

## **NORTHERN IRELAND POLICING BOARD**

### **MINUTES OF A MEETING IN PUBLIC OF THE NORTHERN IRELAND POLICING BOARD HELD ON WEDNESDAY, 6 SEPTEMBER 2006 AT 1:30PM IN WATERSIDE TOWER, BELFAST**

#### **PRESENT:**

#### **MEMBERS:**

Professor Sir Desmond Rea (Chairman)  
Mr Barry Gilligan (Vice Chairman)  
Mr Alex Attwood  
Mr Joe Byrne  
Mr Brendan Duddy  
Mr Willie Hay  
Mrs Dolores Kelly  
Mr Danny Kennedy  
Ms Deirdre Mac Bride  
Mrs Pauline McCabe  
Mrs Rosaleen Moore  
Mr Ian Paisley Jnr  
Ms Dawn Purvis  
Mr Brian Rea  
Mr Trevor Ringland  
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 Duncan McCausland (ACC Urban Region)  
Mr Peter Sheridan (ACC Crime Operations)  
Mr Drew Harris (ACC Criminal Justice Department)  
Mr Alistair Finlay (ACC Crime Support)  
Ms Sinead McSweeney (Director of Media & PR)  
Chief Inspector, Command Secretariat  
1 PSNI official

**OFFICIALS IN  
ATTENDANCE:**

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

**Chairman, Professor Sir Desmond Rea**

Chief Constable and senior officers, members of the public and the press, welcome to this meeting in public of the Northern Ireland Policing Board.

I should say two things, one which is almost ritualistic and another apology for being late but I am afraid we have just gone through until 1:30pm before we broke ourselves and that afforded some time for setting up of cameras but also for some people to have lunch before this afternoon's session.

Secondly, a welcome to ACC Finlay who is our most recent senior appointment, we are delighted to welcome you on board.

I would also like to extend a warm welcome to a delegation of visiting police officers from the Republic of Slovenia. For those of you that don't know, Slovenia nestles between Italy, Hungary, Croatia and Austria in the very heart of Europe. You are very welcome and follow in the footsteps of many police officers from around the world who have come to Northern Ireland in recent years to see and find out about the changes that have been effected in policing. The Policing Board and its work is very much a part of that change.

What you see before you is the public session of the Policing Board. Since 4 November 2001, the Board has been responsible for overseeing the delivery of an effective, efficient and accountable policing service.

The Chief Constable will be questioned today. He has already been questioned in the private session by Board Members on a range of issues, so I trust you will find the session informative. I have explained in the past, that first the questions come from

Committees of the Board, they can come from individual Members, they can come from members of the public or different public bodies as long as they reach us in advance so they can be received and considered replies. We then go through all the questions in the earlier part of this Board meeting, and in respect of each question a Member is asked if they want the question in the private session or the public session, or indeed whether they would be prepared to take a written response. In respect of some of the questions, the Chief Constable may well say, I would prefer to take that question in the private session for some reason, it may be sub-judice, it may be to do with a personnel case or something like that.

While this is our first meeting since the Board met in public at the end of June in Enniskillen, the work of the Board has continued over the summer months through meetings of a number of our Committees.

This has been a busy summer but I am pleased to record a relatively peaceful one.

In the round, parades and protests passed off peacefully. I would like to record thanks to everyone in the different communities who helped resolve parading issues and ensured a peaceful marching season.

This year demonstrated the power, the importance of the need for engagement and for dialogue and discussion on all sides, with tolerance and respect shown for all views and that was particularly evident in respect of the Ardoyne parade. I hope that this year's work within communities continues and I know I speak for all Board Members in making that point.

In a moment I will ask the Chief Constable to present his policing report to Members in which he will give us his assessment of events.

Before I do, I would also like to mention an important consultation exercise. Yesterday the Board published its second Human Rights Annual Report. We are unique among Police Authorities in the United Kingdom, in that no other body has a clear statutory duty to monitor police performance in complying with the Human Rights Act 1998.

While in some areas there is still work to be done, our Human Rights Advisors found that the Police Service's commitment to human rights compliance continued to set the standard that other police services elsewhere in the UK should aspire to and central to this is the Code of Ethics. I should say that there were very few journalists who availed of the opportunity yesterday morning, I hope you will take the report and that you will examine it and digest it and for those of you who can pass it on through your various media that you will do so.

The Code of Ethics has been a landmark in human rights and policing here. Launched by the Policing Board in February 2003 for the first time, it laid the standard of conduct and practice for police officers, setting out their rights and obligations under the Human Rights Act.

In the spring of 2007, the Board plans to re-launch a revised Code following an in-depth public consultation process that commenced yesterday and will end on 24 November 2006, an important day as many of the locals will know for other reasons. The Policing Board welcomes the participation of any individual, or group with an interest in policing, to get involved in the consultation.

Since we last met there have been a number of other serious incidents and attacks which are to be condemned; the firebombing of businesses in Newry that caused millions of pounds worth of damage; the targeting of a businessman's home and a District Policing Partnership meeting with explosive devices; other disturbing sectarian and racist attacks.

In addition to those who perpetrated these attacks, there are others in our community who pose a danger to life. I am talking about drivers who drive at excessive speed or drive under the influence of either drink or drugs and those in particular detected during PSNI's recent August Bank Holiday Roadsafe Campaign.

I understand that police officers detected almost 1700 crimes during the weekend which was more than twice as many as the last Bank Holiday in May, and it was a 400% increase in those caught driving under the influence of either drink or drugs, and I think that is a truly shocking statistic. With 3 deaths on our roads in the last 48 hours, road users must take greater responsibility.

Chief Constable I pass over to you at this time.

**Chief Constable, Sir Hugh Orde:**

Thank you Chairman and can I add my welcome to our colleagues from Slovenia, it is always interesting to see colleagues who have 4 international land boundaries, we only have one and it would be interesting though if they have the same problems with fuel fraud that we do. Also, at lunch I was speaking to a colleague from India who is doing some work with the Police Foundation on police accountability, so again it is nice to see people are coming here to see what we are doing.

Chairman, the questions deal with a lot of the issues around marching that you mentioned so I will not touch on those but just a brief overview for Members of police activity in terms of crime since we last met. Again, another major operation by our Organised Crime Squad working with the industry to deal with counterfeit goods, intellectual property fraud and in the month of July, £485,000 of counterfeit goods were seized in that operation. At one address in Bangor alone, we recovered £30,000 worth of DVDs and associated manufacturing equipment, so it remains a major focus working jointly with industry to deal with this particular crime which we seem to have a particular challenge with.

On same subject, at the Lamas Fair we ran an operation pre-event to intercept counterfeit goods heading for that fair and some £25,000 worth of goods were recovered as a series of searches. At the event itself, over £100,000 of counterfeit goods were recovered in a police operation over the 28/29 August 2006, so again another major success for us.

In terms of terrorism in Belfast on the 8 August 2006, officers from our Organised Crime Unit and TSG and our Financial Investigation Unit conducted searches in the north and east of Belfast under the Terrorism Act. They were in relation to UDA membership, financing and blackmailing offences as a result of which, a large quantity of cash - £23,000 was recovered, stolen clothing and some financial documentation and those enquiries do continue.

A major operation against blackmail and extortion was again undertaken in August 2006 leading to 2 arrests and searches of 7 houses in the Dungiven/Strabane area, those 2 people have been charged with blackmail, terrorist fund raising and threats to kill.

