

NORTHERN IRELAND POLICING BOARD

MINUTES OF A MEETING OF THE NORTHERN IRELAND POLICING BOARD HELD ON THURSDAY, 6 SEPTEMBER 2007 AT 9:30AM IN WATERSIDE TOWER, BELFAST

PRESENT:

MEMBERS:

Professor Sir Desmond Rea (Chairman)
Mr Barry Gilligan (Vice Chairman)
Ms Martina Anderson
Mr Tom Buchanan
Mr Leslie Cree
Rt Hon Jeffrey Donaldson
Mrs Dolores Kelly
Mr Alex Maskey
Mr Basil McCrea
Mr Daithí McKay
Ms Mary McKee
Mr Gearóid Ó hEára
Mr Brian Rea
Mr Trevor Ringland
Mr David Rose
Mr Suneil Sharma
Mr Peter Weir

POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:

Sir Hugh Orde (Chief Constable)
Mr Paul Leighton (Deputy Chief Constable)
Mr Alistair Finlay (ACC Crime Support)
Mrs Judith Gillespie (ACC Rural Region)
Mr Drew Harris (ACC Criminal Justice)
Mr Peter Sheridan (ACC Crime Operations)
Ms Sinead McSweeney (Director of Media
and Communications)
Mr Joe Stewart (Director of Human
Resources)
Ms Donna Scott, (Legal Adviser)
C/Superintendent, Bill Woodside (Urban
Region)
Chief Inspector, Command Secretariat
4 PSNI personnel

**OFFICIALS IN
ATTENDANCE:**

Mr Trevor Reaney (Chief Executive)
Dr Debbie Donnelly (Deputy Chief Executive)
Mr Sam Hagen (Director of Corporate
Services)
Mr David Wilson (Director of Planning)
Mrs Sinead Simpson (Director of Policy)
1 Board Official

Chairman, Professor Sir Desmond Rea:

Good morning Chief Constable, senior colleagues, members of the public and the media, and welcome to this meeting in public of the Northern Ireland Policing Board.

Since our last meeting in June 2007, there have been a series of events which are of concern to the community and this Board and I am hoping Chief Constable that you will address some of the issues that have transpired in that period. First, the police follow-up following the serious public disorder in Bangor on the 1 August 2007 when police came under violent attack and your assessment of the causes of the rioting that took place. It is fortunate that there were no serious injuries and if you could also update the Board on follow-up investigations following a stand-off in Castlemara Estate in Carrickfergus, when an officer was shot in the back. This Board trusts that he is now on the road to recovery.

Secondly, following the barbaric tar and feathering of a man in Taughmonagh, it was reported that the community believed the police failed to respond to complaints about drug dealers in order to protect informers. Can you update on police investigations into this incident and the claims made. This type of vigilancy policing is not acceptable in this society.

I refer also to the Spotlight programme on dog fighting which was shocking and of concern right across the community. Could you outline the PSNI's position in relation to dealing with this issue and investigations arising from the programme.

I was particularly interested in media reports about the police response and follow-up to an incident in Benone Beach where a couple's car was vandalised in what was a pretty horrific attack. If you could brief the Board on the police response to incidents of this nature and the process for keeping victims informed.

The latest report on police performance for the year to date against the target outlined in the Policing Plan is also due to be presented today. The problems of anti social behaviour are of serious concern to the community and how the police are responding to and working with the community to deal with this type of crime. Police action and interaction with the community in dealing with incidents and solving problems is critical to building public confidence.

Over to you Chief Constable.

Chief Constable, Sir Hugh Orde:

Thank you Chairman, a number of things. It has been some time since the Board has met and I will try and address some of the matters that you have raised in my opening statement. But as you rightly point out, we also performance to deal with today and I will then move on to that.

In terms of the disorder in the Kilcooley Estate, I was very clear at the time and I am happy to repeat it now, this was created by the UDA. In our judgement it was a response to perfectly lawful law enforcement and a very clear message has been sent by officers that they will not tolerate criminality. Searches were being undertaken, people who were inconvenienced by those searches then decided to mobilise and we saw some very serious disorder. I actually was down there myself and spoke to some of the officers. It was extremely violent, the level of violence was at the top end, very high order, we believe 7 shots were fired by 2 gunmen. I saw the vehicles myself. At the height of the trouble a large number of TSG officers were deployed in full riot gear and had to self deploy the use of AEP, 6 AEPs were fired because the crowd were seen as so dangerous and the situation was, without doubt, life threatening to my officers and I have an absolute responsibility to make sure they have the right equipment to protect themselves in such situations.

We did some press the following day where we put the vehicles on display and let us be absolutely clear about this, it was a very serious event which is now subject to a major police investigation. I commend the actions of my officers on the day in managing to maintain order and get it back to normality fairly quickly. I think the other interesting thing was the kickback from the local community that made it absolutely clear they do not support this sort of behaviour and I am pleased to report that it was nipped in the bud in that sense. I was actually on the Kilcooley Estate a few months before at a DPP meeting, which I thought was one of the most positive and constructive DPP meetings I have been to, where local community officers and the real community of Kilcooley were working together to reduce crime and indeed to make the area even better than it currently is, so that was the Kilcooley Estate.

You talked about dog fighting, the Spotlight programme has raised a reasonable amount of interest. It originates from an incident in January 2007 where council officers with our support, the council of course is responsible for enforcing dangerous dog legislation, seized 27 dangerous dogs which were of course later destroyed. The Spotlight programme itself, whilst they referred to Northern Ireland, none of that footage is from Northern Ireland, it is from Finland and I have no jurisdiction I am delighted to say in Finland, and indeed the Republic of Ireland, but we have a major investigation going on into dog fighting. I can report that some activity is actually taking place this morning, again working in collaboration with the council who lead on this particular matter.

The tarring and feathering you referred to, I think it would be right to say that we saw this as local action rather than organised action by any paramilitary group. The allegations about drugs, well the message is very clear, if people have information about drugs tell my Drugs Squad, tell any of my officers and we will deal with it. This is, as you rightly say, completely unacceptable behaviour, it has been an isolated incident. I think it was seen as so stark because it is a throwback to times many years ago. This is an incident that we have not seen this sort of behaviour for some time. No victim has been positively identified despite what you may have read in the press and we certainly have had no complaint from anybody and the investigation does continue.

You refer to drugs, just by way of an update really, in July 2007 a number of Drugs Squad operations. On the 17 July 2007 they conducted a search in Belfast recovering 10 kilos of herbal cannabis and a major arrest of a major supplier. Another operation recovered street cannabis to the value of £100,000 and a stop in Antrim resulted in the seizure of cash and ecstasy in relation to another drugs operation. It is not just my Drugs Squad, District Commanders also take drugs very seriously. An operation on 30 June 2007 just before July obviously, the Drugs Squad supported the local district in a major operation arresting 4 people for supplying Class A drugs, namely ecstasy, it is something we take very seriously but the message is clear, if people have information about drugs tell us and we will deal with it, working together we can deal with that matter.

You referred to the beach incident. All I can really say in fairness Chairman is that it is an ongoing investigation. Whilst there was some confusion due to the lack of precision as to where this event had taken place, the response was slower than it would have been if we had known where we were being asked to go to. Some substantial work has gone on, efforts to trace the vehicles involved etc and that matter continues.

Chairman, there was one matter you did not raise in your opening remarks, but I have had several questions on, which was a report in the Belfast Telegraph on the 24 August 2007, suggesting that we had “stabbed our officers in the back” was the headline suggesting that we were failing to issue them with the proper protective equipment which of course they need in some circumstances, this is anti stab body armour. The report contained numerous serious fact inaccuracies. It suggested that 7 out of 10 of my officers or 11,000 officers, this is the Belfast Telegraph figures, had not yet received a protective vest. This was based on their interpretation that my strength currently is 16,000 police officers. Members will be aware we have never had 16,000 even at the height of the Troubles it never reached more than 13,000. The correct figures for Members information are that the combined Regular Full-Time and Part-Time officers strength for this organisation is just under 9,000. Of those nearly 6,500 have been measured for their vest, they have to be personally fitted and over 5,400 have received them, the vast majority being targeted at the officers who need them most. Officers in offices are not getting them, we are making sure they go to the right people. We have delivered that in 21 months, we thought this would take us 3 years simply to get the supplies in to give the officers.

We did get a correction from the Telegraph on the Saturday, they repeated the story on Monday, they had to correct that on Tuesday. We will be pursuing this further but the message to my officers is very clear, I take their personal safety extremely seriously and I know the Board does too and we will be taking that further.

Chairman, I hope that has dealt with some of the issues. I know the questions will hopefully cover some of the other matters.

Chairman, Professor Sir Desmond Rea:

Do you mind if we take some supplementaries on that opening part and then we can come to the performance.

Chief Constable, Sir Hugh Orde:

Not at all.

Chairman, Professor Sir Desmond Rea:

Peter Weir.

Mr Peter Weir:

Thank you Chief Constable. As you are aware I did have a question on the disgraceful situation in Kilcooley and as you say, rightly so the vast majority of local people wanted nothing to do with it and indeed condemned it. It is an estate which has improved greatly over the last number of years and obviously, unfortunately, there are some people who are keen to drag it back. I appreciate you have covered most of my question in your answer but I just wonder if you would comment further on the extent to which you believe that the violence which was perpetrated against your officers was premeditated and organised, if there are any further comments you can make on that.

Chief Constable, Sir Hugh Orde:

I am very clear. This was a kickback by criminals, it was a concerted effort to mobilise people to attack officers in response to what we were doing which is what police officers do. The other point, just to reassure Members, the operation was planned in 2 phases, phased 2 was post the riot. We continued with that, other searches were carried out, and we sent a very clear message that we would not be put off our task if people think that is what their objective was to achieve. No, this was organised without

a shadow of a doubt. I think the good news in it is as you rightly point out, the response of the over whelming majority of that community was that they did not want that sort of behaviour, they have worked very closely with our community officers who indeed patrol that estate singly, and have worked very closely with the local community representatives.

Chairman, Professor Sir Desmond Rea:

Trevor Ringland.

Mr Trevor Ringland:

Following on from that and being involved in various discussions with loyalist over the past number of years, I am aware that those that do want to move forward in this society want criminality dealt with and I am pleased to hear that this did come on the back of actually enforcing criminality and I am sure that is going to continue.

Chairman, Professor Sir Desmond Rea:

David Rose.

Mr David Rose:

Chief Constable, on the issue of Bangor I have really got 2 questions here. First of all, in discussions I have had with people from the area, there was 3 key principles that emerged which were, there should be no 'no go' areas anywhere in Northern Ireland for policing, that all communities need policing and that police have to do their job. Now there are some questions that have arisen relating to the size of the operation but I am not going to bring those forward at the moment because I think that policing has to be judged by outcomes and to ask you questions before with taking the full process forward would not be correct at this point.

My first question is, are you confident that there will be some outcomes i.e through the courts etc and the second question relates to your comment about "that it was nipped in the bud" the next day and I think a key reason why it was nipped in the bud was the use of language by the police around this. The word loyalist was not used once that I was aware of. The public and everyone within the area was made exactly aware that it was an operation against crime and who it was directed at. By not using the word loyalist, which can be a catch all term it liberated and that word has been chosen and I have

been asked to use it, it liberated many people the next day to get on with the work of restoring calm to the area and also voicing the opinion that the police have to be supported in their aims. The questions therefore which may arise relate to the size and not to the aim that was stated by the police. So the question there is, is this use of language and especially the use of the word loyalist going to be considered and when does a loyalist become a criminal, whenever they break the law, they stop being a loyalist.

Chief Constable, Sir Hugh Orde:

I think we focused on the sheer criminality of the activity and I think that was the right thing to do, but I also think it is right and we have done it before. If we believe that a paramilitary organised has been involved in something and it is appropriate and it is operationally necessary I will make that point. The actual operation was in relation to drug trafficking and money laundering, a number of people had been arrested as a result of the operation and money and drugs have been recovered so the event is ongoing.

Chairman, Professor Sir Desmond Rea:

Gerry Ó hEára.

Mr Gearóid Ó hEára:

I just want to say the answer around the whole Benone Beach incident I do not find very satisfactory. The incident happened over 4 weeks ago. The lady in question was on local radio saying that she had phoned 6 days in a row to the Strand Road barracks in Derry asking what was happening and that she never got a reply from the Strand Road barracks and in fact, it was Limavady phoned her to explain that there had been a communications breakdown. She also said on local radio that she had reported the location and Benone Beach is a fairly distinct location and that she had given the number of the car involved. So, I would just like to say that the implications for this are more than just an incident of harassment and intimidation on a beach. You had people in a Donegal registered car and at a time when tourism figures are rising, when people from the South are coming across the border in more and more numbers as they see a society moving into normality, that incidents like this actually have a major economic and tourism detriment in the area. I do not think it was taken seriously on any level and I am puzzled as when someone gives the make and registration of a car that people

can come back and you are sitting here almost 6 weeks later saying, the investigation continues. There is a feeling that in other circumstances people would be at the door the next morning with that level of information. So I do not think it is satisfactory and I would like to know what steps you are going to take to actually nail this down.

Chief Constable, Sir Hugh Orde:

It is the first time I have been asked the question, hence the 6 week delay Chairman. As I said in the private session, if Members have a concern I would be delighted for them to ring up my District Commanders at any stage to get a full update and a full explanation of what has gone on rather than having to rely on the media and that offer stands at this point, but I will ask ACC Gillespie to give more detail, I am happy to do that.

Assistant Chief Constable, Mrs Judith Gillespie:

Thank you. The incident actually occurred on Downhill Beach so when we actually spoke to the victim and established exactly where it happened, it was Downhill Beach and not Benone Beach, hence the confusion.

It was not reported immediately at the time but arrangements were made as soon as possible to speak to the victim at Strand Road police station.

