

NORTHERN IRELAND POLICING BOARD

MINUTES OF A MEETING IN PUBLIC OF THE NORTHERN IRELAND POLICING BOARD HELD ON WEDNESDAY, 6 JUNE 2007 AT 11:30AM IN WATERSIDE TOWER, BELFAST

PRESENT:

MEMBERS:

Professor Sir Desmond Rea (Chairman)
Mr Barry Gilligan (Vice Chairman)
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
Mrs Rosaleen Moore
Mr Gearóid Ó hEára
Mr Brian Rea
Mr David Rose
Mr Suneil Sharma
Mr Peter Weir

PSNI IN ATTENDANCE:

Sir Hugh Orde (Chief Constable)
Mr Paul Leighton (Deputy Chief Constable)
Mrs Judith Gillespie (ACC Rural Region)
Mr Peter Sheridan (ACC Crime Operations)
Mr Duncan McCausland (ACC Urban Region)
Mr Drew Harris (ACC Criminal Justice Department)
Ms Sinead McSweeney, Director of Communications
Chief Superintendent, Human Resources Department
T/ Superintendent , Command Secretariat
D/Inspector, Community Safety Branch
One PSNI Officer, Command Secretariat

OFFICIALS IN ATTENDANCE:

Mr Trevor Reaney (Chief Executive)
Dr Debbie Donnelly (Deputy Chief Executive)
Mr Sam Hagen (Director of Corporate Services)
Mrs Sinead Simpson (Director of Policy)
2 Board Officials

APOLOGIES:

Ms Martina Anderson
Mr Trevor Ringland
Mr David Simpson

Chairman, Professor Sir Desmond Rea:

Members of the public and the media, welcome to this meeting of the Northern Ireland Policing Board.

This is the first meeting in public of the newly reconstituted Board and I am pleased to welcome to the meeting today, a number of students from these shores and from Boston.

For nearly a decade, policing has been one of the central issues of the peace process and of the political negotiations that have brought us to this point. Whilst this is the third Policing Board to have been established since November 2001, it is the first that includes the community's elected representatives from across the whole political spectrum.

Previous Policing Boards, and the Members who served on them, achieved much and I pay tribute to them today. However, we are entering a new era in the history of policing in Northern Ireland and this new Board will continue to ensure, for all the people of Northern Ireland, an accountable, effective, efficient and impartial police service.

I believe that both the political and independent Members of this Board intend to work for all the people of Northern Ireland in seeking to meet the Board's objectives.

The Board has made a significant contribution to the policing reform process to date; and as we move forward, I along with my fellow Members, look forward to helping make communities safer and ensuring the delivery of a police service which meet the community need.

And so down to today's business.

At this public session, Board Members will question the Chief Constable on a range of policing issues. This accountability role ensures that the PSNI, through the Chief Constable, is held to account in an open and transparent fashion.

Although these meetings in public are an extremely important part of the Board's business, they are only one of the ways in which the Board carries out its functions. The Board also carries out its role through private sessions and through its various Committees.

Through its work, the Board has ably demonstrated its strong governance of the PSNI, a fact also recognised by the outgoing Oversight Commissioner. It is therefore appropriate, that the Board now assumes responsibility for oversight of implementation of the remaining recommendations of the report of the Independent Commission on Policing, which are relevant to its work.

Chief Constable, I pay tribute to you and your officers for the progress made during the last number of years. There are still changes and challenges ahead, but we would not be where we are today if it were not for the dedication and commitment of you, your top team and PSNI officers and support staff.

Whilst much has been achieved in policing in recent years, much remains to be done. This Board will not be complacent in its role in helping ensure that policing in Northern Ireland continues to move forward and meet the needs of everyone in our community.

Since your last report Chief Constable, there have been a number of policing developments and I should be grateful if you could give your report to the Board.

Chief Constable, Sir Hugh Orde:

Thank you Chairman. The Board has asked for a presentation on business crime so I will keep my opening comments fairly short. I think in terms of issues that are currently well in the public eye, the most recent murder of Brian McGlynn in Derry, is one that is under active investigation. Members will be aware that a number of arrests have been made, albeit that some of the people arrested have been released. It is a very active and well resourced inquiry. The comments made by the investigating officer was that it

was a particularly brutal murder that brought back many memories for many people of the situation that hopefully, we in this world have moved on from. So that is an ongoing investigation. There are a number of lines of enquiry, certainly too early to speculate on the clear motive.

In relation to business crime, Chairman, this is something that has been of continuous interest to the Board and the business community and the Detective Inspector Community Safety Branch, has been asked to give a short presentation, which he will do so in a moment. Just by way of a couple of examples of what can be achieved by working together in partnership. Very recently Members will be aware of what I would call substantial arrests, of 4 people for an offence of extortion, those people are currently charged and remain in custody. I think that shows yet again, that where we get complaints of extortion, we can work very closely with victims and we can get results and we can put people in front of the courts. I think it is also worth reflecting that the Lord Chief Justice in one of his Court of Appeal rulings has made it very clear that people who play in that world can expect to go to prison for a very long time, so we will watch that one with interest.

Another area that certainly I know concerns the business community is that of counterfeiting and selling counterfeit goods. It is a matter of fact that the PSNI seizes more counterfeit goods than 43 police forces put together. We take it very seriously, part of that is in relation to our geographic situation around an international land border. An operation came to a successful conclusion on the 4 May 2007, when at Belfast Crown Court a man was sentenced to 18 months imprisonment for supplying counterfeit cigarettes. That was just one side of that particular equation and it is right that on the 29th of this month we have a High Court Hearing where we are looking to confiscate £400,000 worth of money from that individual which shows the profit that is being made, and of course, that is profit which is outwith that available to the business community who are selling these legally.

Chairman, on that point I will finish and I will ask the D/Inspector, Community Safety Branch to give his short presentation.

Detective Inspector, Community Safety Branch:

Good morning. In 10 minutes I can only give you a brief overview of business crime and I will try to cover the problems as well as the highlights.

The problem for crime prevention and related to business crime is one of identification and definition. Business crime is one of those things that people live through and know exists. Police have dealt with business crime as it happened and also led the way in proactive work to prevent business crime. It has not however been a classification before, and by that I mean not a category that we band a range of offences under to assess their total impact. Anecdotally, some members of the business community would suggest that this has led to under reporting and a lack of engagement.

The other perspective is that almost all crimes have an impact on business. Where do we draw the line and is there value for the prevention and detection of crime in trying to draw the line anywhere? We are sure addressing this concern is not helped by the constant repeat of the mantra “police are not interested”, which is demonstrably not the case. Addressing this concern is helped by encouraging all businesses to report incidents to the police and by working together. We hope to achieve this by producing an inclusive Business Crime Strategy. The main message is “police cannot tackle this crime alone, but with our partners we can have a great impact”, our message is essentially a positive one. A tremendous amount of work is going on, we are working in partnership, we are achieving results, we just need to get the message across.

By having this action in the Policing Plan, it has provided us with a strategic umbrella to bring together all the work we were doing with the business community into one coherent package. We will look at all the strategies to reduce crime, both crime reduction and enforcement. I will talk about an example of this approach later.

On behalf of the PSNI, our Deputy Chief Constable (DCC) has become the champion for tackling business crime and I know that Mr Gilligan fulfils the same role for the Northern Ireland Policing Board. We also work closely with the Northern Ireland Office (NIO) who support our joint initiatives. We need to broaden our lines of communication with representatives of the business community and a great deal of work has already

been started and this has been endorsed by the Deputy Chief Constable's Strategy Group.

Examples of a range of crimes, just to demonstrate the range of crimes that could be covered by a Business Crime Strategy. I believe it should be stressed, that although "tiger kidnaps" are at the top of the scale and can have a dramatic effect on the staff and families, including children, shoplifting can have a devastating effect on the business health of small shopkeepers. As can repeated criminal damage where shop windows are broken and insurance cover is impossible to get.

In relation to kidnap, we have done a great deal of prevention work behind the scenes with a range of organisations getting policies and procedures in place to protect them against possible kidnap. We will be making some announcements later in the year, however, it would be premature to mention any vulnerable organisation now before all the protections were in place.

For fraud crimes like credit card fraud we are already using our new lines of communication to disseminate information and good practice. We also disseminate information about counterfeit currency which is a very real issue for retailers.

I believe that cash in transit robbery is one of the best examples. There have been significant initiatives both by way of enforcement and crime reduction. From a Targeted Arrest Strategy that has delivered results to even a simple message put on the back of cash in transit carriers "police follow this van". Intelligence would suggest that this created confusion in the robbery fraternity as to whether to whether it was an appeal to follow the van or a statement that we did in fact do it.

Despite significant arrests in recent years there remain a number of criminal gangs involved in large scale armed robbery in Northern Ireland. In some cases these gangs are involved in the robbery of cash in transit vehicles, in others across the counter robbery of banks and others tiger kidnaps in which staff members are often left severely traumatised.

Whilst high value armed robbery remains a serious concern of the Organised Crime Task Force, there have been significant successes in this area.

Attacks against cash in transit vehicles in particular have seen a continuous downward trend since the formation of our Organised Crime Task Force and a subsequent Cash in Transit Expert Working Group, a really good example of the successes which can be brought by close partnership and working with members of the business community.