Again on the terrorist side of the business, in August 2006 over 250,000 illegal cigarettes were recovered by an operation by our Organised Crime Squad which we would link to republican paramilitaries.

Going back a bit, the Members would remember this because it was a major concern to them. In September 2004 and April 2005, 2 tiger kidnaps. One realising nearly £500,000 being stolen in Downpatrick and £1.3million being stolen in Belfast. I am pleased to report that that major police operation has led to 3 people being arrested and charged with kidnap, possession of firearms with intent to cause fear and violence and armed robbery, it is a total of 6 charges per suspect in relation to that offence so Members will be pleased to know that case has now come to a successful conclusion.

On a broader front around policing with the community, you will be pleased to know that the South Belfast DCU has been announced as a finalist in the International Community Policing Awards which will be held in America in 2006 and it is not the first time our officers have been put forward for those awards.

At a local level, in Fermanagh and I know there is interest in policing levels in Fermanagh, in August 2 of our Part-Time officers on patrol disarmed a man who had been attacking a door supervisor. He was armed with a knife and a hammer and they managed to disarm him before anyone was seriously injured and also had to fend off an attack from a second man who tried to rescue that individual. It is important for 2 reasons, one is the bravery of the 2 officers who of course we put forward for recognition, but also members of the public came to their assistance and enabled those people to be detained until colleagues arrived, so that is another important indication.

Finally Chairman, I attended a midnight soccer contest in Dungannon Park between May and July. This is an operation running with our Community Officers, the Southern Education and Library Board and the Youth Resource Centre and a cross-community group and it was aimed at dealing with the issues such as rising criminal damage. It is

interesting, that not only was the event extremely well attended by young people between the age of 14 and 18 from all communities, but the local District Commander informs me that during that project, which has run for several weeks, the instance of criminal damage and underage drinking in Dungiven dropped to zero, so it just shows that innovative thinking does have some impact on the crimes that we know are causing an increase.

In broad terms Chairman, as next month is the meeting that I will be reporting on performance, overall crime is still up on last year, it is now up by 4.2%. Domestic burglary is down again as I have mentioned, it is down by 7.1% on last year's figures, vehicle crimes continue the trend downwards at 8.4%, the rise in crime can be attributed to the rise in violent crime which is up 4.2%.

Chairman I will end there because I know there are many questions.

**Chairman, Professor Sir Desmond Rea:**

The question, you referred in your opening remarks to parades at Ardoyne and Whiterock, question 2 from Barry Gilligan.

**Vice-Chairman, Mr Barry Gilligan:**

The Chairman made mention earlier of yesterday's launch of the 2<sup>nd</sup> Annual Report of the Board's Human Rights Advisors and at that launch, our senior Human Rights Advisor, Keir Starmer made particular mention of the peaceful outcome of the parades, in particular at Ardoyne and Whiterock. Chief Constable, perhaps you could give us your assessment of the police contribution to that peaceful outcome and in general, the peaceful outcome for the marching season.

**Chief Constable, Sir Hugh Orde:**

I will ask ACC McCausland and ACC Gillespie to do the detail. In broad terms I think what was different was, that there was a willingness on all sides to engage earlier. A huge effort, as I mentioned at the launch of the Human Rights Report yesterday by officers, District Commanders and many other officers with the marching orders, with the local communities, with representatives elected and non-elected and indeed with organisations that represent the various parties, and I think it was as a direct result of

that engagement and that determination to not repeat the year before, that led to that successful outcome.

I think the 2 other issues are significant. The increased use of stewards by both communities I think was a success. I was watching from the Gold control room how that worked and that seemed to work far better this year, so they took more responsibility on themselves to look after their own people and the fact that we were able to operate without deploying the military, I think is a significant strategic shift in the Police Service of Northern Ireland now saying, we have the confidence, we can deal with this. What I would encourage people to do for next year is, we need to start talking even earlier and as I quoted ACC McCausland yesterday, if we can get to a situation where everyone has absolute clarity about what is going to happen at each event, then I can reduce my policing operation substantially and all those savings can be put into community policing which has to be a more constructive way forward. I think that is a big issue and I will ask ACC Gillespie and then perhaps ACC McCausland to touch on their specific observations in relation to their areas.

**Assistant Chief Constable, Mrs Judith Gillespie:**

If I could just very quickly cover Rural Region. I am happy to report that Rural Region enjoyed a largely peaceful marching season in 2006 and that was mainly due to the work and mediation carried out by the police, the Parades Commission and members of the public and, as the Chief Constable has said, no military resources were deployed on the ground in Rural Region.

The potential for serious disorder was undoubtedly adverted in specific areas like Craigavon, Foyle, Strabane, Magherafelt and Ballymoney DCUs and especially that is as a result of many many hours of preparation, dialogue, commitment and work by all involved to achieve a peaceful resolution and it was on a sensible approach on the part of everyone to the parades and the protest matters that resulted in that outcome.

**Assistant Chief Constable, Mr Duncan McCausland:**

In relation to Urban Region, if I could just reiterate what ACC Gillespie and the Chief Constable has said. There were a large number of parades that we had difficulties with in previous years that passed off with only minor incidents, and if you wanted me to

encapsulate what the reason for that was, I think it was the fact that all those parties interested were keen to discuss and reach an accommodation. I think there was a significant difference from previous years. There was a level of co-operation between these groups, both in terms of those representing the parade organisations, those representing residents groups and all interested parties with an attempt to find accommodations. We, the police service, responded to requests from everyone including the Parades Commission, and all the relevant groups that were involved.

In respect of our policing profile and the operations that we mounted. I do have to emphasise to Board Members that significant operational risks were taken in order to contribute to this atmosphere of co-operation. The Chief Constable has emphasised what I tried to use in my region to put the key message on “no surprises for anyone”, therefore everyone knew exactly what was going to happen and I think that significantly helped. Also, we were able to reduce the level of policing resources involved in the operation and, for the first time in 35 years in Belfast, we had no military deployed on the ground which I think was significant. Also everyone needs to be commended, that all sides tried to comply with Parade Commission determinations and exercise real common sense and responsibility and we can only hope that that is where it will start next year.

**Chairman, Professor Sir Desmond Rea:**

Dawn Purvis.

**Ms Dawn Purvis:**

Could I ask the Assistant Chief Constable for Urban Region to clarify. You said that significant operational risks were taken, could you confirm that that was because you had both the confidence of both sections of the community that there were going to be no surprises during the operations?

**Assistant Chief Constable, Mr Duncan McCausland:**

Quite simply that was correct Chairman, that where both sides were talking to us and talking to themselves, we were able to take those risks and come forward but remember, that on the day and the time actually going on, it only needs one person to act irresponsibly and that can have dramatic impact, we were fortunate that all sides exercised real responsibility. The Chief Constable emphasised about stewarding, I

cannot commend the stewards enough and I cannot commend my officers enough for taking the risks that they took.

**Chairman, Professor Sir Desmond Rea:**

Any other comments or questions? Can I take then the question relating to the Philip Johnston case, question 23 Ian Paisley Jnr to lead.

**Mr Ian Paisley Jnr:**

Thank you Chairman. Chief Constable, you will be aware that public confidence in the credibility of the criminal justice system and I use that in its widest possible context, has been damaged by the outcome of the Philip Johnston case to date. Now I know there are things which you cannot tell us about this matter, but I do understand that you will be meeting with the Public Prosecution Service for a debrief about how this case has been handled and about the evidence issues. Would you consider it your responsibility to come back to this Board and explain to us, and indeed to bring us a full report as to why you believe the PPS dropped this case? Could you also indicate to us, after you have had that discussion, what you think the police service as an important element of the criminal justice mechanism, can learn from those discussions and from the outcome of this actual case? Because as I have said, I believe public confidence has been dented and we do not want to see that public confidence dented, we want to see the public behind the criminal justice mechanism and we want to make sure that that can be repaired.

