Alan McFarland  
Mr Ian Paisley Jnr  
Mr Suneil Sharma  
Mr Sammy Wilson

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

Mr Hugh Orde (Chief Constable)  
Mr Paul Leighton (Deputy Chief Constable)  
Mr Sam Kinkaid (Assistant Chief Constable Crime Operations)  
Acting Director of Media  
Chief Superintendent Eddie Graham,  
TSG Co-ordinator  
Chief Inspector, Command Secretariat

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

Mr Trevor Reaney (Chief Executive)  
Director of Community Affairs  
Director of Corporate Services  
Director of Policy & Accountability  
Director of Service Delivery  
One Board Official

#### **Apologies**

Apologies were received from the Vice-Chairman, Mr Bradley, Mrs Moore and

Mr McGrady.

**Chairman, Professor Desmond Rea:**

On behalf of the Policing Board I am delighted to welcome members of the public and journalists to the 30<sup>th</sup> meeting of the Board. I have much pleasure in welcoming the Chief Constable and his colleagues to this public session and I will ask the Chief Constable for his introductory comments.

**Chief Constable, Mr Hugh Orde:**

Thank you Chairman. A few issues I wish to raise before we go into questions. Obviously it has been a very busy 12 hours. The PSNI have had 2 murders neither of which we would link to the loyalist feud, which appears to have quietened down recently. They are both being looked at by our new Crime Operations Department, which I think shows the value of setting up that organisation. They responded to both calls and the first few hours which are crucial, have been thoroughly taken care of. The investigations will now continue.

As far as other police activity over the last month, a major drugs seizure on 18 May, 350 kilograms of cannabis resin which we would value as £1.75m at street level, as well as some white powder which we believe to be amphetamine. Following up that enquiry, we also recovered cannabis plants, drug cultivation equipment and 5,000 ecstasy tablets which we would value at £25,000. It shows again that the Drugs Squad is having some major successes.

During the month we also recovered some weapons - a sawn-off shotgun, an automatic pistol and some shotgun cartridges.

In relation to another murder, some time ago, of Mr Andrew Cully, one person now stands charged with that offence and went to court on 27 May.

There was another murder on 31 May and again one person stands charged with the offence of affray. We are actively seeking and appealing for another

person to come forward and be interviewed by police in relation to that offence.

In relation to the feud, I think it is right to say that I would agree with the current press statements that people appear to have stepped back. Whilst there were some incidents last night, which we are looking into, it does appear to have quietened down. Substantial police effort was put into that as well as substantial effort by community workers trying to achieve a degree of common sense. The most serious event during that feud was the murder of Brian Stewart on 18 May which is also under active investigation. In terms of police resources, several hundred police officers have been employed on that, both from Crime Operations and Territorial Support Group. The army have also provided very valuable support in providing high visibility patrols supported by police, so major efforts on that part.

Very briefly, last month I was unable to talk about performance because obviously the figures were just about to come out. We did have a press conference to give the overall performance for the year, so I will not bore you with details because it is now a matter of public record, but in terms of the headline figures that I think are important to put on record for the Board. Domestic burglaries – the target we had last year was to reduce them by 5% and we reduced them by 11.7%. To reduce vehicle crime by 5% and we have reduced it by 17%. In terms of drugs seizures, we have increased the seizures by 31%. In terms of charging people we have also increased our charge rates to 19.3% which actually means 1754 people were arrested for drugs offences and just under 350 were charged or summonsed with serious trafficking offences. I think that indicates perhaps the commitment of the officers at the front end. The value of the reorganisation and the use of the National Intelligence Model has all come together, plus working more closely with communities to deliver a safer environment for Northern Ireland and what that means in real terms is 14,000 less victims of crime.

The area of concern is race crime which has increased substantially although the numbers are still very small. We have in a year what many forces have in a month in terms of the numbers but it is something we take very seriously. We are looking and working very closely with the ethnic minority communities to get a far better picture.

**Chairman, Professor Desmond Rea:**

Any questions on those performance figures.

You wish to introduce your colleague and the presentation.

**Chief Constable, Mr Hugh Orde:**

We were asked to do a presentation on the Territorial Support Group and its work and Chief Superintendent Eddie Graham will do that on my behalf.

**Chief Superintendent, Mr Eddie Graham:**

Mr Chairman and Chief Constable, thank you very much for the invite and to give a 'whistle stop' tour of the role, place and product of our Technical Support Units.

I guess in the eyes of many in Northern Ireland, TSGs or as they were formerly known, mobile support units, had the perception that they were the Riot Squads. This was typical of the view that many hold for public order units and I guess to some extent that perception has some semblance of reality. More and more we are moving away from this type of imagery.

These broad 10 blocks of activity more realistically represent what TSG officers do on a day to day basis in terms of supporting their colleagues in District Command Units to deliver frontline service. You will see that the public order block is only one of a number of blocks.

Our foundation is based on the 4 blocks at the bottom. We engage significantly in road traffic policing and we are addressing all levels of volume and serious crime across all the districts in the province. As you can see, there are other broad areas of productivity that we engage in, counter terrorist being a significant one currently.