A partial VRM and make was given and we did check up 20 vehicles that met the description that was given but unfortunately, to date, none of them originated from the area and that enquiry has drawn a blank as yet. It is being dealt with as a hate crime, under our Hate Crime Policy there will be a review by a Chief Inspector and all of the steps under the Hate Crime Policy will be followed as a sectarian crime.

You are right to point to the fact that this has an impact on tourism. We are very aware of that, there have been a number of incidents like this directed against other tourists. If you remember the incident involving the camper van in South Armagh which was dealt with very seriously and which very quickly had follow-up arrests. So, we do take this issue very seriously, but the confusion at the scene was the location of the incident which is nobody's fault, it was just confusion at the scene.

Chairman, Professor Sir Desmond Rea:

One issue that was raised earlier this morning Chief Constable, related to the publicity in recent weeks in respect of the HET (Historical Enquiries Team) and in particular, in respect of the financing of the HET. Would you comment on that, the person leading the HET Team did make certain statements.

Chief Constable, Sir Hugh Orde:

The HET is very important to us and I think it is very important to those who are benefiting from its services and I hope the statements I have made reassure those people that we are determined to ensure the HET runs to its logical conclusion and that we will fund it regardless of any debates about where the money specifically comes from. I met with the Minister yesterday. with Alistair Finlay my ACC Crime Support, and I am happy to report that we had a conversation around the funding to date and we are happy that we have that money, but more importantly, the money is secured to ensure the future of the HET is safe.

In terms of the accountment, the movements of money, as you are fully aware we have a somewhat complicated police budget, it is unique in the United Kingdom, it is a Treasury budget and in terms of money moving between different parts of that and the NIO and ourselves and being given up and taken back etc it does make it a bit confusing. I am clear that I have the money to deliver what I have been asked to deliver and I have the support of the Minister and that was clarified as recently as yesterday.

Chairman, Professor Sir Desmond Rea:

Alex Maskey.

Mr Alex Maskey:

Thank you Chairman, thank you Chief Constable for that response. The response is what actually concerns me and it follows on from some of the media commentary over the last number of weeks. Obviously this is a very very important issue and a lot of families would be relying on the work of the HET, some maybe do not but many do and therefore it is an important initiative. At the same token and what concerns me is that I am very confused about the budget. There would necessarily be quite a considerable amount of money involved and I do not see a budget line within your budget which has

been approved and processed and when I hear yourself and I understand your intentions behind this, when I hear yourself saying you will find the money and you will pay for it, I am concerned because there are huge policing demands across the spectrum in every area. So, when we are making a statement when we say we will just pay for it, that is good, but can we then say the same thing for delivering policing in the community or sorting out the drug problems or whatever, so I am very concerned about the budget and that is what I wanted to raise.

Chief Constable, Sir Hugh Orde:

The budget is now secure and separate from the budget that we have to run day to day policing. The debate that went on during August 2007 was the fact that the organisation, as any public sector, has a responsibility to deliver value for money and we managed to spend less than we had predicted in the last financial year. Therefore, reading through expediency, the underspend in our routine police budget was used to pay for the Historic Enquiry Team rather than I give money back to Treasury when Treasury re-issue the money to me under a different heading, that is where the confusion lies.

My view, I am at one on the view of this, my vision was when we started it a completely ring fenced, separate, independent £32 million which we drewdown on an annual basis to fund that scheme, that is what my expectation was and that is really what we thought we had achieved. So an accounting trick is the wrong description, but it was around savings and efficiencies then being recycled in a pragmatic way rather than in a way that was completely transparent and credited the organisation for saving money in operational policing terms and recognised the importance of the HET through siphoning it in through a different system. I do not know if ACC Finlay can add any more to that.

Assistant Chief Constable, Mr Alistair Finlay:

Thank you. We have had very positive meetings with NIO officials. There was confusion about last year's budget and where that actually came from and how it was accounted for and that is down to accounting practices it would appear. However, it is quite clear what budget we have for the current financial year and we have engaged in a process with the NIO around future meetings which will identify funding needs for forthcoming years so this ambiguity does not arise again in the future.

Chairman, Professor Sir Desmond Rea:

Dolores Kelly.

Mrs Dolores Kelly:

Chairman, I understood that the HET funding was as a result of a promise made by the British Government to victims and was not a core part of the policing budget and the £32 million was promised by the Government so therefore, the Chief Constable did not have to in a sense, put that efficiency money other than the British Government failed to live up to their promises to victims this year. Chairman, my question also was in relation to the proposed Review of HET given that as yet we have yet to see a copy of the Terms of Reference for that Review, has that Review of Terms of Reference been shared by the Chief Constable and if so, does he have any concerns about that.

Chief Constable, Sir Hugh Orde:

I will ask ACC Finlay to do the detail. In broad terms, the money is public money and I think, together with the Board over the last 5 years, we have shown we can deliver efficiencies and effectiveness without cutting service which is what we should rightly do and if we save money, then it is quite right that that money goes back into the public purse because it is the public that has given it to us in the first place. I think we have solved the confusion and I can guarantee that I am absolutely confident that the Minister will make sure we get the money in the way we predicated in the future.

It is not a Review, it would be very hard to review something that is unique frankly and the HET is unique and that is why it is so important to us. But if ACC Finlay wants to touch on what I think he calls a stocktake, I am happy to do that.

Assistant Chief Constable, Mr Alistair Finlay:

The proposed stocktake around the HET is just a group of meetings which will also involve the other agencies who contribute to the whole HET process, the Forensic Science Service and the Prosecution Service and also the Office of the Police Ombudsman. It is an opportunity to just look and see where we are with the progress of the funding and take that forward from there. The Terms of Reference have yet to be agreed and once they are agreed with the Northern Ireland Office, I am sure there will be no difficulty with sharing those with the Board.

Chairman, Professor Sir Desmond Rea:

Thank you very much for those answers in respect of your opening statement Chief Constable, now if you could move to the tackling crime performance.

Chief Constable, Sir Hugh Orde:

Thank you Chairman. I will go through the slides first and if there are any particular questions I will be happy to take them.

Overall Chairman this slide shows a 5 year crime trend and as you can see, the trend continues downwards, compared to the same period last year our crime is down by 15.7% and that is a substantial drop in crime. That equates to over 8,300 less crimes than we had in the comparative time last year.

As you are aware Chairman, I did raise briefly with the Board last time, we have had to introduce a completely new crime reporting system on the 1 April 2007 and I have asked for and got an independent audit on all crime reporting to make sure that the drop in crime was a real drop in crime and it was not some problem of a new crime reporting system where something perhaps had gone wrong or some stats had disappeared into the ether. We employed people whose business is checking crime records across the country, completely independent of us. They checked 1,000 crimes from start to finish. That is from the initial call into the control room to trace that call to make sure did we actually end up with a crime when a member of the public rang up with a crime, I am happy to report that his findings are that nothing has gone missing in the system and that the statistics accurately reflect the calls that we have been receiving and that is important. In fact what he said was, in terms of accuracy levels, if this was a force in the United Kingdom, our grading would have been excellent in terms of making sure stuff goes on the system, so I am pleased to report that the overall crime drop we think is one that is real and not a glitch in statistics in any way shape or form.

I have discussed some of the other findings of this review with my District Commanders yesterday, what we have found with the new system is that some specific crime categories are being missed because it is a different way of recording. So, where our concerns lie currently are, we are not capturing frankly all domestic violence incidents as domestic violence incidents they are being recorded as violent crime but they are not

being flagged additionally so we get an accurate picture, and likewise with hate crime. That is retrievable during this reporting year and I hope to report to the Board next year more accurate figures on those. The crimes are captured, it is the sub-division of the crimes where there are still some teething problems with the system.

Our next peak will be Halloween. We had a meeting as I said yesterday to discuss police action to prepare for that period to make sure that we can get ahead of the game.

In terms of comparisons with other forces, our comparative group of other forces which Members will be used to seeing, our overall crime drop is higher than most forces or all other forces in our comparative group although what we are seeing is a downward trend across the United Kingdom in terms of reported crime. We have the lowest recorded crime rate next to the Northumbria.

The area I am far more concerned about is the area to the right of the picture which is our clearance rates where you see we are at the bottom of the comparative group, our clearance rate currently being 16.2%, it should be above 20% in my judgement and we should be aiming and aspiring to achieve a clearance rate closer to our comparator forces

I think there are a number of reasons for that and again which was the focus for our performance meeting yesterday, certainly we are doing far more work now on forensic recovery and far more investment in crime scenes and converting fingerprints and DNA recovery into arrests and convictions. I think there is more work to do there and in discussion with my Deputy Chief Constable we are looking at inviting colleagues from other forces which are doing very well on this to make sure we are not missing any best practice. Some districts have now set up what they call Converter Teams which specialise in turning round quickly fingerprints and DNA samples into proactive operations and the rest. There are some outstanding examples of fingerprints being identified within 3 or 4 working days, going to the district where arrests are made the following day and in a recent case, as a result of such quick action, property was found at the suspect's house in relation to a number of burglaries that he had committed. So we know it can be done.

The other area I have asked my District Commanders to deal with as a matter of urgency, is to meet with PPS (Public Prosecution Service) representatives to ensure we are getting as quickly as possible, the clear-ups, the authorisation for clear-ups for files which are being processed through the system. I think again there are quite a number of clear-ups which we should be benefiting from but have not gone through the system yet and we need to make sure we are not missing those.

The only difference where we would expect to be below most forces is we do not have legislation allowing the issue of fixed penalty tickets. Most forces issue fixed penalty tickets for minor crime and that contributes somewhere between 3% and 6% of their clear-up rate. Of course it also increases potentially your crime rate but we do not have that legislation available to our officers in Northern Ireland.

Moving on to burglary, I am pleased to report again this is a 10.4% reduction on the same time last year and that equates to 300 fewer victims of crime. The areas which our analysis has thrown up as areas for concern, the burglary of vacant or unsecured premises. The number of burglaries where access is gained through open doors and windows in some districts is as high as 22% and that is preventable. We are organising a major advertising campaign to try and remind people that together we can actually reduce this substantially simply by making sure people secure their properties whether they are in them or out them. We have also seen a rise in creeper burglaries and likewise these are where car keys are left close to front doors which are then broken into and the cars stolen and again a major crime prevention initiative around encouraging people to (a) keep their keys safe and (b) the number of high value vehicles left outside empty garages is quite substantial and again, getting the public and us to work together to try and reduce those crimes. There have been some significant arrests in relation to creeper burglaries in the recent past but more work again to be done but the bottom line is, domestic burglary I am pleased to report is down.

Likewise is criminal damage, again trying to look at how can we explain is, I do think the work around the marching season from communities and police working together had a substantial impact. Of course we have had a very peaceful marching season, and as a consequence of that, I think that is reflected in these figures and does in some way explain what has been going on.

We have also had an Anti Social Behaviour Conference recently and very much looking at how we can control peoples' behaviour through the use of acceptable behaviour contracts, Anti Social Behaviour Orders where appropriate and warning letters to try again to reduce that but I think that is a good result for us on the criminal damage. Criminal damage is one of our major crimes and if we can reduce criminal damage we can more than likely deliver on our overall targets.

In terms of specific operations, a number have gone on across the districts, just to pick a couple out. Safe Summer in 'H' district to reduce anti social behaviour, what does that mean in practical terms. Again very much joint patrols, other agencies including DPP members and council enforcement officers and extra resources being deployed in areas where they have identified anti social behaviour and criminal damage. Support from our colleagues in TSG and Roads Policing. Brighter Nights in Ballycastle, deployment of rangers on the front, improved lighting on the seafront and Night Time Economy initiatives we think have contributed to that and indeed, Youth Diversion projects have been equally important. As I have said, the next stage really is to tackle the illegal supply of fireworks as we built up to Halloween to prevent that peak as best we can.

In terms of violent crimes against children, this was another category where I think it is right to caution against the reduction. The new crime reporting system, if a specific date of birth is not put in the right box we could miss some. We do think the trend is down, I do not think it is down as we are showing there by over 28%, I think we need to have a caution around that, that having been said this category covers all crime ranging from the most minor to the most serious but again I will be able to update you in more detail hopefully in the near future when we have double checked all those figures.

In terms of violent crime, we these we can stand over with confidence and again a substantial reduction to date. The most substantial reduction has been in robberies which are down 28% - 448 this year compared to 629 last year. Substantial effort has been put in at the top end of the robberies working with the cash in transit companies and providing as much support as we can through out joint control centre to make sure they are protected when they make their deliveries, that has had a major effect on the number that were taking place in Northern Ireland. Again, the Get Home Safe and all

those sort of initiatives which I have just described briefly we think have contributed to the night time disorder which of course still goes on but is at a lower level.

Finally, in terms of the targets, the bail and custody targets we had, I am pleased to report, the original targets which were around processing bail and custody have both been hit. The targets are 87% this year and not 85%, we are processing 95% of both custody and bail within the target time, that has been a long haul but we are now consistently delivering on that target.

In terms of the 2 new targets, I am pleased to report that we have achieved one which I thought was going to be a real difficulty and we are getting close to the other one. There is more work to do but again, getting the stuff into the system so that our colleagues in the PPS can take them forward is important and is something that we do take very seriously. I think we need to keep pushing that one as I do think the summary reported cases next year we need to aspire to a higher target, but for the first year I think bearing in mind all the other changes in place, we are getting to a place which is bordering on acceptable.

Chairman, those are the overall figures, if Members would like to ask me questions on anything specific we will do our best to answer them.

Chairman, Professor Sir Desmond Rea:

Could I say first of all, on behalf of the Board that there are some very good figures in this report today and we congratulate you and your officers on those figures. I am not sure that the slides always do justice to the figures you presented today so maybe we should be thinking about improving the slides.

In terms of questions, question 3, Vice Chairman of the Board, Barry Gilligan.