**Chief Constable, Sir Hugh Orde:**

As you have said, there is a limit as to what I can say. I am personally satisfied that there are reasonable grounds for police action in this case but as Mr Paisley Jnr has indicated, I have arranged a meeting with the Deputy Director and I think it would be useful for us to meet and I am more than happy to speak to the Board after that meeting has taken place.

**Chairman, Professor Sir Desmond Rea:**

Alex Attwood.

**Mr Alex Attwood:**

Chair, I want to deal with this matter by referring back to another high profile prosecution that collapsed recently and in doing so, I want to make it absolutely clear that I am not saying there is any particular similarities in the circumstances of the charging in those 2 cases but, when the Donaldson case collapsed you said publicly Chief Constable, that you fully understood and agreed with the decision of the Public Prosecution Service to withdraw the charges. You said it publicly repeatedly that you agreed with that decision. So I am asking you Chief Constable, now that there has been another high profile prosecution in respect of which the charges have been withdrawn, are you in a position to say that you agree with the Public Prosecution Service in this case again?

**Chief Constable, Sir Hugh Orde:**

As I said Chairman, when I have had a meeting with the Public Prosecution Service I will come back and update the Board. I do not want to get in the game of comparing different cases which are fundamentally different, it would be wrong to do it in the public session.

**Mr Alex Attwood:**

It is not that we are comparing cases, it is comparing the principle of whether you are on the same page as the Public Prosecution Service when it comes to important matters in the North.

**Chief Constable:**

Chairman, I have not met with the Public Prosecution Service in relation to this matter. I have asked for a meeting with the Deputy Director, I asked him yesterday and he was more than willing to have that meeting, when I have had the meeting I will be able to answer the question.

**Mr Willie Hay:**

I want to come in very briefly on the issue. The Chief Constable has defended the police action on this issue. Does the Chief Constable feel now that the case is now closed or is there ongoing investigation further into the case?

**Chief Constable, Sir Hugh Orde:**

Chairman, as I have said at the beginning, I am very restricted as to what I can say and I do not intend to elaborate any further in relation to this subject, I am sorry.

**Chairman, Professor Sir Desmond Rea:**

Question relating to the Attracta Harron case, question 3 Trevor Ringland.

**Mr Trevor Ringland:**

Would the Chief Constable outline the findings of the review conducted in the Attracta Harron case and brief the Board on the actions being taken to ensure the protection of vulnerable people in our community.

**Chief Constable, Sir Hugh Orde:**

I will ask ACC Harris to take that question.

**Assistant Chief Constable, Mr Drew Harris:**

Following the arrest and the charging of Trevor Hamilton for the murder of Attracta Harron, the police commissioned a review of the police response to the case and specifically the management of Trevor Hamilton within the MASRAM process. The review was conducted by a Senior Investigating Officer of the Detective Superintendent rank and this identified a number of weaknesses in the management of Hamilton as a sex offender. A total of 14 recommendations were made to address these weaknesses. These recommendations centred upon the training for officers involved, the implementation of policy, sharing of information and giving specific officers specific responsibility within the MASRAM process. This continues to be developed and even this month, there is further training for officers who conduct home visits within the MASRAM process and also this month, in response to a review conducted by David Watkins, further recommendations were made and the MASRAM manual and the MASRAM guidelines have been reviewed and they will commence in October 2006 and training is taking place at the moment to implement those.

Since the time of the arrest and charge of Trevor Hamilton in late 2003, there have been significant advances in terms of our processes. The VISOR computer system is now in place which is a national database which lists those individuals who are considered a risk in terms of violence and in terms of sex offenders.

Additionally, legislation is in place which allows Sexual Offenders Prevention Orders. Sexual Offences Prevention Orders to be taken out in respect of individuals who we believe pose specific risks to the community in terms of sex offences.

The Minister for Criminal Justice has appointed Kit Chivers to carry out an independent inspection of the actions of the 3 agencies involved in the MASRAM in order to satisfy the community that all that can be done has been done to address the concerns raised by the Trevor Hamilton case. An interim report is expected by end of November 2006 with a final report in August 2007. PSNI are co-operating fully with Mr Chivers and his staff and have already forwarded the internal review for consideration. We have also on our own website placed a copy of our internal report and the recommendations and where they stand at the moment. All those recommendations will have been met and indeed, we have taken action to advance those. At the time of this awful crime, MASRAM was at a very early stage and it has further developed in the 3 years since and we continue to develop it as legislation comes along and the VISOR means of supervising such offenders develops.

**Chairman, Professor Sir Desmond Rea:**

Question relating to the attack on Gerald McRandall in 2002, question 1 Alex Attwood.

**Mr Alex Attwood:**

Thank you Chair, I just want to probe the police, given that the Police Ombudsman issued a report in early August 2006 in relation to this incident. I think it would be important that you have an opportunity to respond to the public session of the Board, the first public session after the release of that report, in relation to your view of the criticisms and recommendations contained in the report. I think also, as far as I recall, there was an allegation against a serving police officer in relation to keeping a private notebook and I understand, that arising generally from this case, there is no disciplinary action being taken and that the police may view that there was a corporate failure rather than any individual or particular failure. I would like you to comment on all of that to clear the air, but in particular to advise why, if it is the case, no disciplinary action is being taken.

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

We have now received the report. At the time the Police Ombudsman made her statement we had not got a copy of the complaint file. We now have the complaint file and the misconduct file, the misconduct file is still live so I cannot confirm that no officer will be disciplined in this and that constrains me in saying a little bit about what we can say about the complaint file. It is fair to say that there are 2 elements to this and one is the management of the scene and the actual time of the offence and the other is the investigation. The Police Ombudsman was quite complimentary about the investigation that followed after but was quite critical about actions at the time. We are looking at those recommendations in the misconduct file but obviously because there are discipline elements I cannot go into it any further at this point in time but there will be further matters to be proceeded with on that.

**Chairman, Professor Sir Desmond:**

Question 12 and linking it with question 17 relating to republican dissident groups attacks in Newry and South Armagh and also the attack on Lord Ballyedmond, Danny Kennedy to lead.

**Mr Danny Kennedy:**

Thank you Chairman. Can I ask the Chief Constable to give his assessment on the current level of threat from what republican dissidents to local businesses in Northern Ireland as a whole and in the Newry/South Armagh area in particular in the aftermath of the Newry firebombings on 9 August 2006 and also the attack on the property, in another jurisdiction of Lord Ballyedmond from also republican dissidents and could he outline any advice given to local businessmen in respect of these issues.

**Chief Constable, Sir Hugh Orde:**

I will ask ACC Sheridan to deal with that question.

**Assistant Chief Constable, Mr Peter Sheridan:**

First of all, in relation to the dissident threat. It is clear to us that this is a group which remain committed to achieving their aim through violence and for that reason we believe that the dissident threat is real and immediate. They still have the capability to carry out incendiary attacks as they did in Newry, and in fact, I am clear that their wish is to carry out further incendiary attacks and to continue to try and destabilise the

political process up to the 24 November 2006. That could take the form of more incendiary attacks on businesses along the border, as well as other attacks, so I will be asking members of the public to raise their awareness, particularly business owners around checking their premises and we will be doing some remedial work over the next few days in relation to that, but it is clear they are determined to carry on what they have been doing.