This slide basically represents what we have across the Service. In terms of the rural region, which is everything outside Belfast, we have 13 TSGs currently deployed. We have 8 within Greater Belfast which makes 21. PSUs (Police Support Units) are basically district officers who can be called together as and when the organisation feels there is a need, to provide greater strategic support around policing large scale events. Of course, the incoming months will see some of those units being established.

In terms of operating strength, what does a TSG actually look like? It is commanded by an inspector. That inspector has 4 sergeants under his / her command who are team leaders. We have around 24 officers within each Technical Support Unit, made up of constables and reserve constables. The figures in yellow are what we have in terms of the Service. We have 21 inspectors, 84 sergeants and broadly speaking around 500 constables or reserve constables in TSGs. Again you can see what rural has, what urban has and significantly the reserve officers make up broadly 25% of that overall establishment. Again, the Rural Region, this is where units are currently based in order to provide rapid and dynamic responses. They are highly mobile so we have them placed where we currently need them and they can respond as and when the need arises. In terms of Belfast, that is where they are, 8 units.

How are they commanded and what do they look like? This term Operational Command Unit is a relatively new term. Rural Region has one, Urban region has one and for all intents and purposes they are another District Command Unit. They have a similar structure to the DCUs. They have an OCU Commander, a role which currently I fulfil. We have an Ops Manager of superintendent rank. We have personnel and business functions and broadly underneath that we have a chief inspector commanding those TSGs. We have a chief inspector who is commanding the Road Policing Unit. Linked to all of that, we have a unit which develops their tasking and their performance. What our function is really about is to support core policing across all of those 29 District Command Units, which we currently do.

In terms of how we do our business, this slide hopefully represents what it is about. The slide in the upper left is about our plan and what drives TSG officers. What really drives TSG officers is the Northern Ireland Policing Board Policing Plan and District Commanders Plans. It is about the control strategy set by ACC Crime around level 1, level 2 and level 3 crime - that is really what TSG officers are about.

We have implemented an electronic bidding system which is intelligence driven. It is about putting those officers to tasks dependent upon where those bids come from, across the Service. All of that is driven around activity based cost analysis. When we deploy officers on the street, we know exactly what the function is, what they are there to do, we can measure what they achieve and most importantly, we can cost it.

I have taken a slide and this is just a snapshot in time of March of this year. Broadly speaking, the slide represents how we currently split our time. What you see is that counter terrorism patrolling currently takes up a fair proportion of our time. As the Chief Constable said, particularly over the last weeks, TSG officers have been patrolling streets in order to make those communities

safer for those communities themselves and for district officers, both response and neighbourhood officers, to get on with the business of providing service delivery to the people of this province. Counter terrorism currently takes up 41%. I can tell you that last month it reduced to about 36% so there is a huge chunk of our activity and if things were somewhat better, we could utilise our time and efforts much more productively, in terms of improving overall quality of life. All of those other categories focused on crime generally represents about 20%. I would like to see that 41% devoted to terrorism being redirected into crime and road policing.

Again, another snapshot in time, that is broadly how in the month of March, we proportioned our activity, based on bids coming from the 17 districts which we service. You can see that those districts which largely have more volume crime, more incidents of disorder, more road traffic deaths and collisions and more threats to their community represent where the resources go. Again we have a bidding process which is transparent and auditable.

In terms of the bidding process, we do not do anything unless it is intelligence driven. We have developed a new system whereby we really need to know why we are going out before we do go out. It is based on intelligence. It is fully automated. It is live time so that District Commanders can have their officers go on the computers and put in the bid, which needs to be properly audited, based on Human Rights principles and based on the National Intelligence Model. They get that bid into the OCU Planning Office instantaneously and we have a judging mechanism as to whether or not the bid will be met. That in itself has cut out a huge amount of bureaucracy, duplication and all of the District Commanders feel it has improved the service that we provide to them.

Additionally, it is costed. Everything we do we can cost down to the last individual officer. It has also created a competitive internal market amongst the districts because they know there is a finite number of resources to be bid for. They have to have evidence why they need TSGs, where they need

them, what effect they need to achieve and then, based on that, we put the resources to task. It is totally transparent and auditable. I, as District Commander A, can view how District Commander B is policing and getting resources so that competitive market is very useful. Equally, it is totally National Intelligence Model compliant and totally National Intelligence Model driven. That is the focus of the new tool to adhere to. Again it is driven hugely by Human Rights principles around proportionality, necessity, legality and the legitimate aim that we hope to achieve.

These are broadly the priorities that the OCU TSGs work within. There are a broad range of activities. The upper 3 or 4 are around Article 2 Right to Life and as I said earlier, around 40% of our time is spend on the upper section. That is really to provide the environment to allow our neighbourhood colleagues and our response colleagues to get on with the business.

The bidding process is driven around problem solving. All of the TSG officers from inspector to reserve constables, have undergone quite a bit of time around problem solving. When they are put to task, if they go to a particular district, they must know what the District Commander's priorities are and what the community impact issues are at that time. Those officers either contribute to or open up problem solving folders which are monitored and maintained. Again we have some good examples where TSG officers have gone and made significant impacts on the crime and other difficulties that the District Officers are facing.