In 2001 there was a total of 121 cash in transit attacks in Northern Ireland, this accounted for 16% of the United Kingdom total, at current rates, attacks in Northern Ireland account for just 5% of the national total. In the same time period the proportion of attacks in the Metropolitan police area has risen from 24% to 40%. One of the ways in which the Organised Crime Task Force and partner agencies have helped tackle high value robbery is through the formation of a joint control room involving the PSNI and the cash in transit companies. This innovative facility allows PSNI and cash in transit companies to respond quickly and effectively to any threat or any perceived threat. It is expected that the use of the control room will soon expand to involve additional companies who are responsible for transporting high value loads.

Our Robbery Squad focus on top level gangs and such crime has led to a number of significant successes in recent months.

Partnership working – Pilot for ReControl which is funded by the PSNI, the Northern Ireland Policing and the NIO, launched in North Belfast was a practical approach to minimising robbery through staff training, cash minimisation, cash tracking and advanced electronic surveillance. It is a bit early to say exactly about the figures yet, but the latest figures I received from PSNI Antrim Road this morning would suggest that the robberies in those areas where we put that in place are well down on last year and the surrounding areas have not been, but it is a little too early to say properly from the figures because it is a new initiative.

Retailers against Crime Northern Ireland facilitating the major retailers in Northern Ireland to information exchange about crime threats and suspects and we have tied to the Scottish Retailers against Crime to assist the travelling criminals. These are the major retailers Tesco, B & Q, Sainsbury's, Marks & Spencer and we have 24 major

retailers in total that have all tied into this. As a spin off, we have an agreement in principle with Tesco across Northern Ireland to use their facilities for community co-operation projects and to work and prevent crime.

Many of the large retailers have local schemes and we are building on this every day. We are working with the Federation of Small Businesses to address their needs. We have had a series of meetings with them, the latest being last Monday night. I think we quickly identified that part of their concern was the perception that their voice was not being heard, so to give them something tangible and practical I have arranged for the DCU Crime Prevention Officers to present at a local level, and to give them a breakdown of what we can actually do for them and the service that we provide and thereby open lines of communication. These are only a snapshot of business contacts we are working with daily.

One other scheme that has had a great success is 2 police officers sponsored by the Belfast city centre retailers. They have wiped out illegal street trading and shoplifting has dropped by a reported 40%.

The Way Forward – opening lines of communication to identify what are the problems. Looking at best practice from around the world but also locally. The local Crime Prevention Officers have an excellent reputation, particularly amongst the business community and I can honestly say the feedback I have had has been absolutely superb. Some of the local schemes are exceptionally innovative and they help build a public reassurance that police are there to help.

From Headquarters we have run 'Operation Cleanup' that removes untaxed vehicles that may be used by criminals as runabouts. It has been mentioned in the Northern Ireland Crime Survey as a key strategy that has reduced crime.

Talking to the retail stock loss co-ordinators for the major retailers, they would suggest that up to 75% of their stock losses may be internal scams working with the Retail Loss Prevention which is a company that specialise in Civil Restitution Orders against offenders so that companies are covered not only stock losses, but also receive costs for the time spent in doing so. This would be both against staff and shoplifters, those

prosecuted and those not and we are working with the Public Prosecution Service (PPS) to ensure an ethical approach to this solution.

Secured by design – we are working with the Health and Safety Executive in Northern Ireland to try and bring about a change in the planning procedures, where due regard will have to be made to crime reduction when designing or significantly altering commercial buildings. An inclusive Business Crime Strategy is one of the fundamental building blocks for economic growth, I would suggest that we are doing our part.

Chairman, Professor Sir Desmond Rea:

Perhaps you could wait a moment in case there are some questions that Members wish to put to you through the Chief Constable.

Members, do you have any questions on that report? The Vice Chairman.

Vice Chairman, Mr Barry Gilligan:

Thank you D/Inspector for that presentation and like you I have also heard that line amongst the business community that the police are not interested and I share your view that that is not true. I think the business community do have a responsibility and I think they do have a responsibility, particularly in the area of extortion because it really does not matter how effective and efficient the PSNI are, they will not solve a crime that is not reported. One of the figures that always gives me concern is a figure of over 90% of incidents of extortion that are not reported, so my question is, are we making any inroads into that figure and how are we going about making sure that the business community play their part?

Detective Inspector, Community Safety Branch:

There is the Extortion Helpline that has been widely advertised and indeed, with the meeting with the Federation of Small Businesses on Monday night, we suggested we give them the leaflets that they can put out with their magazine that goes out to 6,000 different retailers across Northern Ireland and that will put the telephone number out in the forefront again so that people are aware of it. We need to keep reinforcing it because people here about it and move on so we try to get the message out time and time again to say “look we are here, the extortion helpline is there, come and talk to us we are professional about how we deal with this”. We have had a great success rate

where people have actually come and reported extortion to us and we have protected the victims.

Deputy Chief Constable, Mr Paul Leighton:

Closely linked to that are the Tiger Kidnaps and they are very affiliated type offences. The D/Inspector is right, in extortion cases that have come to us we have 100% success rate. Our prime focus is the safety of everybody involved, so any business person who feels concerned for safety and feels that is a reason for not coming forward should be reassured that that is the prime consideration of any senior investigating officer running any of these operations. So, there is a good message out there and we have briefed several of the big businesses across Northern Ireland. The difficulty is getting into absolutely every corner but as you can see from our approach to the strategy we will attempt to use all the organisations that exist in Northern Ireland to get to everyone.

Assistant Chief Constable, Mr Peter Sheridan:

Chairman just one additional comment. There have been more people arrested and charged this year in relation to extortion than in the whole of last year and that gives me some hope that the business community is actually starting to report more and more of this crime which is encouraging.

Chairman, Professor Sir Desmond Rea:

Mr Suneil Sharma and then Mr Alex Maskey.

Mr Suneil Sharma:

D/Inspector thank you for the presentation. Could you give us an insight into what the cost of business crime in monetary terms is in Northern Ireland.

Detective Inspector, Community Safety Branch:

No, there is a big problem with that. Because it has not been classified and all the crimes pulled together under the classification of 'business crime' and to be honest I am not quite sure that we could do that. Business crime would be affected by anti social behaviour in the street outside premises, it can be affected by criminal damage. If people do not feel safe and secure about where they want to go and shop, that is affecting business crime. If we set analysts to it, could we possibly do it, maybe we

could capture all the detail but I would suggest perhaps not and that any figure that we would come up with would be spurious. I think we need to concentrate more on looking at what the problems are, dealing with the problems that have been identified to us and going for that.

Assistant Chief Constable, Mr Peter Sheridan:

Chairman, one of the things that the Organised Crime Task Force (OCT) has decided to do is to try and get a definition of business crime because when you talk to some people in the business community, they see business crime as any crime committed at or near a business. You could argue then that an offence committed in the middle of a field could be a business crime, so as part of the Organised Crime Task Force we will have a definition of what we mean by business crime, that is agreed with the business community and then we will be able to do what Mr Sharma asks and be able to cost that.

Deputy Chief Constable, Mr Paul Leighton:

There are 2 costs that are widely known in our national figures. One is for shoplifting and that is a figure of around £100 per person in the UK per year, as the direct cost of shoplifting that is passed on by stores every time we shop. The other figure is an ACPO figure for fraud which estimates, and it is probably an under-estimation, that fraud costs every person in the UK £330 per annum, so those are 2 figures that are there. But the D/Inspector is right in saying that there is no all encompassing figure, and it is difficult to attribute direct costs and then those costs of deterring business or putting people off going into a particular area to shop or to use businesses caused by anti social behaviour or other difficulties and that is one of the difficulties in getting a definition of business crime. If we come up with a definition of business crime through the OCT, it may well be just for the more serious directly business crimes, rather than those that really can harm business such as criminal damage and graffiti and the whole atmosphere in an area.

Mr Suneil Sharma:

It is the former one that I would be interested in.

Chairman, Professor Sir Desmond Rea:

Mr Alex Maskey.

Mr Alex Maskey:

Thank you Chairman and thank you D/Inspector for your presentation. I know you touched on earlier the whole question of certainly some elements of anti social activity which have a big impact, so I want to deal with that at a later stage if you do not mind.

One of the issues that has come up is the whole question of extortion. Now I think most of us accept that for some people in this society extortion seem to be a lifestyle choice more than anything else, and yes there has been a number and maybe an increasing number of people who have been brought through the courts. We have heard that maybe up to 90%, and I do not know how accurate that figure is, of that activity is not even reported, but can you see with the number of arrests that have been made and people taken into courts, is there any actual reduction in the level of extortion that we have all seen here, or is it just a normal way of life for some people?

Assistant Chief Constable, Mr Peter Sheridan:

Chairman, maybe I could answer that. Yes, we are starting to see some indications that there is less of that type of crime happening in particular areas, I think that the more we are successful, the more people that report it then the more chances of winning against this, but there are clear indications that there is a turning in this.

Mr Alex Maskey:

Is there any idea or indication that this 90% is based on fact, or as much fact as you can establish, or is it just a figure that is bandied around, as it is quite a serious suggestion to make?

Assistant Chief Constable, Mr Peter Sheridan:

It is based on a number of things. The small number of cases that we have investigated over the years, the small number of complaints and whilst as they say, the dogs in the streets know there is a lot of this happening, intelligence would also tells us there is a lot more of it happening than is actually reported. Unless you get a victim in it, you cannot take it any further, but the encouraging thing is, as I said, is that people

are starting to report it and so far we have 100% success rate in detecting it and that is what the biggest deterrent will come from.