In so far as advice to businesses, it takes in 2 areas. One is, since the attacks in Newry itself, there has been a lot of work done by the local police, the local District Commander, the local Crime Prevention Officers in visiting premises. The plasma TV screens in the middle of Newry showed the type of devices to help raise public awareness around it. Alongside of that, I have asked our analysis centre to do some analysis of the types of premises that the incendiary attacks have happened in over this year, last year and the previous year. It is clear to us that working alongside some of the multi-national companies, including security managers, that there is room for improvement in how these buildings are built. For example, not all of the premises that were destroyed in Newry were the subject of a firebomb attack. What happened was that the premises caught fire from the premises next door, so we are going to be asking businesses to look carefully at putting for example sprinkler systems in, that may have meant that the stock was destroyed but it would have prevented the fabric of the building being destroyed and would have prevented adjacent premises being caught fire, so there is some work that the security managers in firms, such as the multi-nationals can do.

Similarly around CCTV systems, it was disappointing for us that the quality of CCTV systems in business parks is rather negligible and for that reason we will be asking businesses to look again carefully at that because when we go to investigate these incidents, it is particularly helpful to be able to pick up on CCTV systems.

In relation to arrests, Members will appreciate that I would not want to give anybody any advanced notice of when they will be arrested or whether we will be arresting them. We will continue in the investigation, there is a lot of work still to happen and as that progresses, we will take arrests when we decide the time is right.

In so far as the investigation on the opposite side of the border into Lord Ballyedmonds, I can say that I met with my colleague, an Assistant Commissioner on the far side with his key officers and my own experts in the area. We spent most of the day looking at both of these attacks, comparing and sharing intelligence and information on that and we will continue to do that.

To reassure members of the public and Members of this Board of our commitment around this. Last year we arrested 8 people for incendiary attacks on businesses in this province, 7 of them were charged. This year we have arrested 19 people for various terrorist offences. This is dissident activity for various terrorist offences, including possession of explosives, membership and conspiracy to cause explosions. We have charged 14 of those people and 5 more are in the process of being reported to the Public Prosecution Services (PPS). We were successful in April this year in dismantling in Lurgan and Craigavon, a bomb making factory and arresting people and in the centre of Belfast. In June this year, Members will be aware that we interrupted a weapons procurement operation by dissidents, that would have caused serious damage in this province had they got their way. That resulted in 8 people being arrested, 4 of whom have been charged and 4 reported, that is just to reassure people of our commitment and we will continue to put that effort and energy, along with the Guards into dissident activity.

**Mr Danny Kennedy:**

A supplementary on that question. Could I seek the reassurance of the Chief Constable that all available and if necessary increased resources, will be made available to local commanders whilst that republican dissident threat is so high in the general area.

**Chief Constable, Sir Hugh Orde:**

On the intelligence basis we put as much resources as we can in dealing with exactly that. I think the point that ACC Sheridan well made is, we are certainly committed to doing whatever we need to do to bring these people to justice and I think he has reflected well on the successes the organisation has had working with colleagues in the security service.

The other side of the bargain has to be, we need the engagement of the business community and the wider community to help us stop this sort of crime and the more we can do to prevent it, or at least minimise the damage, the more impact we can have on this side of business, but the bottom line is, we will do what we need to do to get this sorted.

**Mr Ian Paisley Jnr:**

Can the Chief Constable or indeed the Assistant Chief Constable confirm that the threat that he has alluded to in his detailed answer, goes further than just hotspots and known areas where there could be a very obvious republican threat, but extends right the way into parts of Northern Ireland which are perceived to be very safe. Could you perhaps tell us, so that shopkeepers and business owners could become alert to the problems that they are confronted with. Could you also maybe say something about how much time the dissident threat is taking up of your officers because the perception out there is, that the dissident threat is a very minor thing, could you maybe put it into some kind of perspective for us about how much time your officers are having to spend on this?

**Assistant Chief Constable, Mr Peter Sheridan:**

On the last point, I have officers who are continually dedicated to this right across the province and in each district area. I fully understand when people say that they are not sited because the level of activity and the number of incidents is not there as it previously was in the past, so police officers in their day to day duty the same level of awareness would not be there, that is not to say that they are not aware of it but it is much more focused in our activity, it is much more focused on key individuals and key players.

In so far as other premises across the province, absolutely, I do not know that they will not do the same in any town in Northern Ireland. Their intentions are to carry out incendiary attacks to try and destabilise the peace process, that could happen in any town or village and that is why I will be asking people to do what they have done in the past, to be very vigilant, very aware, checking their premises and we will play our part in helping them to identify what they need to be looking for.

**Chairman, Professor Sir Desmond Rea:**

Willie Hay has his eye on another type of attack, question 18.

**Mr Willie Hay:**

Chairman, I think it is question 13 as I asked for question 18 to be in private.

It is the situation Mr Chairman around the 25<sup>th</sup> anniversary of the hunger strike, where there were a number of events held across the province and, of course, in a number of those events there were certainly guns used, shots fired and it would be useful from a policing point of view on exactly how many events were held where guns were used and is there a history particular to these guns and what republican organisation was behind the particular incidents?

**Chief Constable, Sir Hugh Orde:**

I will ask ACC McCausland to touch on his region and then ACC Gillespie for Rural region.

**Assistant Chief Constable, Mr Duncan McCausland:**

Mr Chairman, if I can touch on Urban Region first. There were no reported incidents of any republican commemoration parades in Urban Region where shots were fired. None of the events held in Urban Region involved the use of guns.

**Assistant Chief Constable, Mrs Judith Gillespie:**

In relation to Rural region, there were 2 legally notified marches which were held on Sunday, 6 August 2006 in Dungiven and Sunday, 13 August 2006 in Foyle to commemorate the 25<sup>th</sup> anniversary of the death of local republican hunger strikers, Kevin Lynch and Michael Devine. The parades were legally notified in terms of the forms etc to be served on the police, and as is the usual practice, the police had monitored the situation and we had evidence gathering teams available.

In relation to the Foyle parade, police were deployed at several vantage points to have a good view of the route and we did not witness any illegality, although it has to be said we had to withdraw on several occasions due to heavy stoning.

Similarly in Dungiven, police were deployed at various locations around the town and at one point in the marches, a colour party believed to be from the INLA joined in and one of the colour party produced an automatic weapon and discharged a burst of shots. Neither the masked colour parties nor the firing of shots were witnessed actually by the

police, they were reported to the police after the event and no information was forthcoming to point to either vehicles or specific addresses that we could search, but the departing crowd was monitored closely by police with a view to intercepting any suspects leaving the scene.

The incidents are now under investigation from 2 points of view. Firstly, a report to the Parades Commission, because obviously that will influence the decisions next year in relation to allowing the parades. Secondly, criminal investigation into the masked colour party and the firing of the shots and police will be interviewing the parade organisers involved in both parades and also members of the parade who have been identified by video evidence. At the conclusion of this enquiry, a file will be sent to the Public Prosecution Services (PPS). Now these are the only 2 incidents that are known to police in relation to the discharge of firearms at parades. The investigations are both ongoing but it is not possible at this time to establish any history to the weapons, but we do believe that the weapon in the Foyle incident may be connected to INLA.