Again a snapshot in time of 3 months, this is some of what the TSG officers have done over the last 3 months. Just slightly over 90% of all bids that come in electronically to the Planning Office are met, which proves that districts are auditing and are evidencing well the need for TSG officers. Around 84% of

TSG officers time is spent in terms of visible policing. They are out there in their yellow coats supporting districts and that is basically what it is about. That gives you some idea of what it is we engage in on a day to day basis. This really summarises it, the bidding process is something we have started recently. With the Chief Constable's permission I would gladly like to invite any Board Member down and witness that bidding process in action. It is something that has attracted quite a bit of interest, not just amongst our own organisation. ACC Urban will accept that bidding process and unify it across both regions. We have had some Police Services from England over and they are keen to accept the bidding process. Our sister organisation, An Garda Siochana, are coming within the next week or two to look at the process. Hopefully we can do a bit of hard selling in terms of unifying how they function in comparison to ourselves.

In summary, this is what the feature of the process is about. We, as an Operational Command Unit and another district maintaining and measuring continuous improvement. Certainly within the Operational Command Unit, as the quote says, we spend a good deal of our time planning for the future because that is where the rest of us are going to spend the most of our lives.

**Chairman, Professor Desmond Rea:**

Any questions from Members? Ian Paisley.

**Mr Ian Paisley Jnr:**

Thank you Chairman and thank you Mr Graham. You indicated that 25% of the TSG, that is 1 in 4 members, are Full-Time Reserve officers. I understand that obviously TSG perform a very important role in delivering effective policing. How handicapped are you going to be next year if the plan, as suggested by Patten, is carried through - that we lose 1 in 4 of your officers on these TSGs by the removal of the Full-Time Reserve element?

**Chief Superintendent, Mr Eddie Graham:**

It is true to say that reserve officers do play and continue to play a significantly important role, not just within TSGs but right across all the District Command Units. That is a call that the Chief Constable will make when the time is right, but what I would say, is that a lot of our time is spent doing things, to be quite honest with you, we could be doing without. Counter terrorist activity takes 41% of TSG time, the time we spend on high event public order; if those activities were out of the equation in terms of society living, then we would be in a different environment. It is true in what you say, the reserve officers are fundamental to what we need to do, if the environment in which we are operating at the moment, stays the same.

**Mr Ian Paisley Jnr:**

Are you telling us that for as long as 30 to 40% of TSG time is directed towards terrorist offences you require Full-Time Reserve officers?

**Chief Superintendent, Mr Eddie Graham:**

No that is not what I am saying. Currently we do spend around 40% of our time doing counter-terrorist policing. That is around going to districts, providing an environment

where district officers feel confident that they can provide or do the job that we are doing. What I am saying is, last month for example, we reduced that to about 36%. Hopefully if that situation continues, the amount of time we spend on counter terrorist policing would equate into the fact that the reserve officers are not needed to focus on that particular function within policing.

**Chairman, Professor Desmond Rea:**

Mrs McCabe.

**Mrs Pauline McCabe:**

Thank you for an interesting presentation, I have 2 very short questions. The first is, with the reorganisation of the crime function and the development of the centralised team of additional detectives, does that influence the proportion of your resources that are allocated to support activities, like search activities, arising from the work of that team? The second question is, how static a group it is, how much movement do you have of officers in and out of the team and typically how long would a TSG officer actually stay in a team?

**Chief Superintendent, Mr Eddie Graham:**

To deal with your second question first, there is no particular tenure policy within TSG at the moment. Officers generally stay 3 to 5 years. We have some officers who have been in TSGs 13, 14, 15 years. We require officers within those units to maintain high levels of fitness. They are required to have significant knowledge around legislation governing terrorist activity. I suppose 5 or 6 years would be a reasonable time for a TSG officer to remain.

In terms of the first question, the creation of the Crime Operations Department will support TSG officers, because that department will give TSG officers a very specific focus around those criminal gangs that exist within the province, who are causing havoc. What it will do is, those TSGs will be focused significantly on those people who cause most of the difficulties disproportionately, so the 2 are inter-linked and it will really lift our game.

**Chairman, Professor Desmond Rea:**

Brian Dougherty and Brian is going to be the last question because I have got a lengthy list of questions.

**Mr Brian Dougherty:**

Thank you very much for your presentation. The first part of my question was actually asked by Ian and I reciprocate what he was saying in terms of concerns over the police reservists.

I was lucky enough about a year ago to spend an evening in Foyle DCU with a TSG unit and I found that an incredibly enlightening experience. What struck me at the time, as well as the feedback in terms of the need to retain the reservists, was also the high levels of stress experienced by officers who were involved. This was not during the marching season or any particular period of high tension, it was the normal Friday night in Derry city centre. What steps do you have in place to deal with the stress levels and the consequent impact that stress has on confidence levels and morale levels within the PSNI? Is there any ongoing training to ensure that officers are kept up to speed on what should be learned?