Chairman, Professor Sir Desmond Rea:

D/Inspector that you very much indeed for the presentation today and for taking our questions.

Chairman, Professor Sir Desmond Rea:

Question 1 relates to people trafficking, Rosaleen Moore.

Mrs Rosaleen Moore:

Chief Constable, there have been disturbing accounts in the media in recent times concerning the potential increase in people trafficking into Northern Ireland from the wider EU community and beyond, and in particular in relation to the trafficking of young women to service the sex industry. Can you comment on the suggestion that Northern Ireland is becoming a hub for such activity and what steps are being taken to counteract it and is there any evidence of paramilitary diversification into this area?

Chief Constable, Sir Hugh Orde:

I will ask ACC Sheridan to deal in detail. In broad terms, we put a huge effort into trying to identify and analyse what is going on and our current findings are, this is not certainly an area where we would be hugely concerned about in terms of some of the other crimes which we would say are far more prevalent in Northern Ireland, but I will ask ACC Sheridan to deal with the detail.

Assistant Chief Constable, Mr Peter Sheridan

I suppose Chairman, the increased publicity that is happening currently around it is probably a good thing, in that it is raising awareness among the community so we may get a better picture.

We have as a police service, been involved in a number of national operations at various points of entry in Northern Ireland to identify a range of offences associated with illegal entry. These can range from basically from people being present in the UK illegally to people smuggling and people trafficking and I think it is maybe helpful if I explained the difference in some of those.

There are people who are in the UK illegally, in other words they come with forged documents and they get access to the UK and are in it. People, in what is termed 'people smuggling' are people who are normally complicit in wanting to come the UK for economic reasons, for labour reasons and so they are smuggled into the UK generally on those terms and it is not something they report to the police. The third group, then is the more serious of the immigration offences which is 'people trafficking' where people are brought into the UK through deception, coercion, intimidation and they are then exploited when they are in the UK.

The Organised Crime Task Force has a committee of people to address trafficking and we will continue to scope what is the size of the problem but as the Chief Constable said, it is not certainly a huge problem in Northern Ireland at the minute, it is one that we expect to rise. We do know that Northern Ireland is used as a route between the South of Ireland and across to the UK for people trafficking and smuggling of people.

We had several investigations into suspected trafficking cases in Northern Ireland in recent months but none of them have been confirmed as being trafficking. There are no indications that paramilitaries are involved in trafficking to any extent and we continue to scope the nature of the problem, but there is no indication that Northern Ireland is a hub for trafficking.

Chairman, Professor Sir Desmond Rea:

Suneil Sharma, supplementary.

Mr Suneil Sharma:

There has been a noticeable increase in the number of young men and women from Eastern Europe who are selling the Telegraph and the Big Issue magazine throughout Belfast, it seems to have mushroomed over the last month or two. Can you assure us that these young people are not being exploited by gang masters either from within the province or from outside?

Chief Constable, Sir Hugh Orde:

It is a problem and it is interesting that this is something that has developed here about 5 or 6 years behind the rest of the UK where it became quite prevalent some time ago and I know there has been debates going on and ACC McCausland has more detail on it. It is not an issue frankly I am hugely concerned about in terms of are these people being exploited. They are making more money selling the Belfast Telegraph on a street corner than they were in the countries of their origin.

Assistant Chief Constable, Mr Duncan McCausland:

We are clearly looking at it across Urban Region particularly in Belfast, and the District Commanders, just in the last few days, have been putting together their views for me to consider in relation to a policy. I am more than happy to share that policy with the Board in relation to any particular issue particularly traffic offences where people are potentially 'jay-walking', but we do not have any issues flying on the radar about people being exploited but certainly we will keep that on board. The best way for this to stop would be if people are not buying what they are selling then there is no issue and this will, in effect, disappear.

Chairman, Professor Sir Desmond Rea:

Question relating to the publication of sensitive information, question 10 the Rt Hon Jeffrey Donaldson.

Rt Hon Jeffrey Donaldson:

Thank you Mr Chairman. Chief Constable, having regard to your current national security role, do you have a view on the publication of sensitive information by the Police Ombudsman about intelligence gathering techniques and counter terrorism strategies adopted by the PSNI and the security services in Northern Ireland and the consequences that this has for national security?

Chief Constable, Sir Hugh Orde:

The short answer Chairman is, yes I do have concerns about any release of sensitive information into the public domain, whether it is by an official public body as mentioned in the question, or anyone else and that does include retired colleagues from my own police service. Any leak that is harmful or gives information about sensitive

methodology can potentially at one extreme lead to threats to life and indeed issues around Article 2. That having been said, it is a matter for public bodies to explain what they do and they will no doubt wish to balance the concerns of the complaint and the victim and their expectations about what should be in the public domain, against that need to balance that against what is clearly sensitive information. That is the decision made by different public bodies.

In terms of the Police Ombudsman, we have agreed that material obtained from my organisation, which they have of course a right to do under the relevant legislation, will be retained and handled in accordance with the Government's Marking and Handling Procedures, that is to say something that is classified as 'secret' for example cannot be released into the public domain within those guidelines and material cannot and will not be disclosed to another party. If it is our material that we share with the Police Ombudsman, that is because it is an obligation under the law, she cannot then go and share it with somebody else.

As investigations and enquiries into historical events continue, these difficulties frankly will continue and we will just have to manage them as best we can and we are on record as expressing our concern when we think it is indeed appropriate.

The complaint has of course been made in relation to the Office of the Police Ombudsman and as a result of that complaint which we are obliged to investigate, preliminary enquiries are currently underway, and we will await the outcome of those enquiries and I will, of course report back to the Board, which means there is nothing more I can say at this stage.

Chairman, Professor Sir Desmond Rea:

Do you have a supplementary you wish to put?

Rt Hon Jeffrey Donaldson:

Thank you Chairman. The Chief Constable may be aware of the sensitive information that was contained in a report published by the Police Ombudsman's Office in respect of their investigation into matters relating to the murder of Lance Bombardier Steven Ristorick and there was contained within that report, published on the website of the Police Ombudsman, very sensitive information about the intelligence gathering

techniques and the counter terrorism strategies deployed by the security services in Northern Ireland. Has the Chief Constable made specific representations to the Police Ombudsman in regard to the publication of that particular report and the material it contained?

Chief Constable, Sir Hugh Orde:

I will ask ACC Sheridan to go into that in more detail. Of course all these disclosures have to be put in the context of what is already known. Now, as I am not a fan of repeating something that may have been written in books, and much of this issue has, over the years already been recorded by retired security services, retired police or whatever I will ask ACC Sheridan to give more detail which may be helpful.

Assistant Chief Constable, Mr Peter Sheridan:

I am just concerned, I have asked the Senior Investigating Officer to examine those complaints specifically but we have made contact with the Ombudsman's Office about that one specifically. It would probably be unfair to pre-empt that investigation at this stage to say anything more Chairman.

Chairman, Professor Sir Desmond Rea:

A question that follows a similar line, question 8 Mr Peter Weir.

Mr Peter Weir:

Thank you Chief Constable, I am asking on behalf of a member of the public. According to recent media reports, the PSNI is conducting criminal investigations into the Office of the Police Ombudsman in relation to breaches of the Official Secrets Act and unlawful disclosure of information to the press. Is this correct and if so, does the Chief Constable have confidence in the present Police Ombudsman to carry out any further investigations involving classified information and if in the event of any further such investigations, what measures are being taken by the PSNI to restrict access to classified material and prevent breaches of security?

Chief Constable, Sir Hugh Orde:

Again I will ask ACC Sheridan but it is almost similar issues that are being raised and I have answered already but I will ask ACC Sheridan if he can give any more information.

I think the bottom line on this is, if one looks at where the concerns are coming from they are not concerns coming from cases/complaints about current activity by the Police Service of Northern Ireland, this is part of the dealing with history debate where people are looking for alternative ways of getting resolutions to unsolved cases from the past, and as long as that debate continues this challenge I think will be for us but ACC Sheridan will certainly confirm his 2 investigations.

Assistant Chief Constable, Mr Peter Sheridan:

As the Chief Constable said there are currently 2 complaints and both are being investigated by a Senior Investigating Officer in my own department.

First of all, we have a statutory responsibility to give information as requested by the Police Ombudsman under Section 66 of the Police Act, we do not have an option on that, we have a statutory responsibility and obligation to do that. But I have a Memorandum of Understanding (MOU) drawn up with the Ombudsman's Office and if I could just quote Chairman from part of that Memorandum of Understanding which is signed by both my office and the Ombudsman's Office.

The MOU clearly states *"material obtained from the PSNI by the Ombudsman will be retained and handled by the Ombudsman in accordance with the Government Marking and Handling Procedures. Material will not be disclosed to any other party other than required by law and the Head of Intelligence in my department should be notified of any proposed disclosure and be given the opportunity for consultation"*. Those are the restrictions that we have currently with the Ombudsman.

Mr Peter Weir:

Just in terms of those restrictions, do those predate the incidents referred to by myself and Mr Donaldson and if so, what additional assurances have you sought from the Police Ombudsman's Office to ensure that incidents of this nature do not reoccur?

Assistant Chief Constable, Mr Peter Sheridan:

The original Memorandum of Understanding was drawn up by my predecessor in 2005 and that is where I am quoting from, so it does predate this.