**Mr Willie Hay:**

Very briefly Chairman I am going to come back on the subject that ACC Sheridan related to on the whole issue of the fire bombings and the activity of the dissident IRA and then what ACC Gillespie has said. Maybe it is from an intelligence point to ACC Sheridan, with all of these incidents that are going on, does he believe that in some way, whether it be in the planning of these incidents or whether it be the carrying out of these incidents that the IRA are involved together in helping to plan some of these operations, or is there individual IRA members that are giving advice to some of these dissident groups? I think there is a feeling out there, that for some of this to be happening the IRA somewhere seems to be involved because some of this could not be carried out.

**Assistant Chief Constable, Mr Peter Sheridan:**

Chairman, I have nothing to suggest that, there may well be a perception among people but I have nothing to support that currently.

**Chairman, Professor Sir Desmond Rea:**

Question relating to anti social behaviour, question 15 Brian Rea.

**Mr Brian Rea:**

I would like to preface my question to the Chief Constable by congratulating the police in the Ards District Command Unit and the public for their swift response yesterday in apprehending the armed robbers who robbed a money delivery vehicle in Comber. This response to the activities of criminals is both welcomed and appreciated by all right thinking members of society, and I would like you to pass on our comments to the District Commander and his staff. Notwithstanding that, in the light of reports in the press recently of serious incidents of anti social behaviour, especially in the Ards DCU area, I would like you to outline in detail what actions the PSNI are taking to combat this and how you propose to give members of society, including the most vulnerable, the elderly and businesses and business people with premises, shop fronts, etc to give them more confidence in the service provided by the PSNI.

**Chief Constable, Sir Hugh Orde:**

I will certainly make sure your comments are passed on. It is a very good example of the police's response and substantial information coming from the public that led to those successful arrests. I will ask ACC McCausland to deal with the anti social behaviour issues in that particular district.

**Assistant Chief Constable, Mr Duncan McCausland:**

If I could just at the outset thank the public for their information and I think it demonstrates where, if people see anything suspicious they should report it immediately to the police, because that is what enabled my officers to arrive rapidly and to catch the robbers. But in addressing your specific question about anti social behaviour and if we could look first of all at the Northern Ireland situation. Across Northern Ireland, anti social behaviour is an issue for every District Command Unit, not just Newtownards, and we have a series of initiatives which we are running to tackle this.

First of all starting in the schools. We are looking to deliver and are delivering citizen and safety educating programmes in every school that we are in across Northern Ireland. We are working with councils, the Northern Ireland Housing Executive and applying for Anti Social Behaviour Orders, in appropriate circumstances, and would emphasis that to Board Members who are concerned about Anti Social Behaviour Orders. Recently we have published our Reassurance Policy and our Victims' Policy.

We continue to pursue Policing with the Community, particularly through the support of the Deputy Chief Constable's fund where we are targeting it towards anti social behaviour.

We now have as the Board will be aware, over 150 Neighbourhood Watch Schemes, which in effect, help us to help the community police the area. There is a pilot in Bangor where we have officers now working directly from the schools and getting in among the children to encourage them and the young people to encourage them not to get involved in anti social behaviour. We are also, as an organisation, continuing to highlight good work and increase public confidence across the entire community as to the initiatives that we are undertaking and each specific District Command Unit and District Commander has a personal individual objective this year in their staff assessment to tackle the issue of anti social behaviour and criminal damage. That is on one side

On the other side, we are obviously actively involved in enforcement and we do look to target hotspots and identify, based on information in all District Command Units, where we can place our resources to the greatest effect. Anti Social Behaviour Task Force, in Ards in particular, was implemented in April 2006 working through the DCU in support of community policing teams as required, and that is an Anti Social Behaviour Task Force which is combined with the district council to actually patrol together and tackle the issue of anti social behaviour.

We also have as an organisation, a knowledge sharing project to share good practice across all the Districts. If I could specifically turn to prevention in Newtownards. Newtownards Community Policing Team are part of the Way Forward Group recently formulated in Ards for voluntary and statutory organisations engaged in working with young people, because as the Board Members will know, it is the young people that are potentially involved in this issue of anti social behaviour which we have got to potentially divert from and prevent getting involved in criminal activity and that Way Forward Group works with, as I have already said, the Community Safety Unit, the Youth Co-ordination for South East Antrim Education & Library Board. Its purpose is to establish a youth strategy for the area to fully utilise the existing youth groups and organisations to provide a maximum diversionary strategy for young people. The Donaghadee Community Policing Team, for example, have been successful in being

given £47,000 over the next 3 years as an example of a diversionary scheme that they will be putting in the Donaghadee area and that is proving extremely successful.

But Chairman we know what is measured what gets done and results are something which is very, very important and I can report in relation to Newtownards there has been over 398 young people referred to the Youth Diversion Team since the start of April 2006. That is a 418% increase in the amount of diversionary activities that we have been involved in. We feel looking at Ards and then reflecting that across all 29 Districts, shows our commitment as a police service to tackle this issue of anti social behaviour. But we cannot do this on our own and we have to do it with all our other statutory partners and as I demonstrated in Ards they are co-operating significantly.

**Chairman, Professor Sir Desmond Rea:**

Could I ask a question on behalf of a member of the public Chief Constable? You have not had sight of this but it emerges from the answer has just been given. Could the Chief explain why the PSNI are not making best use of Anti Social Behaviour Orders in Northern Ireland?

**Chief Constable, Sir Hugh Orde:**

I will ask my operational colleagues to comment on this. In broad terms, an Anti Social Behaviour Order is not the solution, the solution is to try and prevent the young person getting involved in anti social behaviour. There are all sorts of precursor activities one has to properly undertake to try and divert the individual before we resort to an anti social behaviour order and many of those are successful which means we do not need to go down that route, but we will use them and we are happy to use them when they are appropriate in the circumstances of the individual. I will ask ACC Gillespie or ACC McCausland to touch on that.

**Assistant Chief Constable, Mrs Judith Gillespie:**

I think I would like to say that really the Anti Social Behaviour Order is just another tool in the tool kit. It is not the panacea for everything and there are a lot steps, as the Chief Constable said, that police colleagues would consider before they even go down the line of an Anti Social Behaviour Order. For example, there may be a letter of warning first. The issue of an acceptable behaviour contract, voluntary behaviour contracts with parents, and it is really only as an avenue of last resort that we will go down the ASBO

option, and I think Commanders are very alive to the fact that they need to record that decision making process, because it is certainly not the first step we would take and really in an ideal world, we would not have or need ASBOs at all. So success is not necessarily more ASBOs, it is actually less.

**Assistant Chief Constable, Mr Duncan McCausland:**

Also in relation to ASBOs, we are actively pursuing across all districts the use of ASBOs for prolific criminals to ask magistrates to potentially issue them as part of the sentencing, so the police service are committed, where appropriate to use ASBOs.

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

It is also fair to say that there was a judicial review of the very first ASBO that we got which was in Coleraine against a person from Portrush. That judicial review actually delayed all other ASBO cases progressing by about 8 months as I understand it. That is now sorted and we will move ahead, but it is also fair to say that we are not the only agency that can take out ASBOs and we are encouraging other partners to pursue ASBOs as well, where appropriate.

**Chairman, Professor Sir Desmond Rea:**

Question relating to clearance rates, question 22 Ms Mac Bride and maybe when you are asking the question you could clarify what was understood by 'formal sanction'.