**Chief Superintendent, Mr Eddie Graham:**

Policing is a stressful environment and neighbourhood and response officers encountered similar levels of stress. By and large it is the neighbourhood officers and response officers who are the people who are responding initially to those incidents which are troublesome, in which TSG officers come in. I was with the TSGs over the weekend and I do not sense that individuals are stressed out. We have superb occupational health facilities. TSG officers, as part of their programme, undergo and are given time to physically train and given time to touch base with our occupational health.

**Mr Brian Dougherty:**

Was this in Foyle DCU?

**Chief Superintendent, Mr Eddie Graham:**

No it was not in Foyle, it was down country. We had some TSG officers deployed down country over the last couple of days.

In terms of morale Brian, the morale within those units is extremely high. Particularly I think, there is a perception outside that officers of the Reserve have their heads down. That could not be further from the truth. They are as focused, committed and enjoying the job as much as any of their colleagues in TSGs or neighbourhood officers.

**Chairman, Professor Desmond Rea:**

Chief Superintendent Graham, a sincere thank you for a very worthwhile presentation.

**Chairman, Professor Desmond Rea:**

Joe Byrne, a question relating to strategic level co-operation between the PSNI and the Garda, question 8.

**Mr Joe Byrne:**

Chairman, could the Chief Constable provide any examples of strategic level co-operation between the PSNI and the Garda over the last year and advise what plans are in place or are envisaged over the next year? Lastly, could I also invite the Chief Constable to give a strategy assessment of policing for the summer, given that there has been some idle speculation about the unfolding of the summer. Given what Chief Superintendent Graham has given to us, would the Chief Constable agree that there is absolutely no reason whatsoever for anyone to be speculating about any untoward activities during the summer.

**Chief Constable, Mr Hugh Orde:**

I think I will answer on the Garda first. We have a close day to day working relationship in terms of operational matters on which I will not go into detail.

I will cover the strategic end today, a number of things have been set up under recommendation 162 of Patten Joint Working. Examples during the

last year were a major joint disaster planning exercise which has led to a protocol between ourselves and the Garda to deal with cross-border incidents. To firm that up we had a live exercise, Operational Lakeland, which was on the Fermanagh borders. It involved a simulated aircraft crash. An aircraft brought down as a result of a criminal act, which gave us wreckage and multiple casualties on a cross-jurisdiction and the learning of that exercise was then built into the protocol. We have clarity around lines of command, international policing zones and bi-lateral co-operation as a result of that. I would envisage seeing another one of those exercises within the next 12 months.

Work is also going on in relation to joint investigation teams, which is a European Union initiative. We also had an International Conference, which is held every year, and this year it was chaired jointly by ourselves and the Garda. Paul Leighton, my Deputy, chaired the Conference plenary session and again that provides more evidence of the Oversight Commissioner's report in relation to Patten 162.

Very recently, some Board Members I think were present, when we had a new Salesman exercise. This is a series of UK wide anti-terrorism planning and training exercises. We hosted one 2 weeks ago where the Garda were again fully represented on chemical / biological, nuclear and radioactive incidents which would certainly have an impact north and south of the border.

On a more operational level, in a response to a request from the Garda recently, we lent them 2 of our new water cannons, bought with Patten money. They were deployed in a very effective way and again that was joint training. We did have an inspector down as an official observer, to see how that deployment worked. We have learned something from that, should we have to use them in operational matters up here.

This perhaps leads me neatly into the summer season. That is not to say, members of the press, I intend to soak all marchers this year at all. It does give us another level of force below that, for example, of plastic baton rounds should we need it. Having said that, there is no indication currently that we should have to resort to any kind of tactics like that. Substantial work is going on, both up front and behind the scenes with organisers and community workers, to do our very best, to ensure a peaceful marching season. There have been some very helpful observations by politicians over the last couple of days which I think have reinforced our position. Many community workers are engaging with us to do their best to protect their own communities but to allow those who want to march to do so. I recently met with the leaders of the Orange Order and had a very constructive meeting. Again some very helpful comments made by one of their representatives recently leads me to hope that we would have a peaceful marching season. That having been said, we will be prepared to deal with disorder should it arise. Training is already underway and planning in particular, for the major set piece events, is well underway. We will keep our fingers crossed.

**Chairman, Professor Desmond Rea:**

Question on the authorisation of the deployment and use of baton rounds, Alan McFarland, question 1.

**Mr Alan McFarland:**

Members of the Human Rights and Professional Standards Committee receive copies of the Ombudsman's Regulation 20 Reports into Public Disorder. Over the past year Members have received 19 such reports and have noted an apparent, in some cases, reluctance of senior officers to authorise the deployment and use of baton rounds in what appear to be very dangerous situations. Could I ask you to comment Chief Constable?

**Chief Constable, Mr Hugh Orde:**

I will ask my Deputy to answer that question.

