

## **NORTHERN IRELAND POLICING BOARD**

### **MINUTES OF THE 12<sup>TH</sup> PUBLIC MEETING OF THE NORTHERN IRELAND POLICING BOARD HELD ON THURSDAY, 5 MARCH 2003 AT 12:00 NOON IN WATERSIDE TOWER, BELFAST**

#### **PRESENT:**

#### **MEMBERS:**

Professor Desmond Rea (Chairman)  
Mr Denis Bradley (Vice-Chairman)  
Mr Alex Attwood  
Viscount Brookeborough  
Mr Joe Byrne  
Mr Fred Cobain  
Mr Brian Dougherty  
Mr Sam Foster  
Mr Barry Gilligan  
Mr William Hay  
Mrs Pauline McCabe  
Mr Alan McFarland  
Mr Eddie McGrady  
Mrs Rosaleen Moore  
Mr Ian Paisley Jnr  
Mr Suneil Sharma  
Mr Sammy Wilson

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

Mr Hugh Orde (Chief Constable)  
Senior Director of Human Resources  
Director of Media and Public Relations  
Head of Command Secretariat  
Chief Inspector , Command Secretariat  
T/Superintendent, Corporate Development

#### **ASSETS RECOVERY AGENCY IN ATTENDANCE:**

Mr Alan McQuillan

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

Mr Bob McCann (Chief Executive)  
Head of Audit Services  
Head of Business Affairs  
Head of Policy and Accountability  
Head of Training and Community  
Consultation  
One Board Official

**Apologies:**

Apologies were received from Mr Kelly and Lord Kilclooney.

**Chairman, Professor Desmond Rea:**

I would like to welcome members of the public and media to this public session. I would also welcome the Chief Constable and his colleagues.

We also welcome a former Assistant Chief Constable of the PSNI, Alan McQuillan, recently appointed to head up the Assets Recovery Agency in Northern Ireland. I think Alan is going to start off first. We would ask you to present to us.

**Mr Alan McQuillan:**

Chairman and Members, thank you for the invitation to come here today. I am delighted to be here. What I am going to do is outline the changes that the Proceeds of Crime Act have brought and the implications of those in Northern Ireland and particularly the role of the new Assets Recovery Agency.

The Proceeds of Crime Act is legislation that has been designed to revolutionise the way that we deal with criminal assets. It has to be said that a lot of the developmental work in this Act has been influenced quite heavily by the experience in the Irish Republic, as well as other jurisdictions, but particularly by the experience of the Irish Republic, in the role of CAB and the success that CAB has been.

There is a complete new framework for looking at and dealing with the problem of the assets accumulated by criminals and particularly organised crime. There is a set of new powers for the police. Some are very basic powers, for example, under the old legislation if someone was stopped at a port with £10,000 cash in their possession and they could not account for it, a police officer or a customs officer could seize it. That power now extends to anywhere, so if a constable stops someone who perhaps is a suspected drug

dealer with £30,000 in their possession and they cannot give an immediate good account of it, the officer now has the opportunity to seize the money and the person then has to go before a court to explain where they got it. So there is a whole raft of new enabling powers, which can be used to great benefit in the investigation of crime.

There is a new training regime. Up until now there was no accreditation for financial investigators. Now, the Assets Recovery Agency has a very specific role, we will be training all financial investigators nationally to a set standard. They will then have to be accredited by the Director of the Assets Agency and once they are accredited, they obtain access to some of the powers under the Act, including the powers to request orders from financial institutions, some of which I will address later.