**Ms Deirdre Mac Bride:**

This question relates to the use of 'formal sanction' and by that I mean, sanctions that result in a caution or whatever and perhaps you could explain that more fully in your answer, but it is in relation to the clearance of hate crimes, such as sectarian and racist attacks and domestic violence. When I analyse the clearance statistics for 2005/06, which you provided Chief Constable, the clearance rates were somewhat lower when a formal sanction was involved. Obviously they are still regarded as cleared up and I would like you really to advise the Board what you think are the underlying reasons why the police or the Public Prosecution Services (PPS) decide that no useful purpose would be served by proceeding.

**Chief Constable, Sir Hugh Orde:**

A 'formal sanction' in broad terms is a sanction that leads to a form of judicial closure or an official caution so there is an outcome in a sort of sentencing sense rather than a non-sanctioned finish to a case which is more of an administrative closure rather than a formal sanction.

I will ask ACC Criminal Justice to deal with the detail of that.

**Assistant Chief Constable, Mr Drew Harris:**

Sanction and non-sanction clearance, the characteristic which joins those 2 is, that there is an individual or individuals identified for the offence and there is evidence suffice to satisfy the test of prosecution against them. In respect of hate crime and the vast majority of domestic violence, these decisions are now taken by the Public Prosecution Services (PPS) as to whether there will be a prosecution or not and that follows from public interest considerations which may weigh against prosecution. There are 9 considerations in total, but the ones which come to bear, particularly around domestic violence and hate crime, may be the long passage of time between the offence and the likely date of trial, prosecution likely to have a detrimental effect on the physical or mental health of a victim or witness and the defendant at the time of the offence or the trial suffering from significant mental or physical ill health.

One of the other reasons that we end up with non-sanctioned clearances is where prosecution has failed to materialise, because either the victim or other key witnesses refuse to give evidence or no longer able to give evidence and for this reason that is why we have developed specific specialisms for dealing with domestic violence in particular and we have also issued a recent Hate Crime Policy about how we deal with the victims of hate crime, so that we maximise our ability to take these cases to the PPS, the viable cases for prosecution.

**Chairman, Professor Sir Desmond Rea:**

Question 14 relates to a burglar with 92 convictions, Ian Paisley Jnr.

**Mr Ian Paisley Jnr:**

Can you tell us Chief Constable what advice the police gave to the court concerning the detection of a suspect for burglary who previously had 92 convictions as was reported

in the press on 24 August of this year? Could you indicate to us what action the police and this Board can take to insist that the courts act in the public interest, which would see a conviction in these matters?

**Chief Constable, Sir Hugh Orde:**

I will answer this question Chairman. There are some reporting restrictions in place on this so there is a limit to what I can say but Mr Paisley Jnr is right. This case relates to an individual who was arrested and charged with a burglary of a residential home on 11 August 2006 and was detained by police in custody overnight. The PPS on our behalf, made an application for a remand in custody the following day at court and the grounds we gave were a serious risk of re-offending, this individual had 109 previous convictions of which 92 were for burglary and also that in January 2006, the individual had been given a 2 year sentence suspended for 4 years, so we argued the offence in question had been committed whilst this person was on a suspended sentence. The magistrate's view was, that this was an appropriate case for bail subject to conditions which were daily signing at a police station and a surety of £500. I can report that since his release he did not comply with these conditions and we rearrested him on 29 August 2006 and the individual was remanded in custody by a resident magistrate the following day. Those are the pre-circumstances of this case.

In terms of the wider issue, it is our responsibility to provide information to the Public Prosecution Service who then represent us in court and make the objections to the magistrate. The decision is a judicial one which quite properly is independent from the police part of the process. I have to be absolutely clear that my officers bring to the attention of the magistrate all relevant matters so they can make their decision in keeping with case law and, indeed, much European case law. There is of course, a presumption of a right to bail subject to legitimate objections we can put forward so there are some very complex legal issues around this but we did, I think on this case, the officer and the PPS made a strong case that this person was a threat and was a threat 24 hours a day.

**Mr Ian Paisley Jnr:**

Chief Constable, do you think judges should be accountable for their actions in the same way you are held to account by us?

**Chief Constable, Sir Hugh Orde:**

There is an interesting question. I do not think it would be appropriate for me to comment on that. I must be clear, the judicial process is a process, my officers responsibility is to furnish a court with all available evidence for them to make their decision for which of course they must be held to account.

**Chairman, Professor Sir Desmond Rea:**

Joe Byrne has 3 questions about the use of resources. Question 4 relates to 450 PSNI officers dedicated to delivering community based policing, Joe Byrne.

**Mr Joe Byrne:**

Chairman, can the Chief Constable say when it is hoped that we will have more of the mainstream force involved in community based policing. I think it is fair to say that only 6% are currently dedicated to that and the public at large and this Board I think would like to see more community based policing. Today we decided to close Coalisland police station and demolish it, which I think is a very welcomed development, but the public at large want to know if stations are closing, how can they get a better police service.

**Chief Constable, Sir Hugh Orde:**

I will ask the Deputy Chief Constable to answer that question, but of course by closing Coalisland that does release a police officer to actually serve the community externally rather than internally, but I will ask the DCC to cover the detail.

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

The figure that you are quoting Mr Byrne of 450 is what is recorded on our personnel system as specifically community police officers. We would, of course, say that policing with the community is for every officer, so we have 7,500 policing with the community officers. I know that is not the way the public sees it but there are many officers who do not actually meet the strict definition to be included on the computer system who are community police officers. Now giving an example, in Craigavon where we recently ran as you are aware, the experiment with all officers being made sector officers, those officers did not meet the strict criteria to be put on to the system as community police officers even though Craigavon was entirely focused on sector policing, so there is a

difference between what actually is recorded on the computer and what is happening on the ground, it is a simple matter of definition.

In addition to the 450 who are recorded however, all 900 part-time police officers are now dedicated to policing with the community. The PCSOs that we have recently had a very enlightening meeting with the Board about, will also all be entirely dedicated to policing with the community, and our aim is to have neighbourhood policing teams in each and every sector who will be permanently and with a non-abstraction policy, which we are working on at the minute, so that not only are they dedicated to policing with the community but their commanders cannot say, as soon as they need somebody else, right they are easy pickings we will take them to do something else. So I think it is very important that we are committed to improving the number of people who are dedicated to policing with the community, but also the commitment of all officers to policing with the community, I think they are 2 separate issues but ones to which we are both committed.

**Chairman, Professor Sir Desmond Rea:**

Question relating to the shortfall in officers in Crime Operations Branch, question 5  
Joe Byrne.

**Joe Byrne**

Again I suppose it is a follow on from the deployment of police officers. I think the public at large want the police to be available in their communities as reassurance about public order, but they also want to know, that if crimes are committed then that they are going to be solved. Can the Chief Constable outline, why is it that we are only now addressing the issue of being 100 detectives down when this Board has been in existence for over 6 years and where we would have hoped that we would have addressed that bottleneck.

**Chief Constable, Sir Hugh Orde:**

I will ask ACC Sheridan to deal with the detail, but of course in those 6 years we have created Crime Operations Department which simply did not exist before, so in terms of a commitment to getting organised around organised crime, I think this organisation stands on its record, but I will ask ACC Sheridan to touch on the detail of the particular issues.

**Assistant Chief Constable, Mr Peter Sheridan:**

Chairman, Members of the Human Resources Committee of the Board will be well aware of this issue because I have spent some considerable time with them on it.