**Deputy Chief Constable, Mr Paul Leighton:**

In terms of policy, our instructions on the issue and deployment and use of baton rounds is very clear and unambiguous and is in line with national ACPO guidance. Each occasion has to be judged on the situation and the prevailing threat and the individual who has the baton gun has the decision to make at the end of the day.

Since January 2003 there have been 54 such authorisations by senior officers. That does not indicate to me a reluctance. Thirty seven were in Urban Region and 17 were in Rural Region. The fact is, that in that period, we have not fired any baton rounds. Those are individual decisions by individual baton gunners who make that decision once they are authorised to use them.

I think it is to our credit, that the Ombudsman has made several reports now paying tribute to the courage and restraint displayed by officers and to the way in which we have treated the whole baton gun issue and the human rights issues involved. It is not a reluctance to deploy at all, as 54 authorisations show, it is good news that we have shown the restraint necessary not to fire baton rounds at members of the public at this point in time.

**Chairman, Professor Desmond Rea:**

Question 5 on the public display of flags supporting a proscribed organisation, Brian Dougherty.

**Mr Brian Dougherty:**

Chief Constable, you have already touched on the coming marching season, could you please outline the PSNI strategy for dealing with the public display of flags supporting proscribed organisations?

**Chief Constable, Mr Hugh Orde:**

This is a very complex issue, but I think, fairly recently, one of my local District Commanders showed one of the more effective ways of dealing with paramilitary flags that caused offence to local communities in Bangor, by actually coming up with a plan

to not only remove the flags but also put people before the courts and get them convicted. I am now told it is subject to appeal. Those who decided to display received sentences of 4 to 5 months imprisonment, which underlines how effective a joined up criminal justice system can be.

In broad terms, there are a number of issues I would like to flag up. One is, we do take the issue of flags seriously certainly, when they are flown at interfaces or adjacent, for example, to places of worship with a plan of antagonising one side of the community or the other. We are mindful that a history of taking down 5 flags does not work if the organisation puts up another 50. Stage 1 has to be the engagement of the communities and certainly at the community officer level, substantial effort is put into convincing communities the sensible way of dealing with them is take them down by negotiation because it tends to be a far longer term solution than enforcement. Enforcement is still very much one of the arrows in our quiver of tactics we can use. In itself, the flying of flags or emblems is not illegal. It is when they cause or are likely to cause a breach of the peace or displayed in ways or circumstances that suggest support for a proscribed organisation that the general tension arrives. That can lead to committing an offence under section 13 of the Terrorism Act, which was exactly what was deployed in Bangor to deal with it.

There are some legal difficulties. We have had cases where there has been a reluctance to prosecute on the grounds that some flags display an historical connection. The usual one quoted is the 1912 UVF situation. It is not possible to give precise guidance for each individual case and all the

circumstances around it. That having been said, the practice from Bangor now has been widely promulgated to all District Commanders as a tactic that is quite legitimate to use, but as part of an overall strategy which I have just reflected.

My personal view is, we are more likely to be successful over time, if we convince communities this is not a sensible way to move. Having a case going through the courts with that outcome, I think it gives us more chance of convincing communities that will happen because if they do not wish to engage with us, we have another tactic we can use. I know the ACC in Urban Region has had a meeting with all his District Commanders and there are plans afoot in places where they are causing offence, to move that strategy into action. I would not be surprised to see more people prosecuted for flying flags, certainly paramilitary flags, over the marching season.

**Chairman, Professor Desmond Rea:**

Question 7 on a recent attack on police officers on 25 May, Mr Ian Paisley Jnr.

**Mr Ian Paisley Jnr:**

Some of your officers have come under recent attack and I notice there has even been a police officer knocked down at a checkpoint. Maybe you could pass on to that officer our best wishes for a speedy recovery. Can the Chief Constable confirm details of the attack on police officers in West Belfast sometime on the

24 / 25 May 2004 and whether or not that was orchestrated in any way by any republican elements? Were any arrests made, how many officers have been injured and are any charges pending after that attack?

**Chief Constable, Mr Hugh Orde:**

Yes, I certainly can. If I could just deal with the officer injured last weekend. I spoke to him on the Sunday. He was very lucky, he did recover after he was knocked unconscious by a car on the checkpoint at the border and which then headed off into the south. We are working closely with the Garda to pursue that investigation. He was actually one of my community officers from Crossmaglen. When I spoke to him, (he is a Full-Time Reserve officer awaiting his place at Garnerville having got into the regular Service) his determination was to get back into community policing in Crossmaglen. Fortunately he is well on the way to recovery.

In terms of that other particular event, it actually happened at 9:36pm on the 24 May. We were called to a derelict house on fire in Devenish Close, West Belfast and my officers came under attack by about 30 youths with bottles and bricks. The District Commander's assessment was that it was not some organised event. The age of the suspects involved in that attack were 10 to 16 years old. They were young people with nothing better to do. The reason it came under control was by rapid engagement of local community representatives who managed to deal with that situation and allowed the fire brigade to put out the fire. One officer was hit on the head with a stone but he continued his tour of duty. He was not seriously injured. No-one was arrested and there are no charges pending. The long-term solution to that particular area with derelict houses has been dealt with by the local councillors and the Housing Executive working together with us. They are going to demolish them, which will remove the problem hopefully once and for all.