Vice Chairman, Mr Barry Gilligan:

Thank you Chief Constable for that report. At the outset you expressed concern about clearance rates particularly when compared to most similar forces, and that is a concern that is shared by the Board obviously, and specifically could you talk about the sanction clearance rates for sectarian and homophobic crimes. They are not on target

and could you give us some idea of some additional measures you are going to put in place to get those back on target.

Chief Constable, Sir Hugh Orde:

I will ask ACC Harris to deal with that. Just to clarify and to make sure I have not mislaid the Board in any way on the figures I have put up in terms of those particular sorts of crimes, or the point I made about those crimes. Just because the box has not been ticked on the computer does not mean the officers are not investigating in the right way as domestic violence or hate crime, it is simply a recording mistake, it is not a mistake that means someone who is a victim of domestic violence is not getting the domestic violence response, it means we are not capturing all of it. But I will ask ACC Harris to deal with the detail.

Assistant Chief Constable, Mr Drew Harris:

Particularly in respect of hate crime, all hate crime we take very seriously and we have applied the principles of the Volume Crime Management Model to that and that is around making sure that our investigations look at all the evidential opportunities that are open to us. Those would be forensic, the identification of patterns, so matching up of crimes with other hate incidents and to make sure that we are getting all the possibilities for identifying offenders and developing information and intelligence strategies in terms of obtaining information from the public which may identify offenders.

All hate crime incidents are reviewed by a Chief Inspector at 28 days, and at that stage all enquiries which can be conducted should have been put in place or at least the action started and a Chief Inspector will review that all possible actions have been taken.

At both DCU level and Headquarters level there is numerous initiatives in order to increase reporting of hate crime and also to improve our performance. We are involved with independent advisory groups, we were involved very recently in the Gay Pride Week, the Local Initiative Guide, which is a guide that highlights best practice across the organisation that is issued twice yearly, and sets out where DCUs have been particularly successful regarding hate crime. We also run a Minority Liaison Officer Conference again twice a year and that is in partnership with minority communities.

There is also the daily involvement of Neighbourhood Officers and the Minority Liaison Officers with those communities, again about building confidence and ensuring that reports are made to the police. Additionally we have asked the ACPO Hate Crime Sub-Group to review our policy against all national good practice and, in particular, we have picked up good practice recently from Lancashire. We hope to run a conference in November 2007 around homophobic hate crime, so there is very much a number of initiatives that we are doing and we also wish to address the under-reporting issue in it and we are very confident that we can pick up on those incidents within this financial year and make sure those are recorded and also being properly dealt with.

Chairman, Professor Sir Desmond Rea:

There are 2 further questions on the order paper in respect of the Chief Constable's report on performance and then I know there are a number of Members who want to ask supplementaries.

Vice Chairman of the Board, question 4.

Vice Chairman, Mr Barry Gilligan:

I welcome those initiatives ACC Harris thank you and the Board rightly hold you to account and question you when things go wrong. I want to echo the Chairman's comments that there is some good news in here and particularly the significant, you called it substantial Chief Constable, the significant decrease in the overall level of crime at 16% and particularly violent crime which compared to the same period last year is down 18%, so I think it is only proper that we give you an opportunity to elaborate a little bit on your contribution to that reduction in crime and what the particular initiatives carried out on your behalf, have contributed to that decrease.

Chief Constable, Sir Hugh Orde:

I will ask my colleagues from Urban and Rural regions to give you a flavour, how long do you want us to go on for, I do not want to over egg the pudding, that having been said I think it is also important to say that it is not just a police success and I think this is something more significant than just more effective policing. Potentially the change in the shift system gives us more officers on at the peak times, the increasing use of our analysts, the big strategic issues which I think have contributed. I think also it is the local day to day building of relationships within communities that has built that

confidence that perhaps allows us to become more effective. I will ask ACC Gillespie and Chief Superintendent Woodside to touch on a few initiatives which we also think have helped and all of these are shared among the District Commanders through our Crime Performance meetings.

Assistant Chief Constable, Mrs Judith Gillespie:

Thank you, as the Chief Constable has said it is impossible to refer to all of the initiatives that we are dealing with at the moment, but in summary, it is around partnership, prevention, targeted patrolling, targeted operations and enforcement. If I just give you an example from each of the districts with Rural Region and then Chief Superintendent Woodside will maybe quote some from Urban Region, but you are welcome at any time to call in and see these initiatives for yourselves because I think seeing is believing when you see these things happening on the ground and you get a better understanding than I could ever give you today very briefly in what I say.

In 'H' district which covers Larne, Ballymena, Coleraine etc there has been a Good Relations Forum set up in Larne which has lead to the prevention of a lot of sectarian incidents. As you well know, Larne had suffered from a high number of sectarian incidents proportionately in relation to the size of the area and we believe that has lead to the prevention of a lot of sectarianism in Larne a strategy of community contact and mediation.

In 'F' district which covers Fermanagh, Omagh and Dungannon, there has been a number of initiatives involving midnight soccer and in fact in Omagh, the police themselves set up a football match between the police and local young people. I am not sure what the result was, and it is probably best not to go there. But it is believed that that contact was very positive and it also meant that there was something positive for young people to do in the evening over the summer months, and that lead to a significant reduction in criminal damage and anti social behaviour.

In 'E' district can I refer specifically to Operation Bullent which was the operation, if you recall, in relation to crimes against older people. That has certainly caused a significant disruption in the gangs who were targeting older people, but a by-product of that has been a significant reduction in burglaries within 'E' district, that is Craigavon, Armagh, Banbridge and Newry and if you will remember, that was the area which was most

vulnerable to those type of incidents. Domestic burglary is well down in that area, in fact by 32.6%.

Finally, with regard to Rural Region in Foyle area, the Domestic Violence Strategies and Homophobic Crime Strategies have led to a significant reduction in repeat victimisation in domestic violence and in the clearance rate for homophobic crime which the crime itself has reduced and the clearance rate has remained steady. So that is just a flavour of the initiatives, but as I say, I could not possibly cover them all.

Chairman, Professor Sir Desmond Rea:

That is very helpful, thank you very much.

Chief Superintendent Bill Woodside:

Chairman, I would agree with everything that has been said by ACC Gillespie and the Chief Constable in relation to the initiatives. A lot of it does revolve around partnership working and we have seen that right across Urban Region, particularly in Belfast. A great many of those initiatives have been supported through the Policing with the Community Fund and I mention that specifically because the whole rationale behind that Fund is about partnership and working with partners agencies who bring funding to the table to take those initiatives forward. We have seen things like poster campaigns around shopping areas and supermarkets alerting people not to leave their handbag or their wallet in the trolley while they go off to get their groceries. We have seen initiatives around burglaries where whole estates have been targeted with a poster campaign and leaflet drops. We have seen a very very good example in Lisburn called 'the midnight football' where funding was secured from the Policing with the Community Fund for an initiative to take young lads of 14 to 17 away between 10pm and midnight to engage in football and that had a very positive effect, in fact we have seen that and a target patrolling strategy recently in Lisburn that has helped to reduce significantly the amount of crimes.

We have got smarter in relation to a lot of our work. We have established Volume Crime Units and the Chief Constable has already mentioned the quicker turn around times, particularly in relation to forensic samples, footprints, fingerprints, DNA that has had a huge impact. We use more and more proactive bail checks. When we are notified by the Court Service that prolific offenders are out on bail, we will target those

individuals, we will make sure that bail checks are carried out at various times of the evening during the currency of their curfews so that they do not think “that is great, the police have been at 11pm and now I can go out and commit crime” because we do know that if we can prevent those people going out it can have a huge impact on crime and that has had a significant impact, and there are lots of examples right across the region of initiatives of that type.

Operation Cleanup, another huge success where we remove vehicles. We hear them talking about ‘run arounds’, unlicensed, uninsured vehicles that are being used by criminals. If we can deny them the use of the roads it does have an impact and there are outstanding examples of things like that and initiatives of that type right across Urban Region.

Chairman, Professor Sir Desmond Rea:

Question 5, Ms Mary McKee.

Ms Mary McKee:

Thank you Chief Constable for that very impressive presentation. My question is really around internal performance and following quite impressive trends to reduce police officers sickness over the recent years, now the sickness levels are above target. Can you tell the Board what procedures and measures you are putting in place to address this?

Chief Constable, Sir Hugh Orde:

I will ask Mr Stewart to deal with that please.

Director of Human Resources, Mr Joe Stewart:

Chairman and Ms McKee, it is not that we have taken our foot of the gas as it were, it is very much the opposite. I think it is worth noting that what we see as a trend for the first 2 or 3 months of this year which may or may not be carried through, and I hope it is not carried through for the remainder of the financial year. I think it is also worth noting that the overall occurrences of officers sickness are down by 20% over this time last year, so what we have is few instances of absence but perhaps taking longer to recover from the absence. What we have done about it since April is reinforce our policies and procedures. We have introduced something that is known as the Bradford Factor for

police officer absence. We are fully implementing the new regulations that give us some more flexibility in how we deal with absenteeism. We have introduced early referral to our Occupational Health Units so we refer officers and staff now rather than a 28 day period within a 14 day period. I have convened a meeting every 6 weeks with the new heads of Human Resources in the new districts structure, where we have on their behalf, created league tables of instances of absence whether it be short term or long term or various reasons within the districts and we are sharing best practice with them and keeping the pressure on. We have also looked very sharp at the issue of officers on probation whose absence is not what it should be and where I am not content on an individual basis with an officer's absenteeism record during the probationership, I will not sign them out of the probationership and that will be extended.

Finally, we are looking very closely at new and different types of working and flexible working practices. People who have got family responsibilities because we do believe, based on our analysis of figures, that those who have the family responsibilities can tend to have, at certain times of the year, higher instances of absenteeism and we may be able to deal with that by a different approach to flexible working.

Chairman, Professor Sir Desmond Rea:

4 supplementaries, Mrs Kelly, Mr Sharma, Mr McKay and Ms Anderson.

Mrs Dolores Kelly:

Thank you Chairman, in relation to the anti social behaviour crime statistics, I am sure this is the one I suppose that impacts on the majority of people and the linkages in terms of alcohol having been taken, could the Chief Constable confirm that that is the case? Could we get an update on the test purchasing for alcohol which we had hoped to be in place long before now and indeed, how many licensed premises have been found to have sold alcohol to underage persons because no matter where you go Chairman, you can see empty bottles of wine and beer lying along our country roads and our towns.

Chief Constable, Sir Hugh Orde:

In terms of the link between anti social behaviour and alcohol I could not agree more, it is one of the key linkages. I do not have the figures on specifics on that, I can certainly get back to you in a written answer and I can get back to you on where the legislation is on test purchasing, but it is a hugely emotive and complex issue around using juveniles in that way. I do not know if ACC Harris can touch on that in any way as he may not be up to speed either.

Assistant Chief Constable, Mr Drew Harris:

I do not know what the present position is, just exactly where we are but we have made proposals around what we think test purchase legislation, particularly the target the sale of drink to juveniles should look like, but it is difficult because it involves either young people or people who have the appearance of being underage and there is difficulties in England and Wales with it as well. We do not want to have legislation which we then find very difficult to actually operate in practice through the magistrates courts and there is a lot challenges to the process of it. Perhaps another way around it is around observation and surveillance either overt or covert of business premises. Perhaps a more traditional approach around actually just stopping individuals as they left and then challenging the licensee over a number of incidents as opposed just to test purchasing.

Mrs Dolores Kelly:

Chairman, could I just come back. I certainly would urge that there is a concerted effort in terms of alcohol, it is a great scourge of our community at the minute. Secondly, could I ask, in terms of violent crimes against children, who are the main perpetrators in terms of these crimes?

Chief Constable, Sir Hugh Orde:

Children, basically it is young against young. It does cover the school bullying and note that is not to say that at the upper extremes there are very serious crimes against children, but the vast majority are the routine events of young people assaulting young people or bullying young people at school those sort of issues.

Just on your first question, I think ACC Gillespie may be able to help in terms of the off licenses.

Assistant Chief Constable, Mrs Judith Gillespie:

There are a couple of comments there that I would like to make. Local police work very closely in partnership with the off licenses and a scheme whereby the bags in which the alcohol is contained can be traced back to an individual off license. It is always very helpful to see where people have bought the alcohol. I think the other important point is that the police alone will not solve this problem, it has to be done in partnership with the off licenses, with the community and parents because in some cases we do know that adults buy alcohol to supply it to minors, so it is about a responsible attitude on everybody's part.

The second point you raised in relation to violent crime against children, it is very clear that the vast majority of violent crime is child on child and there is a very clear trend in September, that there is a hike in the figures, and that is most likely linked into children going back to school, going to new schools, going into different classes and experiencing bullying and harassment. We have very good partnership policies with schools to deal with that hike and to make sure that those crimes are properly dealt with.

Chairman, Professor Sir Desmond Rea:

We have a very lengthy list of questions today and could I ask Members if they could make their questions as succinct as possible. Mr Daithí McKay.

Mr Daithí McKay:

Thank you Chairman. Just 2 points Mr Chairman on the issue of hate crime which was raised earlier. Firstly can I ask, what is the police's definition of sectarian hate crime? Is there any incidents or crimes which have taken place of a sectarian nature which are not included in these figures?

Secondly, the figures overall in terms of hate crime, in terms of the 3 different sections in terms of race, sectarian and homophobic over the past 4 months the figures are of particular concern. I know there may be a number of reasons for that, but even if you look at the last financial year, the figures are still well below the average of the overall sanction clearance rate. Given that fact and given that hate crime and these issues are key to instilling confidence in particular parts of the entire community, do the police have any plans to set specific targets in terms of sanction claims rates for sectarian

crime, racist crime and homophobic crime because there is already a target rate of 3% for the overall tackling crime reduction? In terms of these 3 sub-sections, the only target there is to increase the sanction clearance rate, that could be 0.01% so I think there is an issue there that certainly needs dealt with as well, if you could comment on that.