There is a new focus on the confiscation of assets after someone has been convicted of crime. There are things called criminal lifestyle presumptions. If someone is convicted of crime now there is a statutory test about whether they have a criminal lifestyle. For example, they have been convicted of a succession of offences, they have committed an offence that lasts more than six months, where they have been convicted of certain types of offences, like in the context of Northern Ireland, directing terrorism, they are deemed to have a criminal lifestyle. Once they are deemed to have a criminal lifestyle, fundamentally the proof that they did not get their assets from crimes, switches and falls onto them. They have to satisfy the court how they came by any assets in their possession and the court has the power to order confiscation of those. Above all, there is the latter two points in this slide, there is a dedicated agency focused on assets recovery, the Assets Recovery Agency and there is the power to deal with people who have accumulated assets through crime without a conviction and those are two of the first things that have not been available in the UK before.

What are the objectives of our agency? First of all, it is not about money, our objective as set out in the Act is to reduce crime, but we reduce crime in two

very specific ways. First of all, we remove funds from criminals and by removing the funds we try to undermine their ability to maintain crime networks. If they cannot pay their henchmen, they cannot keep the networks going, they cannot get people to work for them.

Secondly, by removing assets we undermine them as a role model in their community. We have in Northern Ireland, estates where there are big fish in little ponds, the local racketeer, the local drug dealer, the local thug, who is running a little empire in his or sometimes her area and who are making life a misery for everyone else. This Act allows the power to investigate those people, to take their assets away and, if you take their assets away and their ability to support their lifestyle away, you undermine the attractiveness of a career in crime and a horrible phrase, but 'we make crime not pay'. That is part of the objective, that a life in crime will no longer provide access to the sort of lifestyle that some people have had from it in the past.

If I can look at the scale of the problem, these are some national figures, first of all for the UK. In the UK, confiscation orders were only obtained, until recently, in about 2% of the cases where they could potentially have been granted. Even where they were obtained they were not enforced. People could have orders made against them that were not enforced. That generally has not happened in Northern Ireland. I have to say that the DPP, in particular, in Northern Ireland has been much better at actioning orders than his counter parts in England and Wales have been. But for the UK as a whole, a 1995 study estimated that £650 million should be available for confiscation each year and that a further £400 million, that is confiscation after criminal convictions, was in the hands of individuals who were unlikely to ever be prosecuted. In 1995 it was estimated that the potential returns by seizing all the assets from every criminal and every person who was convicted were in the region of £1 billion per annum. Now that shows you the potential scale of some of the things and the workload that has to be done.

That is the UK as a whole, what about Northern Ireland? The Organised Crime Task Force has said that there are just under 80 criminal organised groups in Northern Ireland at any one time. About half of those are connected or affiliated to terrorist organisations in some way. Half of them are not. That is often the forgotten half because of the quite proper focus on terrorism we often tend to forget that there is a huge amount of ordinary crime going on out there and much of it is organised ordinary crime. The scale of money that these people make is unclear, there is no definitive figure of how much organised crime is making in Northern Ireland, but there are some indicators.

If you take robberies of cash in transit vehicles in the UK, 17% of all robberies of cash in transit in the UK take place in Northern Ireland. The only other area in the UK where there are substantial numbers is in London. Northern Ireland accounts for 17% of all that activity in the UK.

Over the last number of years the PSNI have seized more counterfeit goods in Northern Ireland than have been seized in the rest of the UK put together. Last year, I believe that the amount of counterfeit goods seized rose by 50% on the year before. That covers the whole gamut from clothing through CD's, computer software, everything that you could imagine that could potentially be counterfeited is being counterfeited and sold.

There is widespread fuel and tobacco smuggling, I think there was a recent report that estimated the lost revenue from fuel alone at around £250 million per year. There are massive levels of cigarette smuggling and then we go onto the harder end of extortion and drugs.

There is no clear figure overall, but this is a multi-million pound industry, if you ask me to give an guesstimate, we are probably talking somewhere between £250 and £500 million per annum in Northern Ireland in the sort of criminal activity that might ultimately be amenable to some sort of recovery.

Obviously we would never get anywhere near that total, but those are the sorts of scales of crime and duty evasion that is going on.