We are conscious, as much as the Ombudsman is, of the controversy that has arisen around this issue so the very fact that is much more in the public domain I hope that that has the impact desired in this area, so we will continue to deal with this issue as sensitively as possible. As the Chief Constables said, more and more is the re-examination of history and we are going to face these issues on a continuous basis.

Chairman, Professor Sir Desmond Rea:

Mr Alex Maskey.

Mr Alex Maskey:

Chairman, notwithstanding the specifics of this particular case because I am not entirely au fait with all the detail of this case, but just in a general principle you did make the point that you do have statutory obligations in regard to working with the Office of the Ombudsman and can I take it as a given, that not only do you have a statutory obligation but you have an entire commitment and willingness to do so.

Chief Constable, Sir Hugh Orde:

We said that continually, the powers could be described as sweeping. They are sweeping powers, if the Ombudsman requires information that is in my domain, she has an absolute right to have it and she gets it and that is part of the point around the Ombudsman's Office and that Office has been an integral part of the confidence building measures in policing has allowed us to get to where we have today. So, I think we need to bear that in mind when we look at what is, in essence, a problem that relates to cases that go back 5, 10, 15 or even more 20 or 30 years, this is not a problem I am experiencing in terms of current cases, which for me is the key focus that the Ombudsman should have. It is around dealing with complaints that the public have currently about serving police officers, that was the principle in my view in which the Ombudsman's Office was set up.

Chairman, Professor Sir Desmond Rea:

Question relating to a routinely unarmed police service. Mr Alex Maskey, question 29.

Mr Alex Maskey:

Thank you Chairman. Obviously we have raised this question with the Chief Constable previously, but I do think it is a matter of public importance in that, we do have an objective from the Good Friday Agreement and subsequent to that, that we do need to move towards a routinely unarmed police service. I think that everybody would agree that that is where we need to get to sooner rather than later, and that obviously allies itself to the whole question of demilitarisation in the current range of police barracks that we have. So can we have some indications from yourself Chief Constable, as to what measures can be taken to move us towards being a routinely unarmed police service, given that there is a need to move away from this notion of “robo cops” coming into resident groups and schools which I would presume most officers would want to move away from also.

Chief Constable, Sir Hugh Orde:

Well,, I do not have any robo cops. In terms of stage 1, we have moved substantially. This organisation carries far less in terms of firearms, you very rarely see for example long arms being carried now, so it has taken substantial steps already. In fact we are certainly without doubt, disarming compared to some of the other organisations out there and my armoury is full of guns that police officers do not need or simply do not want to carry any more.

That having been said, we will never be an unarmed police service. No force in the United Kingdom is an unarmed service, but we are the only routinely armed service. This matter has been raised at the Policing Board many times before in particular by the SDLP and it is a matter I take extremely seriously. Patten requires me and I do every 6 months, review the situation. My current last assessment was only a couple of months ago and that assessment was we need to stay roughly where we are, although District Commanders can certainly look at their own situations in terms of anything other or additional to the sidearm routinely carried by police officers. The next review is November 2007.

Certainly what I am prepared to do and will report back to the Board on, I will engage and discuss with my Staff Associations again this particular issue to see what their views are and their assessment from the ground floor and it is something I am determined to take forward, but it needs to be done I think in a proportionate and

sensible way to make sure that everyone has confidence and that, of course, includes my police officers.

If one was to look at other police services for example, they are actually increasing substantially their capacity to be more routinely armed than they are currently. What we are looking at is of course something going in the other direction in a sensible and rational and confidence building way. It is also worth reflecting of course, demilitarisation was mentioned by Mr Maskey, the army are no longer used in support of policing, which again is another step that shows just are committed we have been to recommendation 65.

Chairman, Professor Sir Desmond Rea:

Supplementary Mr Maskey.

Mr Alex Maskey:

Thank you for that answer but I think you will agree that certainly I would not be content with that response in so far as, we do not have a routinely unarmed service, in fact almost every officer is armed. You yourself have made it very clear that most of those officers carry those arms, not from any security necessity point of view, but it is a cultural, it is an historical personal protection firearm.

We did have a situation in Ardoyne where a person who had such a weapon fired in a residential area. I think it has been said before, had there been a proper armed response team, then that incident may not even have happened. So, we had the very potentially dangerous situation where a person who was carrying a firearm was not trained to deal with firearms but yet had a firearm in a built up residential area and could have quite well killed somebody. So, I do accept entirely that we need to move this in a planned and structured way, but it is a policy matter which has to be driven so we need to make the decision that the policy has to be delivered upon and then work toward that objective.

Chief Constable, Sir Hugh Orde:

In terms of individual cases that is actually being investigated by the Police Ombudsman who of course investigates all use of police firearms or indeed the drawing of weapons in Northern Ireland, so I do not want particularly to talk on individual cases.

In terms of level of training, every officer who carries a firearm has to undergo a minimum level of training every year to be qualified to carry that firearm, which actually takes up a substantial amount of our training time, so there is an issue around our commitment to making sure they are trained because it is one of the first questions quite rightly the Ombudsman would ask any officer who is carrying a gun. I can reassure the Board that we take the training very seriously.

I am happy for the debate to continue and I happy to engage in discussions. Firstly I think in my organisation and I think that is really important. We do of course have higher levels of armed support where situations escalate and we do have officers who are trained to a far higher level of capability who do respond to support their colleagues when they are needed to.

Chairman, Professor Sir Desmond Rea:

Mr Jeffrey Donaldson.

Rt Hon Jeffrey Donaldson:

Thank you Chairman. Would the Chief Constable agree to me that in a context today in Northern Ireland, where we continue to have a number of unlawful paramilitary groups who are heavily armed and have not decommissioned any of their weapons, that it would be premature to consider a routinely unarmed police service because the community and the public is entitled to protection. If we want to get to a place where we do not have anybody else feeling they need to take up arms to protect the community, then surely, as a continuing confidence building measure, we need to have armed police officers so that we can rightly say, as community leaders, that the police are there, are armed and are available to protect the community and it is not the responsibility of anyone else to bear arms to take that role on?

Chief Constable, Sir Hugh Orde:

I absolutely agree with your latter statement. It is a balance to be struck. For example, if you look at the Metropolitan police who are dealing with some very serious armed gangs who operate far more routinely than anything I am currently experiencing in Belfast, 90% of the Metropolitan Police Service is unarmed. It has access and my colleagues in the Metropolitan Police who are unarmed have access very quickly to armed response vehicles who can give a far better level of protection when those situations are faced. So they do not necessarily go hand in hand.

I think the issue is, we have got to look at our own current situation and our commitment to Patten is to review it every 6 months and we will review it every 6 months and we will look at it in a way to see are there ways of doing this differently. The notion of an unarmed police service is frankly a non-starter, there is no point in having a debate about will this organisation be completely unarmed, no it will not. Currently, my assessment is, it needs to be where it needs to be which is where we are. I have no immediate plans to start removing guns or even thinking about removing guns certainly at this stage but I do think it is something we should aspire to do over time to look at every 6 months and say what can we do, do we have the right level of response to the sort of situations we can predict will happen. I think that is where we are.

Chairman, Professor Sir Desmond Rea:

Mr David Rose.

Mr David Rose:

Chief Constable, very briefly. I know that having worked in public service, the most difficult part of a change of policy is getting the support of the people who have to live with that change of policy on the ground, and I am really thinking about your officers for whom this would be the change. Would you have any idea of what their general feeling would be and how conditions might have to change for them to begin to see that such a change to a routinely unarmed police force might be possible, because I think it would be foolish to contemplate a move if they felt very uncomfortable with such a change.

Chief Constable, Sir Hugh Orde:

That is a very good question and I think that my officers have to routinely go out and deal with situations where they have got to be confident they have necessary

equipment to deal with that and that I think is at all levels, it does not matter what it is, if it needs handcuff have they got handcuffs, if they need a firearm have they got someone who can support them if they have not got one themselves. We do consult routinely and again, the first people I will be talking to are my people because I think that is really important.

Now your issue around a change in cultural is a very good point. We have sadly the legacy here and many of my officers currently serving lost colleagues during the Troubles through people carrying guns, so there is that bit of the equation, but I also think this organisation is mature enough to have that debate and I do not think there is a piecemeal solution to this. The notion that I as Chief Constable is going to say I am disarming the service, that is not going to happen, but I am getting anecdotal comments from individual officers who are raising it themselves. The notion that this organisation is backwards looking and stuck in the past is a flawed one. They are raising these issues at a number of levels and they are also raising concerns, so I have got to balance all of that and the way through that is through a mature sensible debate and a good internal communications strategy.

Chairman, Professor Sir Desmond Rea:

Question relating to the introduction of TASERS, question7 the Vice Chairman.

Vice Chairman, Barry Gilligan:

Thank you Chairman. Chief Constable you mention in the answer to the last question, the range of equipment now available in other police services, I sometimes wonder how those police officers carry all the gear that they have.

This question is on behalf of a member of the public and it is about the possible introduction of TASERS. Basically what is your current view on that and whether or not you have conducted a full Equality Impact Assessment, and if not, why not?

Chief Constable, Sir Hugh Orde:

First of all, I can reassure the Board I have no intention of routinely issuing TASERS to everyone, that would not be in terms of ACPO guidelines. Colleagues who may have seen what happens in America need to completely disassociate all the plans within the

United Kingdom for carrying of these weapons from what goes on in America, they are fundamentally different systems.