Chief Constable, Sir Hugh Orde:

On the first point, they are captured because it is the view of the victim that classifies the offence. If a victim perceives a crime to be sectarian, it is classified as a sectarian crime so if someone tells an officer that is, it is, end of story. I do not know if ACC Harris and ACC Gillespie want to touch on the detail of the target. I am happy to have more targets, I think it is area where there is definitely room for improvement, do not misunderstand me on that, there is a lot of effort going into the Hate Crime Units and restructuring to make sure we put the effort in and the supervision in, but our mindset has to be that these are solvable crimes and the people have a structure in which they can deliver whether we have a target or not or additional targets I am not sure and do not know if this will add any value. I do not know if ACC Harris or ACC Gillespie want to add.

Assistant Chief Constable, Mr Drew Harris:

One of the very obvious difficulties about hate crime is that it is not on a personal motivation, it is an irrational hatred of a group and quite often the attacks are committed by individuals who are unknown to their victim, and that is different from other crime. These crimes are impersonal and the greater majority of them involve offences such as criminal damage where there are difficulties around the detection of that, but where they involve instances of assault, it is because somebody was in a place at a time or identified as a certain individual belonging to a certain group that is the motivation for the assault and that makes them difficult offences to detect. So that is why then they fit within the special category and why we have a special approach to hate crime.

Overall I would say, as I have already talked about, is about making the linkages. People who get themselves involved in hate crime, they do not really distinguish between their victims. If you involve yourself in race crime, you involve yourself in sectarian crime or homophobic crime, they do not fall into specific groups and what we have to be clever about is identifying all the hate crime. Crime which is motivated by

irrational hatred in its totality and making the connections in order to identify back into offenders. The important point about definition that we use is that it is based on perception but it also involves incidents and because many of these incidents involve the same individuals who involve themselves either at crime there and then, or crime into the future. So, we are very aware of the difficulties there are around hate crime and how we can build upon that.

In this month and next month we can talk in a lot more detail about targets but if there was a target to aim for it may assist, but I would say we put a lot of effort and a lot concentration on hate crime and the necessary procedures are there to deal with it but there is specific issues around hate crime.

Assistant Chief Constable, Mrs Judith Gillespie:

If I could just add in terms of the sectarian crime. There are 6 police areas in which the sanction clearance rate for sectarian crime has increased. So, across the Board the picture is not completely negative, there are some very good practice in some areas like for example Craigavon where the Craigavon hate crime model has been recognised as good practice and their sectarian clearance rate has increased. I think that was also helped by the fact that we had a number of arrests in relation to arson attacks on Orange Halls in County Armagh recently and that lead to the clearance of a number of those crimes. So, whilst of course you are right to point to the picture being negative, there are some areas where there is very good practice and we want to build on that and share it in other areas.

Chairman, Professor Sir Desmond Rea:

Suneil Sharma.

Mr Suneil Sharma:

A couple of quick questions. The first one is around the clearance rate. Does the 16.2% clearance rate reflect in any way a skills deficit around the issue of detectives?

Chief Constable, Sir Hugh Orde:

No, I do not think that the key, I think it is an issue around process and working more effectively with the PPS to make sure we are benefiting and we are getting what we are

entitled to have, so I think there is some administration around it. I think part of it as I have said is, we do not have fixed penalty tickets which makes us lower than others.

I also think we certainly must get our act together better on things like forensics. There are more detections within the system if we are quicker to respond to identifications, for example, forensic recovery at scenes. There is no point having our scientists and our crime scene investigators recovering a fingerprint and turning it round in sometimes 24 hours if it is then returned to the investigating officers who sits on it for 2 weeks, the whole idea is, the quicker you are the most likely you are to get a detection. Now we are currently running, our best district, 'A' district in Belfast is turning just over 30% of forensic identifications into convictions. The national average is 40% so I think there are some things we need to do more on which is our responsibility to deliver on.

In terms of the detective shortage and the Volume Crime Model will, I think, help us to some extent. The majority of this is around routine crime which is investigated by ordinary officers quite competently, I am not sure that causes me some concern, my concern around detectives is more at the serious end of the crime, serious crime investigation where we need additional skills and experience and that is a concern for me because we stand to lose a lot more this year under Patten Severance. We have advertised only last week across the country for experienced detectives to come over and transfer to us so hopefully we will get some more through that as well.

Mr Suneil Sharma:

First of all, it was remiss in not giving you some credit obviously for the reduction in crime Chief Constable, so credit where credit is due, it is most welcome to see a reduction in recorded crime.

The second question is around the 'P' word - partnerships. Are you sure that the maximum inter-agency benefits are being obtained in the drive to reduce recorded crime.

Deputy Chief Constable, Mr Paul Leighton:

Obviously partnership working in Northern Ireland is very different from other parts of the UK and other parts of Ireland. We have a meeting set up with both health and

education in the near future to see what we can do at the strategic level across the public sector.

We also are working on a Business Crime Strategy to see what we can do with the private sector to reduce business crime, and business crime we are defining very broadly. We have actually got 10 categories identified, we are not going to identify a specific definition of business crime because it does not really work, but we have identified 10 categories which go from the very serious frauds and robberies right down to shoplifting and we are going to introduce strategies and implementation plans across all of those. Now we are currently working on that and we will go out to consultation. The Board I know are going out to consultation with businesses in the near future, we are going to try to develop our strategy in conjunction with that rather than duplicate the consultation, but we will be talking to all the major business groupings in the near future to try and get better partnership working with them.

We have already done some excellent work which is now seen as ground breaking with one big multi-national and their London headquarters is very impressed with what has gone on in Northern Ireland and are now using that as a template for what should happen in other parts of the UK. We started that, that was our initiative not theirs, so there is some good sign of partnership working starting to come through. It has already been mentioned about the Policing with the Community Fund which can only be accessed if you have an external partnership. The whole idea behind that was to say to Commanders, you have got to work with whoever in your community can help you deliver policing goals. So there is a lot of good stuff going on but we are still far behind places where they have had more effective partnerships, statutorily based some of them in the past because we do not have the same legislation.

Mr Suneil Sharma:

Last quick question.

Chairman, Professor Sir Desmond Rea:

Sorry Mr Sharma, that is 3 in a row and I am pleading for brevity.

Mr Suneil Sharma:

Is the Community Planning Model something that you would be looking to implement in the near future?

Deputy Chief Constable, Mr Paul Leighton:

Yes, we are meeting with the Board and the NIO and other partners at the minute to see just where that will take us.

Chairman, Professor Sir Desmond Rea:

Ms Martina Anderson.

Ms Martina Anderson:

Thank you. Yesterday I attended a meeting with my colleague Jennifer McCann at the Dunmurry station and we were discussing with the Domestic Care Unit, the issue of domestic violence. I just noted from your presentation today, that you were talking about the downwards trends but you also talked about the missing categories. One of the things we discussed yesterday was the possibility of a training gap, that the training on domestic violence for new recruits is at a standard that people are saying that hopefully will produce a culture within the force that will create that awareness. But for standing officers, there needs to be training and a refresher course along the way so that you do have a situation where perhaps, and I am only saying perhaps, the missing category that you are identifying is due to the fact that you do not have a culture in the force on the reporting and the documentation and the reporting properly of domestic crime.

I also think that the violence against young people statistics that you put up, I welcomed the fact that you gave a warning around those because working with the Save the Children and the Commissioner for Children and Young People, they have concerns that would not exactly match what was presented here today. So, I would welcome the fact that you would come back to us at a later date with those statistics once you have reviewed them.

Chief Constable, Sir Hugh Orde:

Just on the under-recording. It is an administrative issue, there may be a small percentage where we missed them, like in anything we will clearly get some things

wrong. The vast majority are going into the Domestic Violence Units, what we are not doing is ticking an additional box in an additional field which did not exist before so the officer is used to doing Part A but it is getting them used to doing Part B. We can back record convert, I was assured by my Head of Statistics, so we will be able to give you the accurate figures. That all having been said, in terms of the most under-recorded crimes nationally will be domestic violence and hate crime. So, whatever figures we end up with, it is only the tip of an iceberg which until the more confidence you get in the community, the more people will tell us and I think success in a way for us around the hate crime categories is that we see more crime because it means more people are telling us be it directly or through third party reporting but I certainly note your comments on the domestic violence.

Chairman, Professor Sir Desmond Rea:

Mr Basil McCrea.

Mr Basil McCrea:

Thank you Chairman. Chief Constable, IF I might be a little bit more challenging than some of the questions we have had to date. There are lies, damn lies and statistics and one of the things that you might say when you look at the figures here is, that criminal damage, which is a fairly large element, might be showing the biggest decrease whereas you might get other areas that are slightly more problematic. I certainly looked at the statistics to do with domestic burglary and what I looked at is, that whilst you might have an improvement on a year on year basis, if you look at what has happened over a 3 or a 5 year period there is a different picture that comes out. So the most important and the most beneficial thing that I have seen, I will explain if that has caused a complication, I looked at where the line was drawn through and I saw this half was lower than the other half. So there is just a different interpretation of statistics and what I would like to say to you is, the thing that I found most useful in terms of the debate so far, is the explanation of why people thought there was a problem, what strategies were put in place to tackle that and where you have had a response on it and that was ACC Gillespie and Chief Superintendent Woodside who actually talked on those issues and that was really useful. But it does come around then to the situation that says, look the basic problem that I see is that we only have 16% clearance rate. that is the real issue and I accept what you are saying about the 3% to 6% from the fixed penalty tickets, but even so only 16% of crime being fixed that is really what

worries people out in the community and that is really what I would like to see a strategy for how we are going to try and get those up to much more acceptable levels.

Chief Constable, Sir Hugh Orde:

That is why I said to you at the beginning, that is not acceptable and rest assured it the absolute focus of every District Commander and every Detective Chief Inspector and Detective Inspector who I met yesterday at our performance meetings, so I agree with you. That having been said, I would far rather have people not victims of crime rather than have a victim of crime and then solve their crime, the solution is to reduce crime. You have got to do both is the bottom line. You have got to hit it from both ends, and in some places as I said, I think we can do better.

I would hope by next time to be in a better position to tell you what we think is in the system because I do think, and the corporate wisdom of my District Commanders yesterday was, they do think there is an awful lot of cleared up crime being processed through the criminal justice system and these are primary clear-ups. We do not now capture what we would call administrative clear-ups so these are judicial closures, these are people who have gone through some judicial sanction ranging from caution to conviction at a Crown Court from most serious of offences. The administrative for example, if I hit DCC Leighton and he does not want to prosecute, that historically 2 years ago would have been a cleared up crime because we know who has done it, that is now longer a cleared up crime unless he is arrested, prosecuted and convicted, it does not go into the system so we are talking about what the public believe what a clear-up should be. We are not talking about administration but I agree with you and I look forward to giving the Board better news next time.

Chairman, Professor Sir Desmond Rea:

Question 20, Rt Hon Jeffrey Donaldson.

Rt Hon Jeffrey Donaldson:

Thank you Mr Chairman. Can I ask the Chief Constable what is the current assessment of the threat posed by the Provisional IRA?

Chief Constable, Sir Hugh Orde:

I will ask ACC Sheridan to deal with that.

Assistant Chief Constable, Mr Peter Sheridan:

Chairman, I have either no evidence or intelligence that PIRA have been engaged in any terrorist activity and indeed, have no evidence or intelligence to suggest that they have any plans to return to any such activity and indeed they have issued clear instructions to members to refrain from all forms of violence.

Rt Hon Jeffrey Donaldson:

Thank you Chairman, can I just ask if in terms of organised crime the picture is similar?

Assistant Chief Constable, Mr Peter Sheridan:

Yes, instructions have been given throughout the movement that people should not be involved in organised crime if they are, then they stand on their own heels on it.

Chairman, Professor Sir Desmond Rea:

Question 21, Mrs Dolores Kelly relating to the UDA.

Mrs Dolores Kelly:

Chairman, I want to ask the Chief Constable to provide a detailed update on the paramilitary and other criminal activities of the UDA across its so called battalions.

Assistant Chief Constable, Mr Peter Sheridan:

Again Chairman, the UDA in our assessment remain active in violence and other forms of serious crime, drug dealing, money laundering, extortion, racketeering. We do not believe that they have any plans to become involved in a terrorist campaign, although there is no prospect currently of early decommissioning of weapons from the UDA and much of the tension that revolves around the UDA at the minute is conflict within its own ranks as opposed to outside.

Chairman, Professor Sir Desmond Rea:

Question relating to community policing, question 7 Mr Alex Maskey.

Mr Alex Maskey:

Thank you Chairman. Chief Constable, obviously you will be aware that ACC Harris came along to the Board Committee recently and made a very considerable presentation around development of a Neighbourhood Policing Framework and ACC

Harris and his team, on behalf of the Committee, I would have to say they made a very fulsome report, had quite a considerable engagement with the Members of the Committee who were in attendance. I think Members were, for the most part, quite satisfied with the response that they were given and certainly the commitment which was expressed by the top team. I would say that even when your team left, there was a further short discussion which was quite robust and I think it is a good indication that the Members of the Board who were there are very keen to see this framework developed in the most positive and constructive base as possible.

One of the key elements of the Members' consideration was, and we addressed this with your team and got some very good positive responses which I would add here, was to ensure that the people, the citizens would play a very central role, because this is about policing with the community and not policing of the community or done to them. It is fair to say, that in the exchange that we had, there were some discussions around how serious throughout the service would the likes of neighbourhood policing concepts be taken. This is fairly new, it is quite challenging, time consuming and tedious for everybody concerned so I think some of those questions were addressed but really what we want to do, was again to put on record and stress it is part of an ongoing engagement, but can we have assurance, that all your members will see that as their job. Every single member has their job as a public servant delivering policing to the community, and in particular with the community, in a way in which the community has the real say on how policing should be done with them in partnership, as you have addressed earlier on, within their communities.