So how are we going to deal with it? Well, can I say that the assets recovery strategy is not just about my Agency. It is about a partnership of all the different agencies in the public sector and if we look at the specific issues of recovering assets, there are roles that are fundamentally for two groups. First of all we have criminal cases. Where someone is charged with a criminal offence, my Agency cannot become involved. We are debarred from that by the Act and the PSNI or Customs and the Director of Public Prosecutions will attempt to undertake criminal confiscation. That means after the person has been convicted, there will be a confiscation hearing and their assets may then be ordered to be seized by the judge, that is the way the legalisation is framed. But there is then the case where the person cannot be prosecuted or indeed in extremis where a person might even have been acquitted by a criminal court, but have substantial assets and then the Assets Recovery Agency comes into play. We can take two basic routes against the individual, what we call a civil recovery and the second one is taxation.

Now if I can just re-emphasise, there is a clear hierarchy in the Act. If an individual can be prosecuted for a crime, then the Act requires and the guidance from the Secretary of State requires, that this is the route that should be followed. They should be prosecuted and the courts should be asked to confiscate their assets. But if that cannot be done, we can come on to civil recovery and taxation and I will say a little bit about both of those later. The other important point is to think that we are not a criminal justice agency in that sense. We do not investigate individuals, we investigate the money. We have to show for someone to

be referred to us, that they are linked to a crime, but we do not necessarily have to prove that their money is linked to a specific crime. We just have to prove that it has been derived from crime generally and then we can take civil

recovery from them. Indeed, if someone is referred to us and we cannot even link the money to crime, if we can show that they have not been paying tax on an income stream, we can tax them. So our powers in that sense are much wider than the police powers and they are also much wider than the powers available to the courts after someone has been convicted.

How will this process work? Well, quite basically, we will be working in partnership with other agencies and cases will be referred to us by other enforcement groups, for example, PSNI, Her Majesty's Customs & Excise or for example, a serious fraud office. Once we agree to take on a case that meets our criteria that the individual cannot be prosecuted and that it meets the criteria of the agency that they have evidence that they have assets derived from crime, we begin to investigate their assets. We then have two options, civil proceedings or taxation.

Now in civil proceedings we basically do two things. We restrain their assets if we believe they are going to dispose of them. In other words, we can go to court to seek orders to prevent them disposing of, or removing their assets out of the jurisdiction and then on behalf of the state we sue the individual in a civil hearing to the civil standard of proof. At the end of that the court has the power to order their assets to be seized. At different points in that process we can appoint receivers to take control of the assets. We then move into an enforcement stage where we will actively seek to ensure that any orders made by the court are actively pursued and that the assets are recovered. When they are recovered they go into the "Recovered Assets Fund" and after the Treasury takes an initial cut out of that fund, all of the money then is left under the control of an Assets Recovery Committee and is available for crime fighting initiatives nationally within the UK. The basic premise of this is, that a large proportion of these assets are ploughed back into other crime prevention measures and communities.

The other option is, if we do not take civil recovery, we take a tax route. Now tax is not an easy option in this, in that it is sometimes suggested 'ah yes but

they are being allowed to keep their property'. When we decide to do a tax investigation into somebody, typically

we will find they have not paid tax for a number of years. We will go back to the maximum extent that the legalisation allows and we will assess their tax for each year. We will then deliver a tax assessment to them. They have the right of appeal to the Special Commissioners of the Inland Revenue. If the Commissioners find that they have been evading tax, we will then have a further hearing to determine what penalties we levy on them, and those will include substantial amounts of interest on unpaid tax. So very quickly when we going back, say five years on an individual, working out their tax liability each year, and then potentially applying penalties on top of that, we can be penalising people to the extent of two or three years turnover, which in most cases will be sufficient to force that criminal enterprise, or individual, to collapse or become bankrupt. So taxation is not an easy option for the individual concerned, but it is another very effective tool for us to pursue against them.