**Chairman, Professor Desmond Rea:**

Question on illegal street trading in Belfast, Tom Kelly.

**Mr Tom Kelly:**

Chief Constable, there seems to be increasing levels of illegal street trading in Belfast City Centre which is of concern to the local Chamber of Commerce and Belfast City Centre Management. It appears that the action to be taken on it has fallen between Belfast City Council and the police, one blaming the other for not enforcing it. Given that you are here with some of your high ranking officers and some of the members of the Chamber are here, perhaps you would like to explain what the police policy is in relation to illegal street trading.

**Chief Constable, Mr Hugh Orde:**

Our policy is very clear. In terms of no action, since November 2001 when the Street Trading Act (Northern Ireland) 2001 came into force, (another piece of legislation that

I was not aware of until yesterday), the first operation between police and Trading Standards took place on 17 November 2001. Since that time, I am told 302 illegal stalls have been seized and the council figures, not my figures, estimate the value of

goods seized is as follows; £1m of general goods, £100,000 of counterfeit DVDs and CDs and £20,000 worth of other counterfeit products, for example sunglasses and jeans. I know we have a joint protocol with the council in relation to the contact of seizure, which does give the council the lead as the regulatory authority under the legislation, to initiate prosecutions. My role is to support those officers, to make sure they are safe and to keep the peace.

Following a number of public order incidents, as a result of this legislation and its implementation, we now have to use TSG officers referred to by Eddie earlier, to secure the area of the stalls being seized. While we do make every effort to support the council to manage those operations, we have had to cancel some due to redeployment to other priorities. It is a matter of fact that illegal street trading is not being given to me as a priority by this Board. It is

not a priority at district level. That having been said, we have dedicated significant resources to it and over the Christmas period and we will continue to do the same this year, as we did last year, when operations took place on most days.

I am told, in terms of what was successful, the advice from my District Commander is, that it resulted in a 40% reduction in crime in the area where that operation was taking place. A knock-on effect in terms of high visibility policing which I actually saw with my own eyes during the Christmas period last year. It is right to say, that over the last 2 weeks because of the loyalist feud, we have cancelled 3 operations which I am sure is a nuisance to us. It is certainly a nuisance to the council who would have set these things up. It is something we are dealing with. Rightly it rests with the District Commanders speaking to the local council officers to do as best we can.

There is another aside, which is not my business, I am not sure if any initiatives have been taken to legalise those who have a potential to be legalised in the way that many cities have. This would then enable us to focus even more on those selling the counterfeit goods illegally.

**Chairman, Professor Desmond Rea:**

In the context of the public debate on dealing with the past, question relating to amnesty from Sammy Wilson.

**Mr Sammy Wilson:**

Chief Constable, I am sure you will be aware of the concerns and the anger which has been expressed as a result of comments which were made about an amnesty for people who were involved in terrorist murders and terrorist crimes over the last 30 years. Perhaps you would like to explain to the Board,

the context in which you made those remarks and secondly, do you appreciate that as far as the general public are concerned, they would prefer to hear the police talking about catching criminals rather than amnesties for criminals.

**Chief Constable, Mr Hugh Orde:**

In terms of the context, those who had bothered to listen to the whole programme last Sunday, would have heard a number of things. I did make some observations around how you deal with the past, the main one, my underlying theme is consistent. One, is how you deal with history has to fully take into account the families of those who were killed during the troubles. Two, this is a matter that is far wider than a police debate. The focus of my comments is around the legal issues and the impact on my organisation of an ongoing, continual and increasing demand to look at cases which I know, as a professional police officer and have been advised by my senior detectives, have little chance of getting to court. I can speak with some authority on this having spent 2½ years looking at one case with a full team of detectives in excess of 20 officers sometimes rising to 50, which has led to one person standing trial hopefully sometime this year. My discussions are around the logistical issues and the impact on policing. It is for others to engage in the wider debate.

What was interesting about Sunday, was everyone on that programme and I listened to the whole programme, agreed on one thing. They agreed that something had to be done.

I am happy to stand back from the debate now that it has been taken up by others, but I will continue to make observations in relation to the impact on my organisation. The other thing I always say is that it is a hugely emotive issue that I fully understand the impact on people. As many people ring up to agree with the fact that these things need to be discussed, as ring up to say they should not be discussed, which proves how complex the issue is. In terms of catching criminals, we continually talk about catching criminals, but getting

people to record our successes around catching criminals is somewhat more difficult. The crime figures I relayed this morning, not only indicate that our crime is down what I did not mention was that our clear-up rate is up by about 4½% as well, which is prima facia evidence that we are arresting more people for less crime which looks like success to me.

**Chairman, Professor Desmond Rea:**

Question relating to police sources, Alex Attwood.