Chief Constable, Sir Hugh Orde:

The short answer is yes, it is easy to say it is the implementation is the key and we have a clear plan for delivering that. I do not know if ACC Harris wants to go into any more detail. The only other point is again if Members are interested in going out with any of the community teams, the offer is absolutely there and absolutely open for people to experience what it actually means in reality. The other side of this is of course the harsh reality I mean neighbourhood policing, community policing should not be seen as some sort of soft policing, it is effective policing which is what communities want. I do know if ACC Harris can touch on some of the detail.

Assistant Chief Constable, Mr Drew Harris:

There is a mantra really around this and in every neighbourhood in Northern Ireland will have access to local policing. They will offer them opportunities to influence the local priorities of the police service, it will deliver interventions either by the police service or working with our partners either statutory or voluntary and also it will be about providing answers and sustainable solutions to the issues that will arise and that is what our vision is around neighbourhood policing and how neighbourhood policing teams will develop. We have an implementation framework and a lot of the other questions relating to neighbourhood policing can be answered within that implementation framework. There are 25 recommendations and even today, my own team within Criminal Justice Department are working with all the other departments and the DCUs around the implementation of those 25 recommendations. It is a very considerable amount of work for us and I think it probably would be very appropriate if the Board in its entirety were briefed on that because it is a major undertaking for this organisation. We want to move neighbourhood policing and policing within the community onto its next level and the means of doing that is through the implementation framework. I have the support of all my colleagues and it has been through the whole CORE procedures, it is very much fastened into the new 8 district structure and where we wish to take the organisation. So, we will be responsive to communities, we will be engaging with them and they will influence then what our local priorities will be and then we will also be providing answers and sustainable solutions to them and it is very much within that overall framework that we will take this forward. We estimate maybe 18 months to 2 years of work but it is also then how we assessed on that and it will be probably moving more from the outputs, the percentages to actually what the outcomes are and how do we actually impact upon, not only crime but the quality of life issues for people with our partners and the fear of crime as well.

Chairman, Professor Sir Desmond Rea:

Still on the theme of community/neighbourhood policing, questions 17 and 8 Mr Suneil Sharma.

Mr Suneil Sharma:

A question around policing with community but something more specific. Could you tell me what percentage of PSNI officers does the Chief Constable envisage being

dedicated to neighbourhood policing in 2007/08, and how will this be monitored and reported and does it compare with other UK services?

Assistant Chief Constable, Mr Drew Harris:

As yet we do not have Police Community Support Offices (PCSOs). PCSOs are an integral part of Neighbourhood Policing Teams in England and Wales, so until we have that it is difficult to make the direct comparison with the remainder of the United Kingdom. Today we have 574 full-time neighbourhood officers and they are supplemented at the moment with 900 police officers part-time so there is a considerable commitment already. That will increase as the Implementation Plan that I have already spoken about, starts to grip and those officers presently described as being response, there is going to be a focus on the response capability that we have within the organisation and how that can then come into the neighbourhood policing model. The neighbourhood policing model is not about soft options, it is actually about delivering a policing service that the local community recognises as meeting their needs and that will be about dealing with local issues but also dealing with criminals and those that cause fear within the community.

Again, there is the mantra of access to local policing services, influence over policing priorities, the interventions and the answers and some of our Neighbourhood Policing Officers in the future will be working 24/7, they will be shift workers who will work the night shifts so we will be moving beyond just what the quite narrow definition of what a Neighbourhood Policing Officer is at the moment. But that will increase, perhaps in the next year 2008/09 we can measure what that increase would be.

Mr Suneil Sharma:

Could you give me some sort of idea what percentage of the officers, ignoring the PCSO issue and the Police Officer Part-Time, what percentage of regular officers do you expect to be in Neighbourhood Policing Teams during that accounting or financial period?

Assistant Chief Constable, Mr Drew Harris:

We are still in the early stages of implementation so I cannot actually give you what that percentage would be, it will come down to actually the District Commanders implementing the framework and it will be for them then to decide how they can

reassign their officers between neighbourhood and the minority that they will require for response. We would envisage a substantial increase but I have not got a percentage figure in my head for what that target will be, it will develop over 18 months to 2 years.

Mr Suneil Sharma:

Will that be benchmarked against other forces?

Chairman, Professor Sir Desmond Rea:

Question relating to Police Community Support Officers, question 9 Mr Brian Rea.

Mr Suneil Sharma:

Chairman, my question 8 was not asked, could I ask it please?

Chairman, Professor Sir Desmond Rea:

Okay.

Mr Trevor Ringland:

Question 16 is really a follow-up.

Chairman, Professor Sir Desmond Rea:

I was going to follow with you Mr Ringland if you would give me a moment.

Mr Suneil Sharma:

Could I just ask my question 8. Sorry ACC Harris I did not get a chance to finish my supplementary but let me throw it at you as well if you do not mind.

In terms of abstraction rates from neighbourhood policing during 2007/08 how will this be reported and how will this compare with other services. In the light of what you say, probably you are not ready to answer that but in the same sense.

Assistant Chief Constable, Mr Drew Harris:

There is a specific recommendation within the implementation framework and neighbourhood officers will work at least 80% of their duty hours on neighbourhood policing duties and that is a recommendation that has been signed up through the CORE process and the DCU Commanders are committed to that. The implementation

of that, as I have said with the previous answer, is beginning and again we can start to actually access and measure that in 2008/09.

Mr Suneil Sharma:

Does it compare favourably with other abstraction rates of other UK services?

Assistant Chief Constable, Mr Drew Harris:

Well it does compare favourably on our visits and again we think it is a strong target and one which will deliver for us.

Chairman, Professor Sir Desmond Rea:

Mr Brian Rea.

Mr Brian Rea:

Can I bring a bit of normality then to this question asking. Community policing and neighbourhood policing has been mentioned very much. Considering the degree of expectation that there is within the community regarding the introduction of PCSOs, would the Chief Constable please update the Board on the progress to date on this initiative and outline any impediments to its full implementation.

Chief Constable, Sir Hugh Orde:

I am very glad ACC Harris is here today and will hand over to him as he leads on it.

Assistant Chief Constable, Mr Drew Harris:

The Business Case that we have submitted to the Northern Ireland Office (NIO) has been approved, but they have stated that proceeding with the project will be incumbent upon the outcome of CSR07 which is expected shortly but it is a further delay in this process. Also, they have stated the issue of recruitment is inextricably linked with the civilian recruitment tender, as CPSOs are Police Support Staff. Further clarification has been provided and the Northern Ireland Office are reviewing this at present. As a consequence we are unable to move on this recruitment of PCSOs, we have met all the NIO requests for information and clarification. In the meantime, we have suffered opportunity costs because we were prepared to start the advertisement and recruitment process across the summer and then the training process to start in November 2007.

As a consequence of those opportunity costs, this week only we have decided that we will have to delay until the outcome of the CSR07 which will put this project back until 1 April 2008 and we can then reschedule again to begin the PCSO advertisement and recruitment process.

Mr Brian Rea:

Chairman, can I ask a supplementary on that please.

I seem to recall as being one of the members of the working group that was engaged in the working up to the PCSOs, that money was already assured to us by the NIO for this and it is disappointing that they are now referring back to the outcome of CSR07. Having said that, and having heard the disappointing news that it is going to be put back, could you tell us and we would be grateful if you would tell us how you are going to explain this current setback to the key stakeholders given that there is a significant expectation of progress.

Assistant Chief Constable, Mr Drew Harris:

Thank you. In respect of the stakeholders the decision to delay to 1 April 2008 has only been taken really this week. We have been really on tender hooks waiting for the go and it has not come through, so having personnel waiting within Training Branch and Human Resources to manage this process and the staff I have is dedicated. We had to draw a line under it and it is this week that we have drawn that line. We had engagement with the stakeholders around that, we will have to revisit that and through the DCU Commanders we will explain what the process has been and we will have to revisit again the schedule of recruitment, their training and their deployment to give people a reasonable expectation of what this is going to look like into the future.

Chairman, Professor Sir Desmond Rea:

Question 16, the relationship between Neighbourhood Policing Teams and Response Teams, Mr Trevor Ringland.

Mr Trevor Ringland:

Chief Constable, this has really come through a concern of one of the District Policing Partnerships (DPPs), that officers who are assigned to Neighbourhood Policing Teams are often taking officers off to assist Response Teams, and so whilst serving our

Response Teams it is often the officer dealing with people who has built a relationship up with that community and he then is put into a confrontational situation. The question is, how can he be expected to sustain and improve a relationship with the community when put into such a situation especially when he has spent an awful lot of time and effort building up a relationship in the first place and does this defeat the concept of neighbourhood policing and any confidence the officers have developed within that community? But also listening to what you said earlier, it is also a question of educating the community that those police officers are still police officers and are expected to enforce law and order.

Chief Constable, Sir Hugh Orde:

In essence, again I repeat ACC Harris' officer to give a holistic presentation to all Board Members here or perhaps at a district where they can meet a team. But in broad terms police officers have to enforce the law, we cannot have nice police and then less nice police who do the arrest bit, it is exactly the point. It is around working with the community so the community fully understand that part of a police officer's role is to arrest the people who are causing problems within that community and indeed, that is generally the feedback we get of communities, they tend to want more law enforcement not less. I do not know if Deputy Chief Constable Leighton can touch on the other details.

Deputy Chief Constable, Mr Paul Leighton:

The concept that Neighbourhood Police Officers in some way do not have to enforce the law is a flawed one. What Neighbourhood Police Officers are, are police officers who respond directly to the community and who do the job of a police officer in that community. That involves acting on intelligence that they will get and I would very much hope, and I have seen this successfully deployed in a previous organisation that I worked with, that Community Police Officers will be the effective police officers who will get the information, make the arrests and take the action. Community policing is not about being fluffy and nice to everybody, that does not exist. Police officers will always come into conflict because our job is to enforce the law. There will be those people in our community who break the law who will not want to be pink and fluffy with police officers. Police officers will always come into conflict at some stage in their career, what Community Police Officers should be doing is doing it directly with a community so where a community has a real problem within it, i.e. a drug dealer or someone who is

committing anti social behaviour or domestic violence or whatever within their community. I would expect and in fact I would demand that the Community Police Officers, the Neighbourhood Police Officers, the police officers who get in there, find that information, get the evidence, make the arrest and deal with it. So, I think there is a flawed perception that in some way by taking them away from Neighbourhood Policing Teams that they then do something different and it is difficult for them to go back. We have had that in the past where police officers did not have a commitment, did not have a stakeholding in a community, we want police officers who really believe in their communities and who will do the job that is expected of them because that is what real community policing is.

Chairman, Professor Sir Desmond Rea:

Some questions relating to recruitment selection and training of police and also staff.
Question 28 Mr Daithí McKay.

Mr Daithí McKay:

Chairman, can I ask has the PSNI considered introducing an early retirement scheme for civilian police staff to help meet the target of having 30% of civilian police staff from a Catholic background and will the civilian police staff be 30% Catholic in 2010/11 as envisaged by the Independent Commission on Police.

Chief Constable, Sir Hugh Orde:

I will ask the Mr Stewart to cover that question.

Director of Human Resources, Mr Joe Stewart:

Chairman and Mr McKay, the Independent Commission did not actually specifically state a target for Catholic members of staff, there is a general reference. In fact, one of the difficulties we have with the Independent Commission's report is that it was very sketchy in what happens to civilian staff and police staff which has caused us difficulties ever since.

We have had some ideas around an early retirement scheme for some staff which would assist in achieving a target we set for ourselves of 30% of Catholic representation in our police staff. We have advanced that idea to NIO who have not been supportive of it, simply because it has not been referred and is not a specific

recommendation of the Patten report. The consequence will be, that the only way we can address religious composition is by means of natural wastage, so when people leave we recruit others under the 50:50 regime. Our anticipation is without some aspect of early retirement for police staff, not a lot but some then it would be in the region of 2014/2015 before a target of 30% Catholic representation amongst police staff can be achieved.

Mr Daithí McKay:

In regard to that, I know it is particularly concerning and alarming that the NIO have not agreed to that particular scheme you have put forward and that they are not showing leadership in terms of ensuring that the police service here is representative of the people it serves.

I also want to allude to what Mr Maskey touched on earlier in terms of the HET in terms of the funding, is there any plans for the police themselves to put forward proposals in terms of representation in terms of putting money in that area to actually fund this scheme themselves.

Director of Human Resources , Mr Joe Stewart:

I think you are aware of the budget situation that we are facing and that our budgets are being reduced year on year as is the case with many other public sector organisations and, therefore, it would be difficult for us to fund a scheme of this nature from within. I think the Chief Constable would support me, it would have to be funded externally. There may be things we could do but it depends upon the financial arrangements moving forward with the CSR07 which has already been mentioned today as to whether there would be any scope to contemplate that. We made the approach on the basis that we felt there was an opportunity and there was a need and the reason why we have been so successful in increasing Catholic representation amongst police officers, not just because of the high level of applications made, but also the application of 50:50 where we have officers leaving on severance and enables the capacity to recruit new people so we need to have some mechanism to let people leave in larger numbers who wish to leave and recruit others to replace them.

Chief Constable, Sir Hugh Orde:

That having been said Chairman, in fairness to the NIO, I think this is a question of money and all public sector departments are feeling the squeeze. It would be nice to get the money but the reality is we will not get any additional money to fund some sort of scheme and I certainly have not got that spare capacity as Mr Stewart rightly points out. That having been said, we have been very successful in attracting very high quality candidates from both traditions and it is moving, it is not as if it is a complete logjam but it is going to take time in the current system because we cannot create the headroom which we were allowed to create obviously on the sworn officers side.