In terms first of all of the reason for the shortfall of detectives in Crime Operations Group, since it was set up in 2004 it has never had its full complement of officers and that is for a number of reasons. One is, that the Voluntary Severance Scheme and other normal wastage in the police service affects those more senior officers, and by senior officer I mean senior in service and traditionally they are in the CID and Special Branch areas. So, we have probably felt voluntary severance more than the uniform part of the organisation. Members will also be aware, as part of the Blakey, Crompton and Stevens Inquiries, it was decided that there would be a single point of entry into Crime Operations. What I mean by that is, prior to this, uniformed officers could have applied to go directly into Special Branch, they can no longer do that. People who want to go into the intelligence side of the business have to be detectives first of all and so, therefore, I have to produce people from the detective pool to go into the intelligence end of the business and because we cannot get people through into the first part into the detective role, I cannot then release other people to go into the intelligence end of it.

There is also a potential downfall to the new PIP programme of professionalising police investigation where officers used to be able to apply and go directly into CID, what they have to do now is to complete a national examination of which there is a 40% failure rate. Having been successful in that examination, they then have to complete a 6 week training programme and then they become trainee investigators for a year before they can apply to go into Crime Operations. It is also fair to say that the uniform shift system is more attractive and so officers are less willing to move out of uniform and into a less attractive shift system. It would also be fair to say that officers would see some of the work done in Crime Operations as a more risky end of the business for individual risk in terms of open to Ombudsman's complaints and so officers are sometimes reluctant from that point of view to go into that side of the business.

So what are we doing about it. Again as I said, and the Human Resources Members of the Board will be aware that we have put a number of proposals on the table. One is to consider recruiting experienced detectives from the rest of the UK. Now previously there was in the Police Act room to do that, where we could have got derogation from

the 50:50 to allow us to do that, but as I understand it that part of the Police Act has lapsed and we will have to examine whether we should reapply to have that opened up again and probably the first opportunity to do that will be March 2007 but with the Board's Human Resources Committee we will consider that.

I also think there is something we can do internally to sell as a career detective and on some of the superintendents APRs this year in putting on their appraisals that I want to see them going down to see probationary officers to explain the benefits of being a career detective and the value of it, so we will do some work around that. We have also asked the Board to consider allowing Crime Operations to bring in some of the trainee investigators direct into Crime Operations as opposed to bringing them into districts first and then Crime Operations taking the detectives from districts, so that will help us. We also have the potential to consider what is called "red circling" for Voluntary Severance Schemes, in other words where we can red circle and keep officers who want to go on severance for a further year and maybe as an organisation we need to look at that in the Crime Operations end of the business.

The last point is that we need to differentiate between the title of detective and those which are investigators and I have conscious in this that Crompton, Blakey and Stevens was clear, that in Crime Operations we should have people who were detectives but there are parts of Crime Operations, for example in the ports and in vetting, where it is not necessarily a requirement to be a detective to be an investigator. So if the Board are minded to agree with us on that then allows me to allow uniformed officers to apply for those types of posts, so there is quite a lot of work going on in this area.

**Mr Joe Byrne:**

Chairman, I welcome the fact that there is now an emphasis being put on recruiting of officers into the Crime Operations Branch.

What plans do the management of PSNI have in order to cope with the expected reductions in the police budgets over the next 4 to 5 years and what reassurance can the Chief Constable give the public about providing an improved police service delivery within the confines of the Patten recommendations.

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

As Members are aware Chairman, we are engaged in a new cycle of bidding for CSR 2007, the Comprehensive Spending Review by which all public sector bodies are judged by the Treasury on their bids. Treasury have stated this time, that all public bodies should adopt a zero based approach to resource requirements, in other words, what do you need from a blank page? Obviously this is quite complex and difficult but we have already started on this work, and indeed, the Board themselves will be involved in similar work. This is for all public sector bodies, it is not just for the police. All public sector bodies across Northern Ireland and across the UK are being hit like this.

Early indications and they are early indications, these are not firm rulings from the Treasury, have indicated that spending may be flat-lined at the 2007/08 baseline entry levels. That means that even things like pay inflation may be included, but they are not guaranteed yet so we would be flat-lined from 2007/08. They are also going to seek cost reduction targets on frontline resources of 2.5% per annum on the 2007/08 figure and between 3% and 5%, but probably be more likely to be 5% on the administrative functions and support services, and that will apply to other public sector bodies as well. They are looking for a 10% reduction on the capital asset base of public bodies, that equates to £55million for us so we have got some quite considerable savings to achieve.

So how are we going to deal with this, and the second part of your question, how are we going to improve public service in the light of this?

Obviously it is going to very difficult because our financial resources are going to be shrinking at that time. We will probably have to reduce overtime and deployment of police resources and staff resources in some way. Reductions in the size of estates is another matter which the Board is already well aware of and I know you have had a long debate today about the closure of Coalisland. The number and type of our vehicles, the way that we deploy our officers, what we train them in. We are going to focus much more on problem solving and proactive work to try and reduce the demand. We also have to work on the public expectation of policing, which is based on a number way in excess of what we have at the moment and probably what we will have in the future. We will have to think very carefully and very differently about the deployment of

PCSOs, the deployment of Part-Time Police Officers part-time within their community to make sure we are satisfying the public demand, and as the Board are already aware, we are looking very closely at call handling, how we interact with the public, not just where and how quickly we answer the phone, but what sort of response we are able to give. Those are the things we will try and do to improve the service.

We also have established several mechanisms within the service to try and improve efficiency and effectiveness. We have got the Best Value Reviews which the Board are already aware of and we have also, although it is long overdue. We now have CAU just about formed and ready to start and the first piece of work it will do will be to try and free up supervisors because first line supervisors are key to actually improving the service to the public. So we have done quite a bit of work to try and make sure that we are ready for this but it is not going to be easy, I think it is fair to say that and the scale of the reductions would indicate that.

**Chairman, Professor Sir Desmond Rea:**

Question 9 relates to the resource implications of the recommendations of the 1<sup>st</sup> and 2<sup>nd</sup> Annual Reports of the Human Rights Advisors, there are a few outstanding recommendations to be implemented in respect of the 1<sup>st</sup> report, question 9  
Barry Gilligan.

**Vice Chairman, Mr Barry Gilligan:**

Thank you Chairman. We have already referred to the Annual Report which was released yesterday and I have to say it is a very largely positive report which addresses PSNI compliance of the Human Rights Act and the author makes reference to the fact that it is a level of and degree of compliance which other police services should aspire to. However, there are areas of concern and as the Chairman says there are outstanding recommendations from the 1<sup>st</sup> Annual Report and 45 recommendations from yesterday's report.

The question Chief Constable is, how are you going to ensure that those recommendations are going to be implemented and in particular, what resources in terms of personnel and budget have been allocated to this activity within your Criminal Justice Department?

**Chief Constable, Sir Hugh Orde:**

I will ask ACC Harris to deal with the detail. In broad terms I, like the Board, was pleased with the overall report. It was something around compliance also something around commitment and this organisation is absolutely committed to the delivering against these recommendations. If it would help I am happy to give a far more detailed response and presentation to the Board at the Corporate Policy, Planning & Performance Committee Chairman but I will ask ACC Harris to cover the question now.

**Chairman, Professor Sir Desmond Rea:**

We apology for the sound system today, we will spend some time trying to get it right for the next meeting.