My personal view and indeed the view of my service is, police services in England, Wales and Scotland as you have mentioned, have been deploying TASER for some years, since 2003 which was the first deployment and very recently, in fact earlier this year, An Garda Síochána have been given authority to purchase, train and use TASER in the Republic of Ireland.

It is deployed as a less lethal option, reference is already been in the previous question to the use of lethal options as in firearms, the TASER is a less lethal option, in fact it has been deployed in the United Kingdom I think 720 times. Deployment means drawing it does not necessarily mean using it.

To introduce it here is an operational decision and Members will remember the discussion we had around the deployment of AEPs where it was agreed likewise. That is a matter for me, I am the person responsible, I carry the can if it is used, it is a decision I have to make, that is not to say I would dream of making it without substantial consultation and the Board is aware, or serving Members of the Board who served before will remember we have had a number of full discussions and full briefings at the Policing Board bringing experts from the United Kingdom over to explain it.

Now in compliance with Section 75 of the Northern Ireland Act, I have conducted an Equality Screening exercise. It has been determined that the likely impact to the introduction of TASER in relation to equality of opportunity is low, and I do not intend to have a full Impact Assessment, I do not see that as necessary.

As a first step, I have decided in principle, that the introduction of TASER for specialised officers is something I want to do. That is the first stage, that having been said no officers have been trained, no devices have been purchased. The discussion is one I now intend to have and have agreed with the Chief Executive to bring it to the Corporate Policy Committee at the end of this month, for a full discussion with the Board and indeed by then you will have had the benefit of the human rights advice from your advisors which of course will supplement the human rights advice I have from my own lawyer in relation to this.

The decision will be guided and informed by all the human rights considerations, including both those particular reports, and I think that is the best place to have that debate Chairman.

Chairman, Professor Sir Desmond Rea:

Just one comment, it will come to the Human Rights and Professional Standards Committee. Thank you.

Chairman, Professor Sir Desmond Rea:

Question 12 relates to the devolution of policing and justice, Basil McCrea.

Mr Basil McCrea:

Chief Constable, we have had quite a lot of discussion already today about things going on in the past and I want to talk you now about the future.

In the coming year we probably will discuss the devolution of policing and justice. It is probably the most important political decision that we will have to make in the last 40 years and it is important that we do on the basis of proper information. What I would like to ask you is, how can you assure us that all Members of this Board will actually have access to all of the necessary information, given that certain people may have access to other levels of information?

Chief Constable, Sir Hugh Orde:

Who would they be? I answer to this Board and I can personally guarantee and give you the assurance of every Chief Officer under my demand that that is who we report to and we will share exactly the same information that is relevant to these discussions with you all as a group and I think that one of the strengths of this Policing Board has been exactly that. We have facilities under the legislation if it is sensitive, to meet in a smaller group and that has worked well and I think it would be fair to say Chairman that has stood the test of time and we would say we have never been compromised in those situations. So, the Board will have my absolute guarantee that you will have whatever you need to have to make those decisions or to have that debate.

Chairman, Professor Sir Desmond Rea:

Rt Hon Jeffrey Donaldson.

Rt Hon Jeffrey Donaldson:

Thank you. Does the Chief Constable recognise that in fact, it is not the Policing Board that is the pre-eminent route for the discussion of devolution on policing and justice but it is in fact the Northern Ireland Assembly, and early this week the Assembly gave to the Assembly Executive Review Committee, the remit to prepare the way for devolution on policing and justice, so it is important that we recognise that the role of this Board in devolution of policing and justice is extremely limited and it is in fact a matter for Westminster and the Assembly, not this Board.

Chief Constable, Sir Hugh Orde:

My answer is in the context to my responsibility in anything I do operationally, my view is that I answer to this Board and that does not change simply because the Assembly is set up and running. I understand that.

Chairman, Professor Sir Desmond Rea:

Mr McCrea.

Mr Basil McCrea:

Chief Constable, I would like to come back to that point because obviously it is an issue of some discussion around here. We do have a tripartite arrangement, we certainly are going to go into a quadratite arrangement where we have got Ministers for Justice and Devolution and all that, it is really important that this Board which is fully representative of all members of our society, including independent Members, has the confidence of the police because obviously that is a prerequisite and that we have access to all available information so that we can make a sensible decision. How can we go off and do things if there are certain people who have got access to this or that? It is a fundamental issue and I need your assurance that we will have as much information as anybody else.

Chief Constable, Sir Hugh Orde:

Chairman, at the risk of walking on that razor blade of policing and politics, I will deal with policing and I will let the politicians do the politics. I know who I am accountable to in the current legislation, my reading of it, and my current obligations under Section 32 are to deliver an answer to this Board on anything that is around policing. How that impacts on the debates that take place in that large white house that is now open for business is a matter for politicians but I will do my best to make sure that this Board is as fully informed as it possibly can be.

Chairman, Professor Sir Desmond Rea:

Question 6 relates to peace walls, Mrs Moore.

Mrs Rosaleen Moore:

Chief Constable, it is not time for the people of Northern Ireland to carry out a review of all peace walls to see if some of them can start coming down?

Chief Constable, Sir Hugh Orde:

Absolutely, personally I would love to be in a position where we do not have the walls and I do hope, from a personal perspective and a professional perspective that they do eventually come down. I think it is right to put on record, that substantial dialogue does take place between my officers and local politicians from the communities, many of whom sadly actually ask for new fences or the fences currently in to go higher as a result of behaviour from certain elements of certain communities. That having been said, I do think talking works. I am aware for example of an agreement that was reached to allow an upgrade to the wall at Flax Street on the basis that the unionist side would support a provision of a gate at the Whitewell Road, so it shows that by conversations you can perhaps incrementally move these on.

The harsh reality is, local community members, many of whom sadly happen to be pensioners on these interfaces who suffer routinely stone throwing from the other side and it works both ways. I am certainly not apportioning blame but whilst it is routinely stones it is still sadly on occasions petrol bombs and equally sadly when, for example, things like integrated schools happen to be on interface areas, it is necessary to make sure they are protected so the children are protected, so it is a fine balancing act.

Again it is a classic example of something I think needs to be sorted at a political level but it will have full support of policing. If we can do something to make it happen more quickly I will guarantee we will do that through our local District Commanders.

Chairman, Professor Sir Desmond Rea:

Rt Hon Jeffrey Donaldson.

Rt Hon Jeffrey Donaldson:

Thank you Mr Chairman. Following on from your response Chief Constable, I think you are absolutely right that political leaders and community leaders have a role to play in removing peace walls, it is not just the physical barriers but also the mindsets that need to be taken down as well. Would the Chief Constable agree with me, that therefore political leaders, wherever they may be, have a responsibility to encourage individuals to co-operate fully with the police in terms of dealing with police work on the ground as a means of confidence building so that those peace walls can be removed and that part of that has to be about encouraging people to co-operate on criminal investigations, for example, the murder of Robert McCartney, that all political leaders should encourage everyone with evidence to give that evidence to the police?

Chief Constable, Sir Hugh Orde:

The short answer to that is yes. As a professional police officer the more information we get the more potential we have to protect people and to reduce crime in those areas and I think the examples I gave are examples of exactly that. Political leaders working with local communities and with local cops to bring a holistic solution to the problem, that has to be the way forward and I think today in terms of that, has moved the world on another step and let us continue to drive that debate. I think the more community leaders who make those leaps of faith and the more my own local officers make those leaps of faith, the more chance we have of providing a better service and I think what you are asking already is a better service being provided through greater opportunities and I welcome it.

Chairman, Professor Sir Desmond Rea:

Question relating to the Historical Enquiries Team (HET), it is a composite question 14 and 15, Mr Brian Rea.

Mr Brian Rea:

Thank you Chairman. Chief Constable what are the vetting standards for civilian staff including agency personnel working within the PSNI, which includes the Historical Enquiries Team and are they considered by you, to be both appropriate and effective?

The second part is, have there been any recent breaches in those vetting standards for agency staff, and if so, what were the implications for the individuals concerned and are there any security implications for other staff or the wider police organisation and if there are any security implications, what action has been taken to fix responsibility for this and to prevent recurrence?

Chief Constable, Sir Hugh Orde:

I will ask Chief Superintendent Human Resources to answer that in detail. In short terms, I have got no particular concerns about the current levels of vetting and the arrangements we undertake to do them.

Chief Superintendent, Human Resources Department:

Thank you Chairman. The vetting standards for civilian staff now known as police staff are set out in the shared guidelines. These have been used by the police since 1999, PSNI consider these guidelines and the method of security vetting as both being appropriate and effective. As you can appreciate, PSNI takes its responsibilities regarding security clearance very seriously and ensures a robust process is administered. It is also part of a statutory requirement under the Police Service Support Staff Regulations 2002 as well. A copy of these shared guidelines can be made available to the Board if required.

In terms of breaches, there has been no breaches in vetting standards for agency staff. What I can say though without commenting on any particular case, is that sometimes peoples behaviours do change after vetting and management has to manage sometimes until processes are invoked or agency staff can be returned back to the agency, but in short we have had no breaches of internal vetting to date.

I can reassure the Board that all police staff are vetted at initial recruitment and in accordance with the shared guidelines after every 5 years and like I say, a copy of these guidelines can be made available to the Board.

Chairman, Professor Sir Desmond Rea:

Question relating to prosecutions arising from Stevens, question 13 Suneil Sharma.