Chairman, Professor Sir Desmond Rea:

Question relating to the Diversity Strategy, question 19 the Vice Chairman of the Board.

Vice Chairman, Mr Barry Gilligan:

Thank you Chairman. Chief Constable, a number of weeks ago here, the Chairman and I together with a couple of other Board Members hosted a lunch for Polish community representatives and the Polish Consul who is not based here, he is based in Edinburgh, attended the lunch. I suppose his presence was a reflection of a growing number of Polish people living in Northern Ireland, I think a figure was mentioned of some 30,000 so it is a very important community. During the course of that lunch we were keen to get a feedback from them as to their experiences in interaction with your officers and a number of things came up. Amongst others officers lacking knowledge about interpreting services available, a lack of cultural sensitivity in direct dealings with their community, major communication problems at police stations and poor internal information exchange within your own organisation. So I suppose the question is, how the PSNI Diversity Strategy is applied at an operational level and I suppose given that sort of feedback more importantly, is it working?

Chief Constable, Sir Hugh Orde:

A couple of observations. I was surprised by this question quite frankly. I have met a number of representatives from the Polish community and got a different picture, a far more positive spin on it and the next time you have one perhaps you would like to invite me to the lunch.

I will ask my colleagues from Urban and Rural Regions to give you some examples because it is something we take very seriously. The fact that I have met the representative from Derry who had a lot of very positive things to say about the interaction and, indeed, we had a long conversation about Polish people who want to join, which of course has been an ongoing point for discussion. So, I was surprised at the length and breadth of some of the observations made over your lunch compared to what I was experiencing. Indeed, the level of knowledge I have found when I have been to various and in particular where the communities tend to reside because they tend to reside in specific geographic areas but perhaps if Chief Superintendent Woodside and ACC Gillespie would like to touch on some of the issues, because it is important we stress how important we take this issue.

Assistant Chief Constable, Mrs Judith Gillespie:

Yes, you are right to point to the Shared Future Strategy and the Diversity Strategy which is championed by the Deputy Chief Constable and in each district area there is a district champion appointed in relation to that. With regard to what it actually looks like on the ground, again it would be impossible for me to go through every single initiative to engage with minority ethnic communities in general and the Polish community in particular.

But can I just mention a few from Rural Region, and then Chief Superintendent Woodside will probably want to point to some from Urban Region. We have regularly contributed to the Glosik magazine on issues such as road safety and hate incidents and we have also in Newry and Mourne established a Drop-In Centre for Polish nationals.

In other areas such as Banbridge, we established a Community Relations Councillor for the District Council and produced literature for migrant workers, and there has been Polish involvement in independent advisory groups around specific crimes. If I mention in particular the Shirley Finlay murder in Ballymena and there is lots of other information on those various other initiatives which is available in the draft progress on the Section 75 report which will be available to the Board.

If I could mention also the Polish secondment. The officer seconded at the moment is Captain Gorska Barska and she is currently with us until October 2007 and the role of

this officer is actually as you have said, to assist the PSNI to further engage with the Polish community, to provide advice to the local police areas and to work closely with our local minority liaison officers.

Vice Chairman, Mr Barry Gilligan:

Sorry, ACC Gillespie, you might have a word with her because she was also at the meeting.

Assistant Chief Constable, Mrs Judith Gillespie:

Well, that is entirely her role and if there is a specific issue from which we can learn to provide a better service to the Polish community in particular, and other minority ethnic groups in general, we are very happy to hear of those specific issues.

Assistant Chief Constable, Mr Duncan McCausland:

Yes, the same would apply across Urban Region and we certainly have moved in a number of recent critical incidents involving members of the Polish community to involve community leaders within the Polish community in our goal groups as we work our way through different incidents.

Out on the ground we have seen a huge number of initiatives, both aimed at making the Polish community welcome and also dispelling myths that exist in the resident communities that we do have. For example, we have seen last year, the launch of a DVD in six major European languages, not just Polish but other Eastern European languages in Antrim district. That was a community initiative, it involved the local community, it involved all the statutory bodies. It was a joint initiative funded by the Policing in the Community Fund. That was a guide really and a welcome to members of the Polish community. It pointed them in the right direction in relation to housing, basic things like motoring laws, where to access health, housing, very, very useful. We worked with the business community to develop that. The whole initiative was very, very well supported and very welcome.

At a lower level even than that, we have Neighbourhood Community Policing Teams engaging with members of the Polish community in sporting activities, bringing together, not only police sporting teams, but community sporting teams. We have had initiatives involving cultural functions where we have had different communities

producing different sorts of local meals that have been shared around. So there are a huge number of initiatives to engage with the Polish community and indeed, other Eastern European communities right across both Regions and like the Chief Constable, I have to say I was quite surprised at the question.

Chairman, Professor Sir Desmond Rea:

A question relating to the training in the area of detective and forensic skills, question 29, Mrs Dolores Kelly.

Mrs Dolores Kelly:

Following the findings of the Criminal Justice Inspectorate in relation to inadequate training of new recruits in the PSNI in the area of detective and forensic skills and maintaining a serious crime scene, what plans have you to act on those recommendations?

Chief Constable, Sir Hugh Orde:

I think this is the cart before the horse. I will ask Mr Stewart to detail. I am delighted that a number of Members of the Human Resources Committee visited Garnerville and had the opportunity to see first hand the training that our new recruits do, but I allow Mr Stewart to go into a bit more detail.

Director of Human Resources, Mr Joe Stewart:

Chairman, Mrs Kelly, I regret to say that the Criminal Justice Northern Ireland Report contains substantial factual inaccuracies in respect of the training of student officers which led them to these particular erroneous conclusions. We are not sure how they reached these conclusions in the absence of direct contact with the Police College because, if they had made any direct contact with the Police College, they would have found, that not only had we started forensic modules for student officers 2 years ago; not only would they have found we spent 5 days of the whole student programme dealing with the forensic scene management, they would also have found that we have bought a new nationally credited forensic unit in February of this year and have deployed it since. I have already discussed these points with the Inspector himself and he is aware of our concerns about this, and he is aware about our concerns of the lack of contact in this particular specific issue with the College.

The evidence is there to say that our officers are being properly trained as student officers, and as Ken Henning said in the media, they are apprentice police officers and so we give them the basic education in the time available to us and they are then tutored within the districts and managed by tutor officers and have to be brought on in terms of developing their skills within the districts. I should also say that in the broader aspect, we are one of the leading forces in the United Kingdom, not the lead force, in the implementation professionalising investigative practice which is something he could have usefully have mentioned as well in the report.

Mrs Dolores Kelly:

Chairman, you will appreciate that this has an impact on public confidence in terms of policing and indeed clearance rates, so I think it is an important message to get out there and I would hope that the Chief Constable will be in correspondence with the Criminal Justice Inspectorate and we might see an amendment.

Chief Constable, Sir Hugh Orde:

This is important, in fact the initial module was put together by one of our most senior Detective Chief Superintendents who is now a District Commander, to make sure that they did have that opportunity and it is not theoretical, it is a very practicably based training. I think some Members may have seen it when they visited, so it is something that we take very seriously and it may well explain why we are getting more and more forensic recoveries from scenes. The bit we have to focus on, as identified by Mr McCrea, is making sure we turn those around into clear-ups but that bit, I am pretty confident we are doing as much as we can in the time available, and there is a reality check of what can be delivered in the first initial training stage.

Chairman, Professor Sir Desmond Rea:

Question relating to the pattern of working of police officers, question 6 Brian Rea.

Mr Brian Rea:

Thank you Chairman. Chief Constable, earlier in the year you introduced an 8 hour shift pattern across all the districts. Could you tell us what the current status and integrity of that pattern is across the District Command Units and outline briefly of any effects its operation has had on sickness levels.

Chief Constable, Sir Hugh Orde:

I will ask my Deputy Chief Constable, Mr Leighton to deal with that please.

Deputy Chief Constable, Mr Paul Leighton:

Members will be aware that we used to work a 12 hour shift pattern which involved officers having 4 days on and 4 days off which was not satisfactory for the community and we decided very clearly that was not a good shift pattern for officers to work on many different levels, not least, being for their own health. The only legal position that we have after that is, that we either can impose an 8 hour shift system or we can ask the Federation to take a vote on an alternative shift system. A vote was taken, but the requisite level of approval for a 10 hour shift system which was the proposal, was not achieved so an 8 hour shift was imposed.

Since then, 2 districts have taken individual votes and we have left it open for individual districts to take votes to achieve the requisite level. 'H' district will move in September 2007 to a 10 hour shift system and 'F' district will move in December 2007 to a 10 hour shift system. It is highly likely I think, that other districts, seeing the advantage of the 10 hour shift system, will move to it after that, but that is up to them and their vote.

With regards to the effect of the 8 hour shift system on sickness, because we introduced a lot of other changes at the same time in relation to CORE and the 8 DCUs, it is actually impossible to say what impact the 8 hour shift had on sickness or has not had on sickness. We are monitoring very closely. Obviously we already have had a question and answer about what we are doing about sickness, but it is difficult, if not impossible I would say, just what the 8 hour shift system meant for that.

Chairman, Professor Sir Desmond Rea:

Question relation to the provision of psychological resources and the Occupational Health Unit, Mr Gearóid Ó hEára.

Mr Gearóid Ó hEára:

Just following on from the decision by Justice Coughlin in respect of the Post Traumatic Stress Disorder case; is the Chief Constable content with the psychological resources available to the Occupational Health Unit?

Chief Constable, Sir Hugh Orde:

I will ask Mr Stewart to deal with that. One of the observations of Justice Coughlin was, that the responsibility of any organisation to provide occupational health was proportionate to resources available to it. We take it very seriously. I have visited and I know other senior members of the team have visited the Unit. I think it is very professional and I will ask Mr Stewart to detail if we could do anymore.

Director of Human Resources, Mr Joe Stewart:

Chairman and Mr Ó hEára. Our Occupational Health and Welfare Unit is seen by many in policing as the leading Occupational Health Unit in United Kingdom policing. It is staffed by widely experienced and very dedicated staff who are committed to improving the health and safety of the whole workforce. Demand for their services always exceeds the resources we have to deliver to meet that demand and that being the case, recently we have contracted, very successfully I have to say, with a range of independent consultancy services, both for physiotherapy and most recently for psychological services which will provide a wide geographical network of support for officers and police staff where it is deemed that they require it. So what I mean is, that rather than enhancing the number of full-time staff in the Psychology Unit, we have engaged with a lot of consultants who are going to provide their services on an agency basis to us, and where required, police officers and police staff may be directed to them.

I think it is also worth remembering, that the Police Rehabilitation and Retraining Trust exists in order to meet the needs of retired officers, and the excellence of their support must be recognised in this regard. I hope that their continued funding will receive the full support of this Board, because the job they do is very important to us all.

Chairman, Professor Sir Desmond Rea:

Question relation to AEPs, question 18, Ms Martina Anderson.

Ms Martina Anderson:

Thank you. On 14 June 2007, Gearóid Ó hEára and I as Members of the Human Rights Committee, attended a meeting with the PSNI and the Commissioner for Children and Young People who had requested that a risk assessment be carried out on the new plastic bullets. So following up from that meeting, I am wanting you to note

the UN Convention on the Rights of the Child and the UN Committee Against Torture both stated that the new plastic bullets should not be used against children and young people, and in the absence of medical evidence, independent medical evidence on the impact that AEPs have on children and young people, is it not time for the Chief Constable to desist from the use of the new plastic bullets, discharge Section 75 duties and initiate a full EQIA Equality Impact Assessment, given that in 2004/05 the PSNI failed to discharge its duty, and then to immediately refer back to the Policing Board the policy decision in respect of the acquisition and deployment of the new plastic bullets, and I am referring specifically to Section 6 (1) and (3) of the Policing Act 2000.

Chief Constable, Sir Hugh Orde:

Thank you. This has been subject to substantial time and discussion at the Board previously, and I personally have no intention of changing the current policy.

I was at the serious disorder at Kilcooley, I spoke to the officers who were there. I witnessed the level of violence that had been orchestrated against them. I saw how they reacted and I fully understand why it was necessary, in those circumstances, to deploy the AEP as an alternative, which would be far more lethal, which of course is their firearms. We have an escalating scale of responses to these sorts of issues.

My obligation, and indeed the Board's obligation, which was missed in the question is, we also have a responsibility for the Article 2, rights of my police officers and staff. I am clear in those sorts of situations, rare and occasional though they are, my officers must have a right to the appropriate forms of self defence to defend themselves, their colleagues and of course, equally importantly, the public. It is difficult territory, I fully understand that. I am unaware, and of course in the Kilcooley riots none of the people who were struck by these six, and only six were fired, have been identified or have come forward, or indeed have been to hospital to our knowledge. So I cannot comment on the age of the individuals, but the rules that are in place, the policies, the procedures are substantial. The officers are fully trained. Policing on occasions is difficult, and the decisions the Chief Officer has to make are difficult. I do not intend to change this one. I think we have made a right decision and I think the fact that they are so rarely used shows just how seriously we take our responsibilities.

I live in fear of an occasion where, perhaps where a device and TASER of course, is the one that springs to mind, we have gone down a full consultation, a full Section 75 review. That delays the availability of something which is now being rolled out on an ever increasing level, subject to all the same legislation that I am subject to, pretty much, with the exception of Section 75 across other police forces in the United Kingdom. No doubt, if we are in the appalling situation where an officer who could have used such a device, or indeed in this case an AEP, has to result to his or her firearm because of the absence of it, I am sure the Board would be asking me some extremely tough questions as to why on earth we did not have something that was less lethal than a firearm available in our armoury.

It is difficult territory; I understand the emotion around it. Indeed I think I am the only Chief Constable who has acknowledged the pain and the suffering and the unnecessary deaths the predecessor, the plastic bullets of the old, as they were known caused in Northern Ireland. It is something I take very seriously, but I do not intend to change my policy.