In doing all of those things as we go along we have a whole raft of new powers. We have the power to apply for orders. We can apply to the courts for orders to restrain assets for example, we can apply to appoint receivers to take over possession of property as an interim measure from an individual. We have enhanced powers to demand information from financial institutions. I mentioned we have the power to restrain assets, and we have the power to put property into receivership at an early stage.

There are a number of protections, because these are quite swingeing powers and there are a number of protections for individuals. There is protection against self-incrimination within the legalisation. There is a clear financial threshold. We will not begin to act against anyone unless we have some evidence or information that they have assets in excess of £10,000 derived from crime. Most of the cases that we deal with will have very much

more than £10,000, so that is very much a bottom level. We will comply fully with the provision of the Human Rights Act, whatever action we take against an individual will have to be necessary and proportionate and comply fully with the Human Rights Act and we will be watching that very carefully. We also anticipate that the agency will, at some stage, be designated under Section 75 of the Northern Ireland Act in terms of the equality principals. We will welcome that and indeed we will be seeking from the outset to apply the provisions of Section 75 and the equality provisions to the work that we do.

There has been a lot said in the media recently, for example, about ARA hitting loyalists, certainly if PSNI refer cases involving loyalists to us we will be delighted to investigate those and where appropriate, to seize and restrain their assets. But we will be seeking to apply this equally and fairly to all sections of the community within our overall drive to reduce crime. So quite clearly we will be operating fairly against everyone.

There are limitations. For example, there is approximately a twelve year limit on the extent we can go back for civil recovery. We will stick very clearly within any legal provisions like that but we will also seek as we move along, to test the legislation. There is also specific provision within the Act where ARA gets something wrong and has behaved improperly that individuals can seek what is called a 'compensation order' from us. We will be trying to avoid creating circumstances where anyone can get one of those, but it is there and it is available to them. There is also the international role. Our investigation powers can be used in response to a request from overseas jurisdictions. The international powers are actually one section of the Act that is not in force yet and we anticipate it will be enacted around June this year. Above all, as part of the legalisation we can restrain the assets at a much earlier stage than is capable under the present legalisation.

So to summarise, basically we have a new strategy which pulls all the partners in the criminal justice system together. Backing that up we have a new agency, my organisation, with a specific role to tackle criminal assets. We have a much more effective regime for the confiscation of the assets of people who are convicted of offences in the courts and then that is backed up by the civil recovery and taxation proceeds.

Now if I could just conclude, this is very much an issue about partnership and particularly I have to say partnership between PSNI and this new agency. If I can finish off with a quote from the American US Deputy and Attorney General, Larry Thompson who said “our strategy is quite straightforward, we aim to put the bad guys in prison and take away their money”. I am afraid it is the job of Hugh Orde to put the bad guys in prison and most of the time it will be my job to take away their money and I have no doubt that working together with that basic ethos behind us we will be quite successful in these issues. Chairman, ladies and gentlemen, thank you very much and I will be happy to answer any questions.

**Chairman, Professor Desmond Rea:**

Suneil Sharma has a question.

**Mr Suneil Sharma:**

Alan, the public have very high expectations of the Assets Recovery Agency and you used a well known phrase ‘partnership’. Are there any formal working protocols already set up, or being set up between the Assets Recovery Agency and PSNI, in what the public expects to be a new, significant and successful partnership?

**Alan McQuillan:**

Absolutely yes. We have held a series of meetings with PSNI and national frameworks are being set up by the Association of Chief Police Officers with the Agency and are due to be finalised very shortly. We have had the

preliminary discussions with PSNI already and we will then have a formal agreement with PSNI sitting in behind that. We have already had a series of meetings with PSNI officers at senior levels and operating level and I anticipate that we will have the first cases handed across to us within the next two weeks and we are actively working on that with PSNI.

**Chairman, Professor Desmond Rea:**

Mr Willie Hay and Mr Ian Paisley Jnr.