Mr Suneil Sharma:

Could I ask Chief Constable for your view, that 4 years after files were passed to the Public Prosecution Service (PPS) arising from Stevens, no decision on prosecutions have been taken and to confirm if there is any matter within the control of PSNI to explain this delay, and further, if PSNI consider that this delay may lead to the administration of justice falling into disrepute?

Chief Constable, Sir Hugh Orde:

Chairman, this is absolutely not a matter for me, it is a matter for the Director of Public Prosecutions. I can reassure the Board that there is nothing outstanding from my organisation that would assist the Director in reaching a decision. He does not need any more information to my knowledge at all, so it is really something that falls in his area of responsibility.

In terms of delay generally, I was at a criminal justice conference only 2 or 3 days ago where delay is one of the things that is a key issue, speedy justice is seen as effective justice so in that sense, any delay in the decision making process that can be shortened does have a positive effect.

Chairman, Professor Sir Desmond Rea:

Question 11 the Vice Chairman, this relates to MI5.

Vice Chairman, Mr Barry Gilligan:

Thank you Chairman. Chief Constable, can you tell us what requirements and standards have been put in place in respect of the recruitment by MI5 of previous members of the RUC and PSNI?

Chief Constable, Sir Hugh Orde:

Chairman, this is not a matter for me rather like the last question. Recruitment of staff by MI5 is a matter for MI5. It was actually part of the St Andrew's Agreement that recruiting is actually enshrined in the St Andrew's Agreement which was signed up to by all the parties as to how it will take place.

Chairman, Professor Sir Desmond Rea:

Mr Maskey.

Mr Alex Maskey:

I do not want to get into a lengthy debate on this given the number of questions that are to be asked, but I certainly do not accept that last point made by the Chief Constable.

Maybe as a further point to that, I am not actually sure of the clarity of the question because it talks about previous members of the RUC and PSNI, I do not know whether the question relates to previous members of the PSNI or current members of the PSNI because that obviously is clearly within your own remit, if you do not mind me saying so.

Chief Constable, Sir Hugh Orde:

If people chose to resign from my organisation and join another organisation, I cannot stop that, it is around the right to be employed. The St Andrew's Agreement said and I quote *"as far as the employment of former officers by the security service under these new arrangements is concerned, there will be no bar on former officers serving in the new organisation, but for operational reasons, there will be a need for such individuals to have a working experience of the arrangements under which the PSNI currently operate. The same rigorous vetting procedures will for them as they do for all new staff joining a police service"*. In a slightly wider context Chairman, I am on record repeatedly as saying, I will not hand over national security until I am satisfied that the agreements and the conditions that we have created in full discussion with the Board are met, it is too important that this is seen as seamless. I am confident that we can reach a situation fairly quickly but I am satisfied that this is something that rightly goes elsewhere.

We talk about a normal policing service, I am still the only Chief Constable that has a responsibility for national security in the United Kingdom and if one looks at a wider perspective, the international terrorist threat, that is not a sensible way of defending the United Kingdom.

Chairman, Professor Sir Desmond Rea:

Question relating to a break-in at Ballynahinch police station, Mr Peter Weir followed by Mr Basil McCrea, question 5.

Mr Peter Weir:

As indicated, this incorporates a similar question from Mr McCrea.

I would just ask the Chief Constable to comment on the break-in to Ballynahinch police station on the 28/29 May 2007 and to comment on what security measures were put in place to prevent this happening at this or any other station. How did it happen and what lessons have been learned and how serious was the breach of security?

Chief Constable, Sir Hugh Orde:

I will ask ACC McCausland to comment on that very briefly. One of the consequences of softening police stations is we have made it very welcoming, that having been said, I do not think we should be too concerned about this, we need to keep it in perspective.

Assistant Chief Constable, Mr Duncan McCausland:

Chairman, as the Chief Constable said I will comment briefly.

The police were out on patrol, Members should be reassured there is a full police criminal and disciplinary investigation underway and I can reassure Members, that no police equipment was stolen. The learning for this is very simple, as the learning to all property owners in our crime prevention advice, close your windows when you go out and switch the alarm on and that applies to the police as it applies to anybody and that is what did not happen but it will happen in future, please be assured.

Chairman, Professor Sir Desmond Rea:

Mr McCrea do you want to follow up?

Mr Basil McCrea:

Chairman, I was just going to come back to ACC McCausland on that, I heard the outburst about not having it on the front page, but perhaps there is an opportunity to make something of it. You might like to explain why the alarm was switched off and what you will do about in the future. I do think, that although there is a certain amount

of humour in the issue, that there is actually a very serious message behind it that we can all take from it and we should not pass up the opportunity to do so.

Assistant Chief Constable, Mr Duncan McCausland:

We have not passed that opportunity up Chairman be assured and that is why I am saying, I am looking both internally at the learning from it and we have already circulated certain directions to other stations in similar situations. But as I say and I emphasise for all property owners, the responsibility for protecting your property starts at home as with the police as with everyone, I think that is a very important message that should go out today from the Board, that if people take responsibility they can help us reduce crime.

Chairman, Professor Sir Desmond Rea:

Question 16 relates to 50:50 recruitment, Mr Alex Maskey.

Mr Alex Maskey:

Thank you Chairman. Martina Anderson sent her apologies as she was not able to be here this morning but had tabled a question around the whole question of reaching the target of 50:50 through the recruitment in terms of making the service representative in the medium term.

Chief Constable, Sir Hugh Orde:

It is unstoppable, I will ask Chief Superintendent Human Resources to give the detail, but 50:50 recruiting is something this organisation has defended since its inception. It has been challenged on a number of occasions, it is right thing to do, it is working extremely well but Chief Superintendent if you would touch on the detail I would be grateful.

Chief Superintendent, Human Resources:

Chairman, just to give a bit of background firstly. Section 46 of the Police (Northern Ireland) Act 2000 requires the Chief Constable to appoint from a pool of qualified candidates an even number of persons of whom one half shall be persons who are treated as catholic and one half shall be persons who are not so treated and this is commonly referred to as the 50:50 recruitment. This legislation has recently been renewed in March 2007 by the Parliamentary process and will last for a further 3 years.

To date, PSNI have appointed 2,660 officers on this basis. The PSNI have a number of outreach measures it undertakes to attract a wide range of applicants to the service. Amongst these include extensive advertising, attendance at career fairs, colleges, schools and universities. We have produced a DVD which has been translated into 8 different languages and this can be made available to the Board as well. Obviously we have a wide network of focus groups and we review and refresh all our advertising on a regular basis.

The bottom line is, we do attract on average, a high number of applicants to the police through every recruitment campaign, on average about 7,500 people apply to join the police and that is with an average of 35% catholic community background. We have not encountered any difficulties at all in fulfilling our 50:50 statutory obligations. Our catholic representation within the service has increased from 8% in 2001 to 22.12% as of 1 May 2007. For your information, the next recruitment campaign hopefully will start later this month on 22 June 2007 when we will put out the first advertisements for this year's process where it will be a one off process and we will be looking to select 440 new police trainees for the 2007/08 year period.

Chairman, Professor Sir Desmond Rea:

Mr Maskey, a supplementary.

Mr Alex Maskey:

Thank you for that response. Obviously we all do appreciate that and a session that is relatively short like this we cannot go into all of the detail and I accept that entirely. Just to make a couple of points, there are a number of the issues which have already been discussed in some cases which all do lead to an understanding that there still are serious questions of confidence out there in terms of the wider community and policing. I do appreciate the last comment that we have no difficulty securing the 50:50 recruitment on applications but I do think it is important that we do drive the agenda, that we do achieve the targets that we have set ourselves to achieve and we are obliged to do so under law.

I would draw attention to 2 issues of concern. One would be what appears to be a backwards step of representation certainly at senior management level and also the question of retention of new recruits. These are obviously matters which we will take forward with yourselves and others in the time ahead but I would like your response perhaps on those last 2 points.

Chief Constable, Sir Hugh Orde:

On retention, in terms of the numbers, I think the total number of officers that have left over the last 5 years is about 90 bearing in mind the number of people we have recruited that would be seen as very small, but we need to do some more work to look at the reasons and we certainly do exit strategies on anyone that leaves earlier than that which is anticipated, so I am happy to have a conversation about that.

In terms of senior ranks, obviously there is a legacy issue and it is going to take a long time for this to filter up. That having been said, we do advertise pretty much every appointment above sergeant, we have to advertise every rank above sergeant nationally which may have given other opportunities, certainly not just around religion but also around gender which is important, so we do what we can with what we have got but we do recognise there is a time lag.

I think the other issue that is emerging, as the Chief Superintendent rightly said this has been renewed for 3 more years. When Patten ends in 2010 I do not see this as sustainable legally. Not only that, of course severance will stop which means, currently I lose 440 a year with all the consequential issues for us to manage around a huge loss of experience, it allows 440 new officers to join. In 2010 my best guess would be that the number of vacancies per year would drop to less than 100, so I think we would have an increasing number of people wishing to join this organisation but we will simply be full up and of course, officers joining now have to work for 35 years to get a pension rather than 30 years, or as a result of severance, 25 to 27 years so I think there are some big strategic issues which I am happy to take in the Human Resources Committee.

Chairman, Professor Sir Desmond Rea:

Mr Basil McCrea.