Ms Martina Anderson:

I welcome the fact that you have reiterated that statement about acknowledging the death and the suffering that has been caused. There have been 8 children have been killed by plastic bullets, and there have been countless others have been injured, and not all of them can be categorised as children. We would all remember Emma Groves, who lost her sight, and a recent study by a group of doctors, you know, from the medical unit as you would know, they have suggested that the new plastic bullets – that 50% of those cases that they examined, they said had head injuries, neck injuries and chest injuries. So, given that it is, you know, you have to look for another alternative and that is what we, as a Board, I think in terms of the Patten recommendation, I think the previous Board and the PSNI misinterpreted, I think, Section 6 of the 2000 Act that allowed the Chief Constable to purchase the new plastic bullets without the approval of the Board. I think that was and that still is an incorrect interpretation because if the Chief Constable had the authority to purchase the equipment without the approval of the Board, I think it would have stated so in the legislation. Section 6 of the Act does not, in any way, delegate absolute control of the purchase, but rather it allows the Chief Constable to purchase equipment and, in this case, new AEPs on behalf of, ie and under the control, direction and decision of the

Board. So, I think, noting the Policing Act, and that is what I am referring to specifically, flows from the Good Friday Agreement and Patten, and given the controversial nature of policing and the use of plastic bullets specifically, and as I say I do acknowledge what you have just reiterated here today; as highlighted by Patten I believe it is absolutely unimaginable at that time, when the 2000 Act was being done, that it would be done to allow the then Chief Constable of the RUC, to purchase a weapon like this. So I think it is a misinterpretation of the Act, and I think it needs to be

Mr Peter Weir:

Chairman, is this a question or a speech, because I understood this was to be questions to the Chief Constable?

Ms Martina Anderson:

I am having a question about a matter that is of grave concern to people in our community.

Chairman, Professor Sir Desmond Rea:

Okay. Trevor Ringland. Sorry....

Chief Constable, Sir Hugh Orde:

I take full responsibility for the decision. I think it is an operational one and of course I cannot second guess what the Board would have done if they had taken it to a vote. It is, of course, open to anyone to judicially review a decision that I have made in relation to these sorts of issues, but I must protect my officers. I have an obligation, both moral and professional to make sure they have the right equipment. I think we have done that and I think we have got the safety checks in place, so we have to agree to differ on that one. But that is where I stand on it.

Chairman, Professor Sir Desmond Rea:

Mr Trevor Ringland.

Mr Trevor Ringland:

Just a very brief response. As the political climate has improved, has the use of AEPs or what they have replaced reduced. I remember standing, no great hero me, for one night on a conflict area in East Belfast and I reflected as I stood there, that if life was a

misery on one side of the wall, it was also a misery on the other side of the wall , I questioned whether the politicians on each side of the wall cared and I knew they did not care about the people on the other side of the wall, but I also questioned whether or not those politicians cared on their own side of the wall whom they claimed to represent. A police officer, I take it, also does have a right to life and maybe it would be useful very quickly to explain, the benefits of sterile ground and if that sterile ground is not kept, that what police officers would then have to face brought right up into their faces as it were.

Chief Constable, Sir Hugh Orde:

Tactically each situation is very different. The reality of buying space and keeping people apart, the reality is that my officers normally find themselves in the middle. Kilcooley was a concerted attack against police and interestingly of course, the last occasion which was 2005, when these were deployed was direct attacks against police on 10 September 2005 and the following days. Buying space gives us the increased flexibility. It protects our officers and indeed protects the public. Hand to hand fighting is extremely dangerous and that is what you are talking about if you cannot buy that space. These officers had to self deploy to get that space, because they were under such concerted attack. I saw the vehicles. They are the best vehicles we can get and even those were on some, close to destruction. At which point, we would have had officers dragged out and it could have been far more dangerous. In that situation to only deploy 6, I think I find surprising low and of course it will be fully investigated as all uses of AEPs are.

Chairman, Professor Sir Desmond Rea:

I am going to take 2 more supplementaries on this and then I am going to move on. Mr Gearóid Ó hEára please and then Mr David Rose.

Mr Gearóid Ó hEára:

Well, I would like to support Ms Anderson. I was actually at the meeting with the Children's Commissioner and it was my understanding from the meeting that they had requested an equality impact assessment on the use of AEPs. They were quite dissatisfied with the response that they had got and that's what came across at the meeting. I have to say, that I went into the meeting fairly cold without much background, but that was a very clear impression.

I actually think that you have a responsibility to your officers and to protect the life of your officers and I think it is important to acknowledge that.

I also think that the Children's Commission has a responsibility and that the majority of people who are being hit with these projectiles are children and it is very uncomfortable to read the Human Rights report which sort of says that you need to be careful when firing these at children and the younger children, the more careful you need to be about firing them. I just think that should not be written anywhere. I think there is something fundamentally wrong in saying "you need to be careful when shooting these things at children" and you need to even more careful the younger the children. So I think there is a problem there.

We were then told that the level of training was very high and that officers were trained to fire below the waist and that training had a very high success rate. On the other hand, we were then told that there was a whole report on injuries to young children which were above the waist and about the head which again is a very fundamental contradiction.

I am not sure how we resolve this other than looking at the broader context of the sanctions that are available both lethal and non-lethal and see it in the context of that debate. I think public order situations are decreasing and hopefully will become a thing of the past and there should be, if we were moving out of conflict and into the normality that we all want to see. There should not be a situation where police have to deploy on the street in numbers in public order situations. I would rather put my energies into achieving that goal and leave weapons like TASER and like AEPs in an emergency closet for situations where a red button is pushed and hopefully that might never happen.

The question is, can we actually move to a position where we deal with your concerns about the lives and safety of your officers and the Children's Commission's concerns and others about the safety of children when they are confronted on the street and perhaps open up a debate about how we get AEPs out of the armoury altogether. I do not know the mechanism, but I would like maybe that we have a formal meeting to sit down and discuss about how we might move that forward.

Chief Constable, Sir Hugh Orde:

My concerns are actually the same as the Children's Commissioner. It is the life and safety of members of the public as are the concerns of my police officers. The harsh reality is that policing on occasions is extremely dangerous and extremely high risk and as few and far between as there are, and I could not agree more, to have to use them means that to some extent something else has failed because we are in a situation which is pretty dire and that was the Kilcooley but it was pretty spontaneous. The whole event unfolded in a matter of hours. We managed to deploy sufficient resources to deal with it there in one day but the reality is that we had to use something which is deeply unpleasant. We take no pleasure in using them. My officers take no pleasure in using them but on occasions, if the alternative is to draw a firearm, then we are in a whole new ball game. I am happy for that to take place and be delighted to take part of it but it is, when you face up to the realities of what policing on occasions are, in terms of the medical report on the Whiterock, I think the average age of going to the doctors in somewhere in the region of 26 - 26½, albeit some are seen at 14 or 15.

Professor Sir Desmond Rea, Chairman

One final question on this, Mr David Rose.

Mr David Rose:

Just very briefly, Chief Constable. The situation in Kilcooley. In my personal opinion, the use of AEPs prevented that from spreading and really we should also talk about the responsibility of those who would put children into a position whereby they are in conflict with the police is as important question as to how the police deal with it. Very quickly, if this debate is going to go on, in a situation where we have a changed political climate, and I don't see the use of AEPs in hopefully what might be, politically inspired situations, are there alternatives or are you looking at alternatives. Because rather than just say let us get rid of these, there has got to be some alternative, because as I say we have talked about this in terms of Kilcooley and bringing it under control helped the general community bring calm to that and that and I think the use of AEPs on that occasion did help bring the situation under control.

Chief Constable, Sir Hugh Orde:

As you are aware, we do continue to search and we have searched the world, as has the NIO and members of the Board have been represented on many of those

committees. There is nothing at the moment that fits that void. We have water cannon but it is a lot less easy to deploy and far less specific circumstances. We have to sadly have that range but we will continue that search and that is part of what we are obliged to do under Patten. There is nothing currently deployable which current wisdom says is better.

Chairman, Professor Sir Desmond Rea:

Mr McCrea wants to ask a question.

Mr Basil McCrea:

I was at that meeting with the Children's Commissioner as well and the Board's Human Rights Advisers concurred with the Police Human Rights Advisers, that it was entirely proportionate and appropriate to use certain resources in certain circumstances. I wonder of just for the point of clarification Chief Constable, you could confirm that you do not routinely fire plastic bullets at children, that you only use them when clearly identified people are posing a greater threat to either themselves, your officers, or the general public than not to do so, and that you do so only if a more lethal alternative is that next worse option. I do think that it is time that we got into this situation where we understood that everybody has got human rights and that if people are not putting themselves in a situation where they have to be removed from the situation, then nothing will happen to them. It is very important that human rights do not become a weapon that we try and beat people around the head with it, but that it is something that is open to all people including your police officers.

Chief Constable, Sir Hugh Orde:

The guidelines you are quoting are correct. Age is not a criteria in that sense. It is around threats and it is very clear in terms of the guidelines and I am grateful for your observation on this matter. It is something we take seriously. It is not something I enjoy doing. It is not something my officers enjoy doing but rules are very clear. I have met with many of the commissions you refer to and the Human Rights Commissioner and many people tell me what I cannot do and I always ask the question "well can you give me an alternative solution" to which the consistent reply I have to say is "that is not our responsibility". I accept responsibility for what I have to do, it is very difficult. It is very challenging and is, in a way, the value of being there on the day when that particular level of disorder took place and to be able to assess it, from the reality of

what my officers face and indeed the community was facing. But the other point that you make which is important, they were used in September 2005 and at Kilcooley. Those are the last 2 deployments. It is not something we deploy routinely. It is subject to substantial authority level and at such like, at ACCs, and it is something that we will continue to monitor closely but I am happy for the debate to continue.

Mr Alex Maskey:

Chairman. Thank you for your indulgence. Just to be very brief. I really would ask you to reconsider your opening remarks that you do not intend to change your policy because you do have a requirement to seek alternative and I am quite happy to travel the world to find one. You can take time as a weapon. You can have stand back but on the question where we focused here on children, as far as I would be concerned, there is no circumstances whatsoever that I can humanly imagine that any police officer would have any justification for firing such a weapon at any child. (*Interruption*) Well we do not have that many child gunmen running around the streets so the fact of the manner is that it is a very serious issue. It does require much more substantive debate and I think what we are signalling here today is that we want to have that debate recommenced in a rational constructive way to find alternative to the use of plastic bullets.

Chairman, Professor Sir Desmond Rea:

I got to say to you. I realise that there are strong feelings on both sides in respect of this. I think there has been a long time spent and maybe it would be productive to have a presentation on the investigations that have gone on to alternatives in this whole area of non lethal technologies bearing in mind the different ages of people involved in this. So maybe we should have an update on that and then it is for the Board to decide whether it wants to reopen this territory. Take you to a question that relates to co-operation, question 24.

Rt Hon Jeffrey Donaldson:

Chief Constable. What feedback have you received from your senior officers in South Armagh, West Belfast and North Belfast about the co-operation they are receiving from Sinn Fein and other republican representatives in relation to solving crime and enhancing PSNI community engagement in these areas?

Chief Constable, Sir Hugh Orde:

I will ask my ACCs in Rural and Urban Regions to deal with that.

Assistant Chief Constable, Mrs Judith Gillespie:

I will deal with South Armagh first and then I am sure Chief Superintendent Woodside will deal with North and West Belfast.

We have been working with Sinn Fein representatives to increase the level of engagement with the local community in South Armagh and the local MP, Connor Murphy has been facilitating this process. There have been a number of private meetings with a view to increasing meetings that will include the wider community there and there has been a positive response from Sinn Fein publicly encouraging the local community to report crime and anti social behaviour to the police. I should also mention the very successful District Policing Partnership meeting which was held in Crossmaglen on Tuesday evening. Despite 2 bomb warnings being phoned into the police, 30 members of the public attended and raised issues such as anti social behaviour, car crime and cross border crime with the police and that was a very productive discussion and a landmark meeting from the point of view of the District Policing Partnership.

Chief Superintendent Bill Woodside:

I think ACC Sheridan in Urban Region certainly we have seen a huge level of co-operation particularly over the marching season. Our District Commanders particularly covering "A" District have had numerous meetings with members of Sinn Fein, both Councillors and MLAs and I think we have seen the dividends of that, if you look back across the marching season. We have also seen initiatives in West Belfast in relation to under age drinking, a very successful initiative. That was not only supported by members of Sinn Fein, but a lot of their members actually participated in the handing out of leaflets. So yes, we have seen a fairly substantial level of co-operation.

Chairman, Professor Sir Desmond Rea:

A question relating to a march on Sunday, 12 August 2007, Rt Hon Donaldson.

Rt Hon Jeffrey Donaldson:

Chief Constable, could you advise the Board if the PSNI intend to investigate the legality of individuals wearing paramilitary style uniforms and brandishing allegedly imitation firearms in the so called Truth March in Belfast on Sunday 12 August 2007 and what action do your officers intend to take to address the concerns raised about this offensive paramilitary display.

Chief Constable, Sir Hugh Orde:

The short answer is yes. If Chief Superintendent Woodside wants to give you more detail, it is just being investigated.

Chief Superintendent Bill Woodside:

I wish to assure Members that not only will we, but we already have commenced an investigation and the senior investigating officer has already being in consultation with the Public Prosecution Service and has also sought through our own Department legal advice in relation to any potential offences. That investigation is continuing.

Rt Hon Jeffrey Donaldson:

Thank you for that response. Could I also ask the ACC if he is aware of why the PSNI Commanders in North and West Belfast did not view the 2 principle feeder parades within their areas of responsibility as sensitive or contentious, even when they knew the names of the bands taking part and the fact that they were going into the City centre? Most of these bands are named after IRA terrorists or honour IRA terrorists. Some of them have masked IRA men painted on their drums and I have photographic evidence of that here. Consequently I think that in any reasonable assessment, those parades were potentially contentious and sensitive. As a result of the Commanders not giving that advice, the Parades Commission made no determination on these parades. Is that something that could be reviewed please for the future?