**Mr William Hay:**

Mr Chairman, Mr McQuillan thank you for your presentation this morning, I think it is long overdue. My question is relating to assets that are in another jurisdiction and what co-operation there is with the South of Ireland?

**Alan McQuillan:**

*Well, it is early days, but having said that I have met Felix McKenna and the CAB in the Irish Republic. I spoke to Felix yesterday about another case, where there are assets in Northern Ireland which were restrained originally by the authorities in the Irish Republic. There is a tremendous willingness and keenness on both sides to work together on this and there is no doubt that there are criminals on both sides of the border who are exploiting the border for their financial gain and to hide their assets. I have no doubt that we will be working very closely and I detect a very strong sense of co-operation and willingness. Indeed as I have said, I think we have also a lot to learn from CAB and CAB's experience, because very much of that experience influenced the development of the UK act and the UK legislation and my Agency. I have no doubt about the willingness or the ability to co-operate.*

*Chairman, Professor Desmond Rea:*

*Final question to Mr McQuillan, Mr Ian Paisley Jnr.*

*Mr Ian Paisley Jnr:*

*Thank you Mr Chairman and indeed thanks to Alan McQuillan for making this presentation today.*

*Alan, in your first slide you said you want to make it that crime does not pay and in your last slide, put the bad guys in prison and take away their money. Of course your job is made all the more difficult when we have a political philosophy at large that rewards criminals, in fact it puts IRA commanders into ministerial positions and that obviously makes your job all the more difficult at the present time. I am wondering if you could, in relation to the comments you made about fuel and tobacco smuggling, comment on the view that if fuel and tobacco was made less profitable in terms of how it is smuggled, because of the excess duty that seems to be on it, if the government were to reduce duty would that make your job a lot easier and remove the view that they can make profit from smuggling fuel and tobacco?*

*I also want you to comment on the financial threshold that you have set which is £10,000. Benefit financial threshold is currently at about £16,000 so £10,000 is a very high threshold now for a lot of people and I am wondering why you have taken that particular case?*

*Finally, have you set yourself a target in terms of the amount of money that you want to recover within the first year or second year of operation?*

*Mr Alan McQuillan:*

*There are three key points there. If I can deal with the first, I cannot really comment on government policy in relation to taxation, that is a matter for government. Indeed if government were to reduce taxation it would probably make my job in recovering assets*

*harder because there would be fewer criminals about. There is an issue that quite clearly the duty differences make this a very lucrative industry, indeed it is probably much more profitable now and less risky to smuggle tobacco than it is to smuggle cannabis, that is one issue. The government policy on the revenue, there will always be differences in revenue, there will always be differences in subsidy levels*

*in all sorts of payments across jurisdictions that will be exploited. We have seen this over years when duty differences ran the other way on the border, so there will be people who will exploit duty differences no matter what the regime.*

*The threshold of £10,000 was actually set in the legislation, I believe that was part of the debate in the House of Commons in terms of ensuring that we put a floor level on assets that might be recovered because of the human rights issues. £10,000 does seem quite a lot of money, I have to assure you that having had a preliminary look at some of the cases that potentially might come to this agency, £10,000 would not look at them, some of them are in the hundreds of thousands and millions of pounds of assets.*

*Mr Ian Paisley Jnr:*

*At the moment if you are receiving benefit, you will not be challenged if you have up to £16,000 in the bank.*

*Mr Alan McQuillan:*

*What I am saying to you is, that this was set by the House of Commons and certainly many of the cases that we are seeing are far in excess of that and do not forget of course that the £10,000 of assets are accumulated through crime. Sorry Ian, could you repeat the third point.*