Mr Basil McCrea:

Chief Constable, just taking up that point. Any form of discrimination raises temperatures and worries and concerns of peoples? I would like for you to explain to me, are you ahead of target in terms of the recruitment? Are you confident that those targets will be met? Does that mean that in your estimation that we will not need to extend 50:50 and just for the point of clarification, because I think people do not understand this particularly, that although the figures were brought out, can you just tell me how many people applied for each vacancy that you have?

Chief Constable, Sir Hugh Orde:

In terms of are we on target, Patten designed it to predict this would inexorably move to about 30% by 2010 that is where we are, so I think that is unstoppable because it is the only way we recruit and I have no intention of changing. It is quite interesting that the debate has just been raised in the rest of the United Kingdom about quotas to deal with diversity and, of course Northern Ireland is being seen, and is actually reflected in political parties manifestos and at ACPO level, as an area of best practice to see how you can do that through fairly brave decisions.

In terms of the application rate, I think it would be right to say Chief Superintendent, that for every 220 vacancies we get about 7,000 applications.

Chairman, Professor Sir Desmond Rea:

Mr Tom Buchanan.

Mr Tom Buchanan:

Thank you Chairman. Chief Constable, a commitment was given at St Andrew's to end this policy of gross discrimination by 2010, can you give us an assurance today that that commitment will be complied with?

Chief Constable, Sir Hugh Orde:

It is a matter of legislation, so whether I like it or not is not a matter for me, it currently will end in at the end of 2010 and that is when it was designed to. Our legal advice would be that it would be very difficult to sustain after that point. The reality is, regardless of the legislation we have a very small number of vacancies.

The other reality is, if one was to look at the number of people applying now, the big tragedy is there are huge numbers of people from both traditions who would love to be police officers, I am simply full up. This is a very popular organisation to join, now hopefully with Police Community Support Officers (PCSOs) for example, that may give another avenue for people who aspire to be police officers to get in, and again our support staff. There are people who can work within the institution of policing but the sad bit is, there are lots of people out there that want to work to protect people and to look after people through policing, I simply cannot recruit them because I am full up.

Mrs Dolores Kelly:

Apologies Chairman for being late, I had other business.

In relation to the gender issue I want to know Chief Constable, does your Human Resources Department have a fast track approach on training, I am sorry if the question has already been asked, in terms of looking at the gender issue of female officers at senior levels and of Catholics at top levels.

Chief Constable, Sir Hugh Orde:

We have touched on it Mrs Kelly but not in detail. I will ask ACC Gillespie to cover the Gender Agenda Plan.

Assistant Chief Constable, Mrs Judith Gillespie:

As you know the first Gender Action Plan for the PSNI was launched in November 2004 and we are now refreshing that this year. One of the key pillars of that refreshed Gender Action Plan, will be a new mentoring policy for female staff of police officers and police staff and obviously a lot of that will concentrate on those who have high potential for promotion and also sideways development, because it is not just about promotion through ranks, it is also about making sure we get the best out of people moving sideways into other areas, which maybe in the past would not have been areas where female officers would have moved into. So that will be a key plank of the Gender Action Plan.

Chairman, Professor Sir Desmond Rea:

Mr Daithí McKay.

Mr Daithí McKay:

You were saying there about the fact that we would have to wait for Catholics to filter through the system to the higher levels and higher ranks of the PSNI, has the PSNI done any forecasting in terms of what the percentage of Catholics will be at the higher ranks of the PSNI in 2010 throughout the entire service?

Chief Constable, Sir Hugh Orde:

I have not, it could be done, certainly at senior ranks it is quite easy to do, as you go down it is slightly more complicated. The reality is, consistently throughout the existence of the RUC, Catholic representation was about 8% so it was never 0% but in terms of numbers progressing up through the ranks, we could do that piece of work if it would be helpful and certainly send you a written answer on it.

Chairman, Professor Sir Desmond Rea:

Question 18 relates to the important area of ethnic minorities in the PSNI, Mr Leslie Cree and this is on behalf of a member of the public.

Mr Leslie Cree:

Thank you Chairman. I wonder could the Chief Constable give me a breakdown of the ethnic minorities in the police service and has the police service met its target for the number of ethnic minorities and if not, why not?

Chief Constable, Sir Hugh Orde:

I will ask Chief Superintendent Human Resources to deal with that in details.

Chief Superintendent, Human Resources:

Chairman, the composition of PSNI regular officers currently stands at 0.32% of officers who are from a black or minority ethnic background. That amounts to 24 officers, 1 black Caribbean, 1 black other, 5 Chinese, 1 Indian, 1 Pakistani, 5 mixed ethnic and 10 others - 24.32%.

While we have not set specific ethnic recruitment targets, the last census figure indicated that 0.46% of the working population in Northern Ireland were from a black or minority ethnic background, that was in 2001 and I suspect it is a little bit higher now as of today. To reach a figure of 0.46% we would need to recruit a further 11 officers of the black or minority ethnic background.

The question also is sort of linked into the Polish question that was mentioned and I will just make a comment in relation to that question. As you know we had a high number of Polish nationals applying to join the Police Service of Northern Ireland last year, and although we had a high number unfortunately no-one was successful and no-one was appointed. The question is also linked into the travelling community too and I will make a comment in relation to that. The PSNI is represented by an officer who is a member of the travelling community.

In relation to what are we doing to try and improve recruitment of black and minority ethnic communities, I can give you a feel of some of the things we are doing. It is a really comprehensive list and probably deserves more of a response and I can provide that by a written response to the Board as well to give you a full outline of some of the measures that we have taken. But just to give you a feel that we do attend community events such as the Indian Mela and the Chinese New Year celebrations and we have been going to these events for the last 2 years. We have also provided presentations to the Multi Cultural Independent Advisory Group. We have placed articles in specialist magazines of PSNI officers from ethnic minority background and we have produced DVDs, as I mentioned in an earlier response into 8 different languages and we have a wide network of networking groups that we attend in schools, colleges and universities.

That will give you a feel of some of the things we do but I will undertake then for the Board, to provide a full and extensive list of some of the outreach activities that we are undertaking currently and also that is linked into the pending recruitment campaign that we hope to rollout later this month.

(Interruption from a member of the public)

Chairman, Professor Sir Desmond Rea:

Thank you. As I have emphasised we do consider it to be an important area and it will get the profile it deserves with your co-operation in the ensuing months.

Mr Leslie Cree:

Chairman, I was just going to ask the supplemental, if in fact you had the gender balance, I know the figures are small but do have that gender balance?

Assistant Chief Constable, Mrs Judith Gillespie:

I can take that question. We are sitting just very slightly above the national average which is just over 22% and again, like the figures in relation to religious makeup, there has been a very significant improvement over the last 6 years.

Chairman, Professor Sir Desmond Rea:

Question relating to child protection, question 3 Mrs Kelly.

Mrs Dolores Kelly:

Thank you Chairman. Could the Chief Constable please outline the level of priority given to child protection issues within the current Policing Plan?

Chief Constable, Sir Hugh Orde:

I will ask Assistant Chief Constable Harris, Criminal Justice, to deal with that question.

Assistant Chief Constable, Mr Drew Harris:

Thank you Chairman. When we look at child protection it is taken very seriously but we do not look at child protection in isolation. Child protection is around really protecting the vulnerable in difficult situations and it is related to domestic violence, through missing persons as well, children going missing and it also relates to the management of sex offenders. So those 4 areas have been brought into units called Public Protection Units which are to be established in the 8 new District Command Units (DCUs). This initiative has been approved through the CORE governance arrangements and each of the DCU Commanders is keen to take this responsibility on.

The Public Protection Units will be set up very much within an investigative doctrine, they will sit within the CID. There will be detectives and they will be led by a Detective Inspector who will report then to the district Detective Chief Inspector, so very much we want to put this on an investigative and proactive footing.

The point of brigading these 4 areas together is to ensure that we are not working within its silos and that we identify early concerns and then flag those up to other agencies and it is around the sharing of information with other agencies as well, that we can best achieve child protection. Our part of child protection is very much around criminal investigation and then working with other partners to ensure that overall the child is protected.

We concentrate upon vulnerability, and if you look at domestic violence situations, there is obviously real risks to the children around child abuse and this has been shown time and time again through various studies and through our own experience. Again around children that go missing, it is often the case that those children are exposed to dangerous situations and are the subject of child abuse, so we are putting a lot of emphasis on this. This is a new departure for us, it has been facilitated by having 8 districts. There is good practice built up throughout the world, but there is a lot of practice that we can build upon from England and Wales on how to take this forward and we are very determined to take this issue seriously and really do our best to protect the most vulnerable in our society, and that obviously includes children.

Mrs Dolores Kelly:

Chairman, could I just come back. I welcome the Assistant Chief Constable's comments but could he assure me that there is ongoing discussions with the key players in child protection agencies such as the NSPCC and Save the Children who do have, I understand, some concerns with the current plan.

Assistant Chief Constable, Mr Drew Harris:

Yes there are ongoing contacts. Our contact with the NSPCC is at many levels at both strategic and operational levels that we work with the NSPCC. The issue around child protection, some of that is around moving expertise from the centre out into the districts from Crime Operations who will provide their present expertise in investigating child abuse, and some of that expertise will have to move out into the districts, but it will

become a district responsibility and localised and involving the DCU and all those resources, so we see this as a real step forward.

Chairman, Professor Sir Desmond Rea:

Mr Maskey supplementary.