Chief Superintendent Bill Woodside:

Well Mr Chairman, I think we need to be absolutely sure in the role of both the Parades Commission and the police. Three feeder parades were notified to the Parades Commission. They have their own mechanisms for gathering information and background on the parades. I assume that was the case in relation to these 3 parades.

They made no determination in respect of the parades and the police policed the parade accordingly.

I should say Mr Donaldson, that generally in relation to the behaviour of the parades, there were no difficulties. The items that the members already alluded to were pointed out by a lone protestor at the time and the police on the ground did speak to the organiser and as I say, the investigation has commenced and will run its course.

Rt Hon Jeffrey Donaldson:

Well Mr Chairman, I guess that depends on your definition of difficulty. The officer may not be aware of the unprecedented level of public complaints made to the Parades Commission about these parades, the offensive nature of some of the displays. Therefore, I have to say that I am absolutely amazed that the police would not regard that as a difficulty. Something that causes grave offence within the community. I simply say again, I think the police need to review how they examine these things, because I can tell you in other areas where loyalist bands make any paramilitary display, the police regard those as sensitive and offensive and deal with them and take action and there cannot be 2 laws in this country. You have got to be consistent in how you deal with these things. I have to tell you that as a public representative on this occasion my view is, you were not consistent and you turned a blind eye to some things which has caused a grave offence within the community.

Can I also ask, Mr Chairman, what is the law on the procession of replica weapons in a public place? Is it lawful to carry replica weapons in a public procession and again I have photographic evidence of people with balaclavas masked in the middle of this parade, which apparently did not present a difficulty. Apparently it was not deemed offensive. Therefore, can we have some guidance on what is the law on the carrying of replica weapons in a public place.

Chief Constable, Sir Hugh Orde:

I am happy to send you the law or you can have a legal briefing from an expert. A replica weapon is not a firearm per se. I am happy to have a look at this and have a conversation with the member outside in particular the level of detail he would like on this. The point that has been made by Chief Superintendent Woodside is a good one,

we take information to the Parades Commission as do others. The determination is the decision for them. We then police that determination.

Deputy Chief Constable, Mr Paul Leighton:

Members might be interested to know that in meetings with the Strategic Review of Parading we have actually raised the issue of imitation firearms in parades with that Strategic Review so that can be taken forward as an issue in itself.

Chairman, Professor Sir Desmond Rea:

Questions, sorry Mrs Kelly I would like to move on.

Ms Dolores Kelly:

It is just very quickly Chairman. Given past history and past events, would the action of waving firearms certificates on hills out and about Antrim come into the same sort of category as replica weapons.

Chairman, Professor Sir Desmond Rea:

Can I move to 2 questions relating to the Steven's Report. Question 14, Mr Alex Maskey.

Mr Alex Maskey:

Thank you Chairman. If I could just make a comment on the last exchange there. Obviously I do appreciate your response in regard to the questions in respect of the co-operation they are getting from, certainly from my own party colleagues and am more than happy to say that those engagements will continue to be rolled out in a very positive and evolving way, so we can be assured of all that.

But not withstanding that and that is very, very important work in the time ahead for all of us, question 14 relates to the issue of the Steven's Inquiry reports. Without going into the history and detail of all of that, you are very obviously aware of that, yourself involved in that work, but as far as I am concerned, there are now no longer any reasons or valid reasons or even excuses as some might say, for not publishing these reports. As I understand it now yourself Chief Constable, would be the sole arbiter as to whether or not those reports would be in any or full way published and I am asking, do you intend to do that?

Chief Constable, Sir Hugh Orde:

By way of clarity, the one I was involved in, Stevens 3 was a criminal investigation. Lord Stevens published a public document which indeed was obviously circulated to everyone including the Board. The purpose of that was to bring to the attention of the Chief Constable matters of administration and governance which he felt should be taken on board and implemented within the PSNI. That of course we have done, in co-operation with the Board and with the Board oversight and with Blakey and Crompton contribute to that around procedures to make sure that the issues that were being investigated, the allegations, we could ensure that whatever went on before, would not go on in the future.

There is no additional report on Stevens 3. The report was the criminal investigation which has of course gone in its entirety and it was a huge report and with supporting evidence to the Director of the Public Prosecutions with a view to prosecution in keeping with any other criminal investigation. There is nothing else that has anything else to say about the Stevens Inquiry. It is in its entirety gone to the Director, because that is what we had been asked to do, investigate a crime. Of course, Members will be aware that a man was charged and convicted of the murder of Finucane as a result of that substantial inquiry. So there is not anything else that I could put into the public domain in relation to Stevens 3.

Mr Alex Maskey:

I find it difficult to take that answer seriously, with all due respect. There were a number of report, a number of inquiries, a substantial body of reports which did not just relate to the matters that you specifically referred to. I think it is very, very disappointing to hear that that's your response here today, I must say. Some of those reports involved not only and I saw over the weekend, there were references to well you couldn't really do this because it would jeopardise the names of the informers. I am not interested in the names of the informers. What I am interested in is getting to the substance of the body of these reports, which is about the State involvement directing murder in this society and those reports do contain a substantial body of evidence.

The point that I am making and I want to clarify this that there are considerable bodies of evidence in all of those reports. There is now no longer any justification in so far as there is no prosecution to be levelled. You yourself are on record repeatedly as saying

that these inquiries cost all sorts of money. Then release the reports and save a lot of money, but give people the information to the heart of those inquiries which is not about administration and how this bit joins up with the other bit, but it is about who or what agencies of government were involved in directing a murder campaign there, because that is what it is about, and that is the answers that people want to get. What I am saying is, that you now have the full responsibility as to whether or not those reports are published and I am asking you again, do you intend to publish in full those reports?

Chief Constable, Sir Hugh Orde:

Chairman, I cannot publish something that does not exist. The Stevens inquiry, the one I was involved in, Stevens 3 was a criminal investigation. The files that came out of that investigation in their entirety went to the Director of Public Prosecutions and the Director of Public Prosecutions to my knowledge, does not publish prosecution files regardless of whether he decides to prosecute or not. And let us be aware in relation to the Stevens investigation, he has decided not to prosecute any of the people which we submitted for his consideration and that is what an investigation is. I don't know what you are looking for. That is what it is.

Chairman, Professor Sir Desmond Rea:

Sorry, can.....

Mr Alex Maskey:

... you are referring to the PPS, but do you have the reports? As I understand it, because I am trying to get a simple question. You are referring now to the PPS. You have the responsibility, as I understand it, which is what I want to clarify here today, as to whether or not any or all of those reports will be published. It is not down to the PPS. It is not down to anybody else. It is down to yourself as the Chief Constable. I want that confirmed or otherwise, I am happy if you are going to tell me you do not have the authority to do it. But what I want to establish, if you do, I want to know do you intend to publish. Let us make up our minds what is in those, once you publish them.

Chief Constable, Sir Hugh Orde:

I am slightly confused. I have not got a report to publish. I have got a load of files in relation to criminal prosecutions, which I have not intention of publishing in keeping with any other criminal prosecution file which goes to the Director for a decision. My job, or

Lord Stevens job was to create a file of evidence, or files of evidence, there are substantial files on a number of matters to then give to the Director to decide on prosecution or not. The Director decided not to prosecute, with the exception of course of one prosecution which has resulted in a conviction. There is nothing else and I am happy to have a conversation around it.

The public report that Lord Stevens put out, that was in relation to recommendations which the Board has adopted and which we have accepted in full. So I don't want the Board to be under any illusion here, I have nothing in my possession. You mentioned the Secretary of State. If there is something else in my possession, then I am quite used to taking full responsibility for what's gone over the last 30 years, if it is something that I think should be in the public domain, rest assured I will put it there. But I am not sure what it is I supposed to be putting in the public domain.

Chairman, Professor Sir Desmond Rea:

Another question relation to Stevens, Mrs Kelly.

Mrs Dolores Kelly:

Chairman, just to be clear. It is my understanding that Stevens 1 and 2 are with the British government and it is their responsibility to publish or not, so could I ask the Chief Constable if all of the Stevens reports have been received by the Historical Enquiries Team.

Chief Constable, Sir Hugh Orde:

That is going back a bit. In relation to Stevens 1, I do not think that has ever been published. Are you taking about Stevens 1?

Mr Alex Maskey:

I said all the reports.

Chief Constable, Sir Hugh Orde:

In terms of Stevens 1, I am happy to have a conversation with Lord Stevens and indeed Members of this Board as to whether or not it should be published. I need to read it and see what issues there are certainly around Article 2. There may be some potential for that to be published in a redacted form. That goes back a long way. Stevens 2 was

simply additional work requested by the Directors. There would not be a report on Stevens 2. There will be additional files to the Director in relation to Nelson. Now the fact Nelson is now dead so that may make the decision easier. I am happy to look at that and report back to the Board.

Chairman, Professor Sir Desmond Rea:

Question relating to MI5, question 13, Mrs Kelly.

Mrs Dolores Kelly:

Could the Chief Constable advise us of the date when primacy for national security issues in the North was transferred to MI5. To confirm the anticipated number of PSNI officers who shall be working out of MI5 Hollywood premises and the view of the PSNI, if it is the case, that ex RUC Special Branch officers are working as consultants for MI5.

Assistant Chief Constable, Mr Peter Sheridan:

Three questions in that one. The first one around the date. The date is before the end of the year, is what the government has said and I cannot give you a date, because I have not got a date yet. The Board may recall that what I undertook to do was once we have agreed with the Security Service a Memorandum of Understanding, I would share that with the Board. I would hope to put it on the internet so people would understand how we will work with the Security Service. The Board's human rights advisers were with us last week working with officers on all of the Memorandums of Understanding and the protocols ensuring they are human rights compliant. We have not got to the stage where we have signed off on those with the Security Service yet and until that happens and until I am satisfied that they are properly compliant with human rights, then we cannot give a date, nor can the Chief Constable hand over primacy to the Security Service until he is satisfied that has happened.

In terms of the number of PSNI officers, again we will send as many or as few to work along side the Security Service to ensure that the five principles that the Chief Constable has set out are complied with. That may be at the outset more. It may be less over time but it will be as many as we require, to make sure that we get what we want in terms of those five principles.

As far as ex RUC Special Branch officers working as consultants, the recruitment of people to the Security Service is a matter for the Security Service and we have no function or role in that.

Chairman, Professor Sir Desmond Rea:

Question 12 relates to the 28 day pre charge detention period for terrorists suspects. Suneil Sharma.

Mr Suneil Sharma:

In light of ongoing concerns about the infringement of civil liberties, what are your views in relation to ACPO's call for an extension to 28 day pre charge detention periods for terrorist suspects and do you think it is absolutely necessary?

Chief Constable, Sir Hugh Orde:

Well, it is a very complicated issue and the vast majority of cases can be dealt with within 28 days. Quite frankly the problem with the new international terrorist threat is that some of these cases are far more complicated and the reality may be that in some cases crossed jurisdictions, or large number of bank accounts, moving of explosives, moving of people, then there may be certainly a case for a debate to be had around extending it in certain cases. I am on record some time ago saying I was in support of a longer time, but subject to substantial independent judicial oversight. On behalf of APO of which I am a member, I can say that APO are not certainly saying we want carte blanche, what we want is a system in those unique and highly unusual cases where the complexity is such, that there needs to be additional time, we need to have a situation where we can go and take that debate to a judge to persuade them or to argue our case and see whether they agree or not and that is the debate that is ongoing.

There are a number of ways of looking at it. Could it be a fixed an additional up to 60 days or could it be on a case by case basis. You can make an argument for a case for maybe 48 hours; you do not need a huge amount of time. But until the law changes, and the law is very clear on this at the moment, and fortunately the cases to date have been dealt with within what is available to the investigators. Lives are not being put at risk because people have had to be released. I do not think it is right to expect police officers to make the system work, for example, by charging people when they do not have the right amount of evidence to get them into custody. I think we have to have the

right protections from the law, so that the law is properly applied and that is the debate which is ongoing. My personal view is, I think there is some value in having potential for longer than 28 days, but subject to substantial independent oversight at the juridical level rather than the administrative one.

Chairman, Professor Sir Desmond Rea:

Would you like to say something in conclusion Chief Constable by way of update into the investigation into the murder of Thomas Devlin.

Chief Constable, Sir Hugh Orde:

If that is the last question, I would like to nominate ACC Sheridan to deal with it.

Assistant Chief Constable, Mr Peter Sheridan:

Thank you Chairman. Members of the Board may be aware that we have just passed the second anniversary of the murder of Thomas Devlin on 13 August 2006. We, along with the Devlin family, launched a media appeal around the anniversary to try and encourage witnesses to come forward and I have spoken to the senior detective investigating the murder and he would want me to publicly put on record to extend his thank to people in Mount Vernon for the co-operation and assistance the investigation team received over the this last few weeks.

As a result of the assistance from the public, we have conducted a number of searches in Mount Vernon and I confirm that a knife has been recovered. I am not in a position to say whether that knife is the actual weapon that killed Thomas Devlin because it is in for forensic examination but a number of new lines of enquiry are now being progressed by the investigation team as a result of the assistance from people in Mount Vernon. Just finally, to date we have arrested 12 people, over 1,000 witness statements have been recorded, 2,500 actions around the murder have been completed, over 2,000 houses have been visited, 37 flats and houses have been searched, 40 areas have been searched and 775 exhibits have been seized. This is still a very live investigation.

Chairman, Professor Sir Desmond Rea:

Can I say thank you Chief Constable, thank you to your senior colleagues for responding to our questions and to members of the public and journalists for your endurance. Thank you very much indeed.