*Mr Ian Paisley Jnr:*

*Target.*

*Mr Alan McQuillan:*

*We have to develop a strategic plan for the agency, and that has to be approved by Secretary of State, and there are negotiations going on with the Home Office and ultimately with the NIO on the target levels, so I am not in a position to say what they are at this stage. I would hope that it will be out soon, but it will be a suitably challenging target in our first year and then building up very rapidly thereafter. I have said from the outset that this is going to be a long hard process, some of the people we will be challenging will be able to employ the best lawyers, they will be*

*quite sophisticated in having hidden their money and we are going to have to spend an awful lot of time in the courts over the first 18 months, proving this legislation, overcoming legal challenges and then progressing from there. I anticipate that in the first twelve months, the levels of actual recoveries will be quite low because we will still be in the legal processes, but once the momentum builds up I think we are talking in terms of millions of pounds a year, that is the level we are thinking of.*

*Chairman, Professor Desmond Rea:*

*Before the Board came to this public session, on behalf of the Board I paid tribute and thanked Alan McQuillan for his service to the PSNI as an Assistant Chief Constable, for the great contribution he made over the years to the predecessor body the RUC and on behalf of the Board I made a presentation to him. I am told that the journalists expected that presentation to be made in public and therefore we are going to do it again. Alan, thank you very much indeed and we wish you every success in your new role.*

*Mr Alan McQuillan:*

Thank you very much and can I just say to the Board it was a great pleasure working with you, I enjoyed every moment of my career and I wish you every success.

**Chairman, Professor Desmond Rea:**

Chief Constable.

**Chief Constable, Mr Hugh Orde:**

If I can just give a broad overview of last month's police activities and the headlines I think are quite important. February saw the largest ever seizure of ecstasy in Northern Ireland, 300,000 tablets were recovered in a police operation at Belfast docks. We also made the second largest seizure of heroin ever in Northern Ireland, over a quarter of a kilo which was recovered in Moira. The drug activity over that month, 121 seizures, amounting to some £3million in value and 110 people arrested, so a major effort again against

drugs. We have also seized over £15 million in cigarettes this month and have seized counterfeit goods worth somewhere in the region of £37,000.

In relation to the recent murder of Kieran Kelly which has gathered a lot of publicity, two men have been charged yesterday with his murder. The recent murder in Bangor, one person was charged last night with that particular murder. So a number of recent murders have been cleared up in terms of people already charged.

In terms of car crime, just by way of example, Alan mentioned partnership. A partnership with the Odyssey Centre in East Belfast in relation to car crime has led to the introduction of CCTV and we have reduced car thefts from 22 in December to 19 in January to zero in February. This shows that technology can have a major impact on police effort in investigating crime because we have put some proper technology in place.

A major success against the Continuity IRA in Fermanagh, we have arrested and charged three people in February in relation to a find in that county.

We have also launched 'Safecall' this week, the Chairman was there yesterday and the Code of Ethics is now also in existence. So, a fairly busy month.

If I can just cover, very briefly, road policing. There has been a lot of publicity on road policing this month, it was our response to an unacceptable level of fatalities in Northern Ireland. If you take the Northern Ireland figures out of the European figures we would have an accident rate and a death rate that is higher than the French, who were the worst. A major operation lead by ACC McCausland, 'Operation Viper' only operated over six days, two Fridays and Saturdays and a Thursday and a Friday and was clearly targeted on the main causes of fatalities, which are speed, drink driving and seat belts. We detected in that short period of time nearly 2,000 people for speeding, 156 people were arrested and charged for drinking and driving, 600 people were

breathalysed that were not positive, 217 detections were made for careless driving, of which 15 were for dangerous driving and over 1,000 people were not wearing their seat belts. In addition, we arrested 24 people for stealing cars. We identified 154 people without insurance and 21 people for disqualified driving. It is worth noting those people could not be arrested because I have no power of arrest for disqualified driving. As a sole result of that operation 800 or 900 people will be going to court, 2,000 people were given fixed penalties, but importantly 2,600 were given advice and guidance.

and warnings and hopefully they will benefit from those rather than going to court. I think that shows a major commitment on our side in relation to something that is causing increasing concern in the province.