**Mr Alex Attwood:**

Thank you Chairman. Chief Constable there has been significant and enduring change in respect of Crime Branch including the intelligence capacity within the police, but one area where issues may still arise, or be perceived to arise concerns both the management of information and the management of police sources or police agents. In respect of both of those, would you be in a position to confirm if you might intend to share with the Board and more generally the police view, in respect of applications for public and press immunity certificates? Would you be in a position to confirm that sources or agents who are involved in serious crime, are not retained by the police, in terms of their agent activities?

**Chief Constable, Mr Hugh Orde:**

If it is helpful, next month I would be delighted to give a presentation on the complex issues on, for example, PII. We have briefed the Board before on Crime Operations Branch and I am happy to repeat again by way of a presentation next month, how our intelligence is shared.

On these specific issues, Crime Operations is fundamentally a new organisation, which I am very pleased we have set up, bearing in mind some

of the murders we are currently in charge of investigating, because it will enable us to respond in a more professional and rapid way to deal with those crimes, which increases our chances of success. There is a clear service level agreement between my intelligence handling department and my Senior Investigating Officers and it is very simple. If any informant is a suspect for any serious crime, the investigating officer has an absolute right to be told of that instantly, as soon as humanly possible, because it is a crucial part of the investigation. I have zero tolerance if an informant for example, commits a murder, all bets are off. That is the rule across the country and we follow ACPO best practice. The way we handle intelligence now gives me confidence that the system is in place. Certainly the leadership of the organisation has reinforced that determination and if people step outside that I will exhibit zero tolerance of their behaviour.

**Chairman, Professor Desmond Rea:**

Question on the recruitment and selection of police officers with tattoos,  
Ian Paisley Jnr.

**Mr Ian Paisley Jnr:**

Chief Constable, can you explain what are the rules regarding police trainees bearing tattoos? There seems to be some confusion. I understand there have been some people who have been recruited who have had tattoos. There have been some told that they cannot be recruited because they have a tattoo then when they complain, they are put into the merit pool and may even get recruited. Is it your view that a person with a tattoo can serve as a police officer?

**Chief Constable, Mr Hugh Orde:**

I will ask Paul to answer.

**Deputy Chief Constable, Mr Paul Leighton:**

Very clearly, a person regardless of community background with a tattoo can serve the community as a police officer, providing the tattoo does not

contravene our current policy on tattoos. That states very clearly that tattoos which will lead to rejection are those tattoos which would be visible when dressed in uniform, including short sleeve shirt order and are considered to be obscene, sectarian, offensive or of disproportionate size in overall area, or likely to give rise to the impression that a member might not impartially discharge his or her duty. Tattoos which may lead to rejection, those are tattoos of the same classifications as above but which would not be visible when you are dressed in uniform including short sleeve order. All of those tattoos must be described giving size, location and nature and dependent upon the nature of the tattoo, it may raise questions about the suitability of that person to be a police officer.

Judgement has to be made on that and the individual's background and the impression that it may convey to others. These judgements are made by a vetting panel. The panel comprises a legal adviser, our diversity manager, a personnel officer from the Service and an external qualified personnel manager from an external organisation as an independent member of that vetting panel. They consider the tattoo and make a decision whether or not it could be perceived as the officer not being viewed as an impartial officer. In making that decision they have got to think about our neutral environment because tattoos which may not be visible to members of the public, may on occasions be visible to other members of the Service. That is also taken into consideration, but the overall message is, that you can still serve if you have a tattoo provided it meets those criteria.

**Chairman, Professor Desmond Rea:**

Question on drink licensing in large arenas, Barry Gilligan.

**Mr Barry Gillian:**

Thank you Chairman. Chief Constable, does the PSNI have any concerns regarding the proposals for legislation that will enable indoor arenas, such as the Odyssey, to apply for a license to sell alcohol? Would you also comment

on the public safety issues and public order issues for policing large numbers of people exiting the Odyssey arena? Could I just add that I had some recent experience of this type of activity, on Saturday night when I accompanied some of your officers in a TSG outside the bars and nightclubs of South Belfast and Bradbury Place, which I have to say brought me back a few years. It did turn out to be a quiet night, due in no small measure I believe, to both sensible crowd behaviour and sensible policing. Just to echo what Eddie Graham said earlier, I detected no sign of stress amongst the officers involved, but I do acknowledge that not all nights are as quiet as last Friday night was.

**Chief Constable, Mr Hugh Orde:**

In broad terms, we support the proposals for legislation and the PSNI was consulted about it. (*Tape unclear*).... their main emphasis has been on attracting audiences across the age range and family groups. They also police the public CCTV system in the area, which has contributed substantially to not only public order but also to reducing car crime which was a major problem, in fact a bigger problem, than disorder.

As far as the Odyssey area management are concerned, they do risk assess each event and any open bars where they say it is appropriate for target clientele. I have to say, having looked at their stewarding, both as a customer and from a professional perspective, it is effective. We do see at the Odyssey, for example, some sporting events where drink is allowed, without any consequent disorder problems because of the way they manage it. Drunkenness and disorder has not been a feature of the Odyssey and there have not been complaints of under age drinking. We carry out inspections and those have been effective and have found no breach of the regulations. We are told that our powers to inspect will not be changed by the proposed legislation.