Mr Alex Maskey:

Thank you for that response. In a related kind of an issue, one of a very very great importance to a lot of people. Given the sad number of people in this city alone who have taken their own lives within the last week, one of which was a 14 year old so clearly there are issues for vulnerable young people and obviously there has been a number of calls for a task force and some way of looking at this issue in a more holistic way as you yourself have pointed out. So would there be a relationship in terms of the work that you are doing, the lessons that you are learning, maybe warning signs, systems or whatever, as it is an appalling situation that the number of incidents of self harm if not suicide.

Assistant Chief Constable, Mr Drew Harris:

The support groups which have been set up by parents and those who have been close to the awful trauma of youth suicide, we work with those through our Community Safety Branch so there are links there. Very much, if we pick up concerns about a child say going missing or a child at risk, there is an obvious duty, and it is a duty in legislation and also a moral duty, to ensure that other agencies who need to know that information are informed promptly and accurately of that, so that would be our links then with Social Services. But we also want to make sure that for instance, a child who lives in a house where there is domestic violence as a common occurrence that that is flagged up as well. Those pressures that build up on a child are identified and a proper intervention can then take place. Perhaps not for the police to intervene but certainly for the police to make sure those who would intervene do know all that we know about the risk factors around a child.

Chairman, Professor Sir Desmond Rea:

Question relating to an illegal parade, it is in the name of Mr Donaldson but I believe

Mr Weir is going to ask it. I also believe that ACC Gillespie is prepared to say something about another parade which in recent days has caused a degree of controversy.

Mr Peter Weir:

What progress has been made by the police investigation of an illegal parade by members of the Continuity IRA held in Rosslea, Co Fermanagh on Easter Monday this year?

Assistant Chief Constable, Mrs Judith Gillespie:

Chairman, this was an illegal parade on Easter Monday, 9 April 2007 involving between 50 and 60 people in the Rosslea village. The parade assembled at a local pub and walked 300 yards along Main Street and finally concluded with a 10 minute commemoration to the Rosslea martyrs. Now there was no prior notification of this parade so it was an illegal parade, but there was no police in the area at the time.

A police investigation into the incident was immediately started as soon as we became aware of the incident, but unfortunately, we have not been able to identify anybody that took part, despite the fact that a video of the parade appeared on U-Tube, one of the websites. We have looked at that but there is not any prospect of identification because those taking part had covered their faces. We did approach members of the local community and asked could anybody identify anyone who was taking part in the parade, and unfortunately we have not been able to identify anybody so there is no evidence at this stage to put before the Public Prosecution Service.

Mr Peter Weir:

Would it be helpful if local elected representatives in the Fermanagh area then called for people to come forward to supply this information where there has clearly been illegal activity has taken place?

Assistant Chief Constable, Mrs Judith Gillespie:

We welcome local representatives calling for members of the community to come forward and report any illegal activity, so yes of course that would be welcome.

In relation to the other issue Chairman you asked me to comment on, the Pride of the Main parade on Saturday night and I am very happy to have a conversation or give a detailed written response in relation to what happened in the police action on Saturday night in Ballymena if that would be helpful.

Chairman, Professor Sir Desmond Rea:

Are you happy to do that now or do you want to leave it?

Assistant Chief Constable, Mrs Judith Gillespie:

I am happy to give a detailed account now if that is what you wish.

Chairman, Professor Sir Desmond Rea:

I think we will take it later.

Chairman, Professor Sir Desmond Rea:

Do you have a supplementary Mr McCrea?

Mr Basil McCrea:

It was just on that point Chairman. I am happy to let ACC Gillespie come back and give us a written report but I would like to ask this question on the first part. Was there an agreement between the Pride of the Main, Parades Commission and the PSNI that there would be a 'no go' area where people would not enter into it and was that 'no go' area breached by people?

Assistant Chief Constable, Mrs Judith Gillespie:

There was a sterile area established by the police as a tactic following a parade which had happened some 3 weeks earlier in which there had been very close confrontation between paraders and people observing. There was an allegation of one of the observers getting injured as a result of that close confrontation, and because of that we made the tactical decision to establish a sterile area. It was not an agreement with the Parades Commission, it was a police tactical decision which was made on the ground, and I think it is important to say that the parade passed off peacefully. So it was a success from the point of view of the police operation, but if there is a question about a breach of the sterile area, it was not a breach, there were 2 individuals who were

facilitated with, observing the parade from the sterile area but it was not a breach in terms of the establishment of the police sterile area.

Mr Basil McCrea:

I will not labour at this stage because we will go into it but, there is an issue about public confidence and public order, that there is a perception on some sides that there was an agreement, and that appeared to have been countermanded at some stage, so at some stage we are going to have to look at this issue because the whole idea about this Board is that we hold people accountable and I think that there is an issue but we will deal with it at another time Chairman.

Mr Daithí McKay:

Just to come back on the issue of the so called sterile zone or 'no go' area. We were in the area on the night and we do have a number of concerns that some of the stewards of the loyalist parade were seen putting up some of the barriers, so it does away with the perception of a sterile zone. I know you are looking funny at me but I did see it myself so it did happen, but in terms of public confidence as well, I was there on the evening and the issue did coincide with Mass in the area. The area was totally sealed off and you had people there, some of whom were disabled and some of whom were elderly and of the police officers said, you have to walk half way around the town as a detour, even though the parade was not in the area. So, I think I need to emphasis this, that there has to be common sense applied in those kind of situations and it was particularly distressful for some of those who were in wheel chairs who had to go around to the other side of the town even though there were no parade in the area.

Assistant Chief Constable, Mrs Judith Gillespie:

If there are lessons to be learnt about this parade, we are prepared to learn them but there were concerns expressed on both sides.

Chairman, Professor Sir Desmond Rea:

This is not the forum to understand what really happen.

Chief Constable, Sir Hugh Orde:

Chairman, we are getting to the season I guess and as ever my officers find themselves stuck in the middle of it. I have absolute confidence that my District Commanders are

going to have to make decisions at the time, on the day and amend their plans to do exactly what is discussed here, which is to minimise the rumour, to maximise the principle of no surprises so different communities have confidence that what is going on is the best we can manage in the circumstances my officers find themselves. If any Member of the Policing Board, and this is not around this specific case as I am absolutely confident this has nothing to do with membership of the Policing Board at all but if Members of the Policing Board are interested in observing how we deal with these right at the front end, I am happy to facilitate it and if that means anyone in this room at all who wants to stand with my District Commander and observe what is going on, they are most welcome.

Chairman, Professor Sir Desmond Rea:

Dolores Kelly, you have a final question?

Dolores Kelly:

Could the Chief Constable confirm that the financial cost of last year's peaceful marching season cost in excess of £10m?

Chief Constable, Sir Hugh Orde:

Yes it was, and the question was, was it money well spent. Yes in the sense that we had a peaceful marching season and that I think is contributed to where we are now but we could use that £10m on community policing, we could use that £10m on protecting people if we did not have to spend it on the marching season. The other issue that people must recognise that in terms of the success of that season and the huge effort from across the peace, not just police and communities working together, is one we should be very proud of and also it is worth reflecting, that last year no military was supplied, so whilst it cost us a lot of money I think it was money well spent because we showed that the Police Service of Northern Ireland is more than capable of dealing with that and that of course will be the operating principle this year.

Chairman, Professor Sir Desmond Rea:

One further question on the Full-Time Reserve, question 20 Mr McCrea.

Mr Basil McCrea:

Chief Constable, I know time is short but it is a very important issue. I just wonder what your requirements are for and intentions are with regard to the Full-Time Reserve.

Chief Constable, Sir Hugh Orde:

This has always been an area of very difficult territory. Members will remember the decision nearly 3 years ago. Patten of course says we are not entitled to have a Full-Time Reserve, we made a case 3 years ago nearly to keep 680 of our colleagues because we said that was what the security assessment required. We are currently repeating exactly that process and one of my Chief Superintendents is actually using the same methodology as last time, we are reviewing every single post that is currently held by one of our colleagues from the Full-Time Reserve to determine is it required for security purposes. Once that has been done of course I will come to the Board with that finding, that is September 2007.

I think it is worth noting that we are currently on target in terms of the current 3 year plan and colleagues are being managed out of the service, quite properly, with a sensible package and with the dignity they fully deserve. Again we will have to look at how that works. I anticipate that in September 2007 I am entitled to have 680 officers in the Full-Time Reserve, I actually think I will be slightly below that at that point in time.

Chairman, Professor Sir Desmond Rea:

Mrs Dolores Kelly.

Mrs Dolores Kelly:

I apologise for being late once again, but Chief Constable you talk about resources and money well spent, but could we receive an assurance or could you give us any indication into the investigation into the murder of Robert McCartney, that all those evidential witnesses who should have come forward have come forward.

Chief Constable, Sir Hugh Orde:

That question has been answered but I can update Mrs Kelly afterwards if it would help.

Chairman, Professor Sir Desmond Rea:

Can we update you afterwards on the reply that was given?

Mrs Dolores Kelly:

I would hope that the family would be given some assurances as well.

Chairman, Professor Sir Desmond Rea:

Can I suggest that the two of you because the question did come up early, Mr Weir if you could get together later with Mrs Kelly afterwards, is that okay?

Just to remind that some photography is being taken today which will be used in future publications and reports and on the Board's website. If any member of the public would not wish for their photograph to be used, if they would advise a member of Board staff and simply to remind Members that we reconvene after lunch.

Thank you to members of the public and the journalists who have attended today.