**Chairman, Professor Desmond Rea:**

Thank you very much. Alan McFarland has a question relating to historical crime investigations.

**Mr Alan McFarland:**

There are concerns that retrospective investigations may be a waste of police time and that investigations by others into past, alleged police offences may lead to a one sided truth commission. I wonder would you care to expand on your recent comments on historical crime investigation?

**Chief Constable, Mr Hugh Orde:**

The comments I made were to try and get a debate going from a police perspective. It is a simple matter of figures. This Board is very well aware of the lack of detectives I currently have and whilst we recruited 200 new detectives we still have to train them before they become fully qualified and experienced to deal with the major crime we are expected to deal with. I have to balance the resources I have to deal with current crimes and preventing future crimes, with the increasing demands to look at crimes that go way back into history. The point I made, was simply as an investigator, the older the

crime the more difficult it is to solve. There are over 2,700 unsolved murders in Northern Ireland going back to 1969. On an almost weekly basis we get demands from various firms of solicitors that we re-investigate unsolved murders from the past, in compliance with Article 2, as an effective and efficient investigation. At a more organised level, there are a number of the more horrific outrages of the past, where groups are asking us to re-investigate, be it Claudy, La Mon or any of the other ones. At an organisational level I have two large independent external inquiries currently running and at the governmental level you have a judge, currently Peter Corry, being asked to look at six investigations with a view to some further activity. So, simply the point I was making was police investigations, whilst one valid

tactic, they are not likely to bring closure or satisfaction to those who are victims of these appalling crimes. I was trying to generate some interest in a sensible debate around how else can one draw some of these other cases to a conclusion without continually putting pressure on my people to investigate crimes, where frankly there is very little chance of an evidential success.

**Mr Sammy Wilson:**

Chief Constable, you are going to give us an answer on the cost on the two current investigations, one which you were involved in before you actually took up your current position and we will look forward to finding just exactly how much it is costing the police to run both the Stevens and the Port Inquiry. Many of us welcome the fact that you did publicly bring a few home truths to people who had demanded the very expensive inquiry in Londonderry and I know you got a bit of flak for it, but I think that it was useful that some reality was injected into the debate.

I notice in your report today, you have indicated to us that armed robberies are up to 580 or over 12 per week, that 312 persons have been charged with

terrorist offences, that the recovery of firearms is up by over 25% and that 17 police officers have been subjected to gun attacks. I just wonder when you visited the SDLP conference at the weekend, whether you brought these facts home to the SDLP, just to pour a bit of reality onto the demands which they are making for a police service which does not have the ability to defend itself by carrying firearms and what response there would have been to that?

The other question I wanted to ask was in relation to your announcement this week about a reporting mechanism for police officers who you believe may have been guilty of wrong doing. Could you tell us in relation to where other forces have used that, the percentage of calls or reports that were at the end found to have absolutely no substance at all, or indeed were malicious. Do you see a danger in malicious reports being made against officers and perhaps their careers being put in jeopardy as a result?

**Chief Constable, Mr Hugh Orde:**

If I deal firstly with the armed police. I have no plan to disarm the Police Service. It was not raised at that conference and it was not raised at the meeting I went to a little time

before in Ballyclare with the UUP. Officers are armed for their own personal protection, obviously and to protect members of the community and that will remain the same. In terms of the availability of firearms here, this is a violent society, you have commented on the availability of firearms in armed robberies and someone made the point earlier that 17% of all armed robberies in the UK are committed here. Unless there is a fundamental shift in the reality out there then the likelihood of our officers becoming less armed in the current situation is not the case. You will also be aware, because the Board has been informed, that we are making sure our officers have the right equipment to do the job, be it firearms, or CS spray or water cannon, so we have a range of equipment available to deal with the situations I expect my officers to deal with.