I asked for more detail on the Odyssey and for example over the last 5 months there has been 48 assaults. Bearing in mind, they see 4.2 million

people a year going through their doors, that is a very low rate and many of those are not, at times, associated with, for example, pub closing time. One of the reasons they are looking at is the delay in getting people away from the Odyssey because of the lack of buses and such like. What we have in terms of the Odyssey is a good partnership response, good partnership working, coupled with effective policing which has led to a very small number of assaults.

I mentioned car crime, one of the spin-offs of that partnership approach has resulted in a substantial decrease in car crime. In fact it decreased by 66% last year on the year before, simply by a joined-up approach. Currently I have no particular concerns about how the legislation will operate.

**Chairman, Professor Desmond Rea:**

Two questions on Fermanagh, question 6 and 11, I will ask Mr Foster and Mr Paisley to put them together.

**Mr Sam Foster:**

Thank you Chairman. I have expressed concern before Chief Constable, to senior officers, and I want to emphasise again the great concern there is in Fermanagh because there are not enough police on patrol throughout the county.

I quote from local newspapers, "lock up and leave premises" to free up more officers to tackle problems and now this week we hear that Fermanagh's complement of 8 detectives is to be reduced by half. Traffic police officers have already been transferred, meaning patrols have much further to travel. One thing for certain, public confidence in local policing is suffering and will continue to do so unless the situation is taken seriously. We are losing officers at a time of escalating numbers of break-ins, the question therefore, "is the way forward to provision of a safe environment for all in Fermanagh to reduce resources on the ground"? Fermanagh people are not at all enchanted by the present situation.

**Mr Ian Paisley Jnr:**

Thank you Chairman. It is really to follow up with this further question. The statistics which you have provided us with today Chief Constable, show that burglaries in the Fermanagh district are up 29.7%, almost 30%. There are about 160 officers serving the Fermanagh district. I believe that figure falls short of what is desirable to police that rural area adequately and I am wondering if you agree, that the 4 detectives who have been removed from the Fermanagh district should actually be reinstated to deal with those volume crimes which appear to be on the increase?

**Chief Constable, Mr Hugh Orde:**

I would agree also that 160 officers is too small, there are actually 253 officers deployed in Fermanagh district. I am happy to share with you the exact deployment of those officers, the vast majority of which are deployed on sector policing across what is a very large geographic area.

You will be aware of the history in terms of the Human Resources Deployment Strategy and it was agreed between us and the Board that the Crime Operations Branch was a necessary structure to be put in, which has inevitably drawn detectives from across Northern Ireland. The big plus side of that is, whilst we have a far more effective serious crime investigation capacity and if there is a murder in Fermanagh, the Chief Superintendent can benefit from a professional team very quickly to take that responsibility away from him, it also means that he will not have officers drawn continually away from him, as was the case before, to deal with those enquiries on an ad hoc basis. So whilst it is a net loss of 4 detectives from his total strength, what he now has is a strength he can rely on totally and predictably because they are his. The total deal with Crime Operations Branch was that they would lose no more staff to fund serious crime investigation. You have heard Sam Kinkaid today talk about how we have moved resources around within Crime Operations Branch to deal with the current murders to make sure that has happened.

In addition, Fermanagh does benefit disproportionately from TSG deployment and you have heard how that bidding process works today. Fermanagh have been very successful in getting TSG support for their initiatives which shows (a) the professionalism of their bid and (b) our commitment to Fermanagh.

In terms of the burglary rate, it is up, but I would dispute the percentage printed where you take your figures from. It is a matter of record there were 466 burglaries in the county of Fermanagh last year which equates to one and one third per day in a population of 55,000. Many of my colleague chief officers would cut their right arm off to have a crime rate that low. That is not to say we are content to have a crime rate of that level, we are determined to reduce it and overall we did reduce burglaries this year, Fermanagh was one of 2 divisions where there was a slight increase of about 50 offences, about 1 a week.

**Chairman, Professor Desmond Rea:**

Question on flags, Brian Dougherty.

**Mr Brian Dougherty:**

I would just like to bring you back to the issue of flags Chief Constable, can you explain why we do not fly the Union Jack on Coronation Day?

**Chief Constable, Mr Hugh Orde:**

Yes I can. I read this morning that I am being required to resign for not flying the flag on Coronation Day. The absolute facts are it is a matter of law. The flags I fly are governed by the 2002 Police Regulations. The Police Emblems and Flags Regulations (NI) Act 2002 states very clearly and very strictly what flags I can fly on what occasions. There is no occasion I can fly a union jack. If the Queen was to visit I am allowed to fly the royal standard at the building

she is visiting. Apart from that I can only fly my own flag so had the MLA done his research he would have found, unless he wanted me to break the regulations, it is not a matter of choice, it is a matter of law.

**Chairman, Professor Desmond Rea:**

Could I say a thank you to the Chief Constable, his colleagues and in particular

Chief Superintendent Graham for his presentation and for taking our questions today. Could I also say thank you to members of the public and to the journalists who are present. That concludes the session.