In relation to Safecall, all we are doing is coming into line with HMIC best practice, a number of forces have very similar systems, although they are not outsourced they tend to be run internally. I cannot give you in terms of the figures, I do not think they are made available. What I can assure you is the people dealing with our facility Safecall are all ex detectives, they are trained in identifying or certainly asking for corroboration, making sure that the calls are genuine, and no way would an officer be jeopardised because all this provides is the raw material for an investigation, it is not taken at face value. These calls will then be looked at to see if there is something that causes concern and if there is a cause of concern we will deal with it. I think there was a point made by one of the Board Members in the press, no one wants a police officer that lets the side down, that includes the vast majority of police officers that I referred to in the press who do a very good job every day. This just gives them an opportunity if they do not feel able to bring something to the attention of their senior officers, they can bring it to the attention of somebody, so they can have something done about it.

**Chairman, Professor Desmond Rea:**

Mr Sam Foster has a question relating to the police band.

**Mr Foster:**

Thank you, Chairman. This is a statement plus a plea if you like Chief Constable, it is about the police band and I can assure you that calls have come to me from across the

province which express great concern about the intent to dispense with the police band.

You were quite adamant it appeared at the last Board meeting (**tape unclear**). I request that you reconsider this decision that has caused extraordinary upset to so many thousands of people in the community. The band as you have heard before played at so many functions each year. It was a real friendly face and it played at solemn and lonely occasions and joyous and formal occasions. It brought the police

to the people and the people to the police, which is all important towards good community relations. I suggest there will be retrograde steps should you go ahead with your aim, and I do not think you are a retrograde thinker. I consider you are a real professional police officer who can assess the situation, then make a considered decision. In this instance I consider you have made an ill-considered decision, the reason given you need the personnel power. As I understand, the gain is very limited, it is paltry, as opposed to the loss of a truly great public relations presentation which will have gone for no good reason and is not in keeping with your acknowledged, effective thinking and decision making. I ask you Chief Constable to please think again, you are making a costly mistake, what you are doing is so offensive to those who respect your wisdom and professionalism. They now feel insulted and let down because of your insensitivity in this matter. I do appeal to you sir, to rethink your decision.

**Chief Constable, Mr Hugh Orde:**

It was not intended to be offensive and it certainly was not a personal decision, it was a decision made by my senior management team in the face of, firstly the financial reality and then the priorities of the Police Service of Northern Ireland. No-one has criticised what the band did. The band did exactly what it was asked to do over many years and gave very good service, but the harsh facts and the reality are whilst it may only be 31 officers that is part of a rationalisation of all sorts of headquarters departments. It was £1.2-£1.3 million per year in running costs, which in harsh and brutal financial terms equated to about £10,000 per concert which is the sort of money that unfortunately we cannot afford.

I regret losing something that is held in such high esteem by some parts of the community. I have received a lot of letters, the vast majority which would be asking me to re-consider, although a small minority of those support the decision.

I have no intention of reassessing the decision, because I think it was made properly. It was made after a lot of careful thought. It was not the end game,

the offer from the word go was to form an association. In fact we have recently put out a message to all the Service asking for people, be they members of the current band or those who would be interested in forming a police band to contact ACC McCausland with a view to seeing if we can start a voluntary band. If that was the case it would be under the auspices of the Athletic Association and we would make sure not only all the instruments and the vehicles were donated to that institution so that it could still run, but we would also be prepared to make a contribution to ensure it could run. So to some extent the destiny of the band is in the hand of those who may be interested in continuing it, with the support of senior management.

It is worth noting that we were the only band left in policing, we have been the only full-time police band for many years. Nearly every police service has had to go down this line because it has realised that whilst it is a nice thing to have, it is not an essential thing to have and even recognising the differences of Northern Ireland it is something we cannot afford to have.

**Chairman, Professor Desmond Rea:**

Can I bring this session to a close and thank everyone for attending.