**Assistant Chief Constable, Mr Drew Harris:**

Having received the 2<sup>nd</sup> Annual Report only yesterday, it is early just to quantify all the implications of it. The very first recommendation is, that we publish a Human Rights Programme of Action and we are committed to doing that within 3 months. Now knowing that the report was coming along I had asked for additional resources to prepare for the Programme of Action and that will be taken forward by my own Criminal Justice Department, so those resources have been obtained and will shortly be in place.

It will then be for other department heads, other leads in departments to take forward their parts of the report, not only looking at the new 45 recommendations but finishing off the 21 still remaining from the first report, so that is work that we want to start quickly, we have put resources in place and we want to get impetuous, to get the Programme of Action out so that we are now on an annual footing in respect of these reports.

**Chairman, Professor Sir Desmond Rea:**

Question relating to the RPA and the proposal for new so called 'super districts', question 7 Alex Attwood.

**Mr Alex Attwood:**

This issue concerns the recruitment of the Super District Commanders, to borrow a phrase for these new Super District Command areas. These are going to be very critical appointments, because given that there may be 7 or 8 new Super District Commanders. They are going to have increased resources, increased personnel, increased responsibility, increased challenges so there has been some speculation, including among the representative bodies of the police service, about the procedures for recruitment of these individuals, so could you indicate what are the qualities and skills that the police are looking for, how will the recruitment exercise be conducted, what will be the outreach for under-represented groups to become part this body of new Super Commanders, in particular in respect of female police officers?

**Chief Constable, Sir Hugh Orde:**

We are in the process of developing this but it is important to get it into context, the word Super District is a little misleading. They will be average district in terms of the size of a district compared to an average district command anywhere else in the United Kingdom. These will be an average size, they are not going to be huge and where we are different currently - we have actually got a number of very small districts - which certainly, with the new financial constraints, will not be economic to deliver and currently are not necessarily the most effective way of delivering policing.

At this stage I have asked all my Assistant Chief Constables, who have extremely capable officers who currently command District Command Units, to find out what their aspirations are at the Chief Superintendent level. I have had an open meeting with my Superintending ranks to explain to them that this is a process that needs to be very carefully managed. What I am committed to and there are some non-negotiables around this, I will be looking for a minimum commitment from an officer who wants the privilege of one of these commands, because if it is one thing we have learnt, districts or local communities want an identifiable individual to remain for a reasonable period of time. Now obviously, due to the level of seniority and the Patten severance programme, I think a number of people will therefore not be eligible, so I do not think I will probably have enough Chief Superintendents currently within my command who, supported by Assistant Chief Officers, we could post.

In terms of the issues you raised around advertising, my plan to fill the shortfall will be to advertise nationally as well as locally and we can certainly make some observations around recognising where we are under-represented. I am not sure how successful this process will be in terms of addressing that balance, but we can certainly have a very good go at doing that. Depending on the overall numbers who end up in that pool, we may or may not have to have a competitive process to identify the top 8 but as I have said we are consulting with the Superintendents' Association and keeping very closely in touch with them on this matter.

**Mr Alex Attwood:**

In respect of female police officers, will there be any dedicated outreach in order to ensure that they are profiled within this new Commander Unit and if lateral entry provisions are all signed off between the North and the South, will there be opportunities for members of the Garda Síochána to become a Super District Commander?

**Chief Constable, Sir Hugh Orde:**

Indeed, we will advertise nationally and in the island of Ireland, so certainly in terms of what we can do to encourage and I think we can certainly make the point in advertisements that certain groups are under-represented, which I think is how the legal bit works. We can certainly do that to encourage people. What I am saying the reality check is that I am not sure how many people will want to make that shift, but that does not mean we cannot have a jolly good go.

**Chairman, Professor Sir Desmond Rea:**

Supplementary Danny Kennedy.

**Mr Danny Kennedy:**

Mr Chairman could I ask the Chief Constable, in terms of the current Chief Superintendents who are already in post, how many have indicated at this stage that they wish to be or may make themselves available for any possible appointment?

**Chief Constable, Sir Hugh Orde:**

As I have said, currently my Assistant Chief Constables are speaking individually to each one and I am not sure we have got to a final count yet, as ACC McCausland has

only just come back from leave. That is the first stage and as soon as that has been done then we can look at it. We have been very open and the Superintendents' Association has been extremely supportive, we are looking for a commitment and if those people, and we have some extremely able District Commanders already, and we certainly do not want to lose those, if they can give us that commitment.

**Chairman, Professor Sir Desmond Rea:**

Question relating to officers convicted of drink driving, question 26 Mrs McCabe.

**Mrs Pauline McCabe:**

Subsequent to the Deputy Chief Constable writing to officers advising them of the service's revised tougher approach to dealing with officers convicted of drink driving offences, please could the Chief Constable advise of the outcome of subsequent relevant disciplinary hearings.

**Chief Constable, Sir Hugh Orde:**

I will ask the Deputy Chief Constable to deal with that question. I know at the Human Rights report yesterday articulate all the ones up to date, it is right to say that post to that statement, none have come into discipline yet.

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

There are no subsequent relevant disciplinary proceedings in the sense that no-one has been arrested, convicted and come to discipline post 2 May 2006 which was when we put the statement out. By what is encouraging is that, compared to the same period last year, and it is encouraging, it is not perfect, is that we have arrested 4 officers for drink driving in that period this year compared to 13 last year, so it does appear that there has been some notice taken of what we have said. Four is still far far too many, 4 too many, let us be honest about it but it is moving in the right direction. We will continue and we are thinking of ways at the moment to try and reinforce this message because obviously you have got to keep this message in front of peoples' minds. We are thinking of ways that we can bring that back to the front of their minds. I am happy to come back to the Board periodically with figures just to illustrate and certainly as soon as post 2 May 2006 arrests start to feature through, I am happy to come back to the Board with further figures.

**Mrs Pauline McCabe:**

Just for clarification something I had not understood, are we saying then that anybody who was actually caught before 2 May 2006 but had not got to their disciplinary hearing is dealt with under the old rules.

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

That is correct, the legal advice that we have received is that they entitled to reasonable expectation of results is the way that the legal people put it and they would be taken to a discipline hearing. The discipline hearing would hear their mitigation or their defence based upon the previous precedent and the way that the issues had been dealt with in the force prior to that. Although there is very little difference it has to be said, what we have done is strengthen and bring us into the national position with regards to the new aggravating factors, so there is not a huge amount of difference.

**Mr Willie Hay:**

I think Chairman on that issue on listening to the Deputy Chief Constable, it is a concern, there is no doubt about that but I think as well, that it is important that the Board knows what action has been taken more than anything else. I know the figures cannot be defended, but I think it is all about the action that has been taken in trying to deal with the issues, I think that is the important issue.

**Chairman, Professor Sir Desmond Rea:**

Question relating to the issue of police station closures, particularly in Fermanagh, this is a question that came in from one of our Members, Ms Arlene Foster and it will be put today by Ian Paisley Jnr, question 11.

**Mr Ian Paisley Jnr:**

This is for the Chief Constable with regards to the provision of services in Co Fermanagh. Arlene Foster did, at the last meeting in Enniskillen, raise the issue of police station closures and she expressed concern, in particular about what was perceived to be the under-usage of Newtownbutler police station, and the fact that both serving members and the public in the area had expressed concerns about the closure of that station. Ms Foster tells me she is informed that the station is effectively non-operational due to the lack of manpower and it is simply locked up and not used. I

would like, and I have actually in the margins of this meeting had the opportunity to discuss the matter with ACC Judith Gillespie and she has given me some reassurances, but I think it would be useful from the public's point of view, if the ACC or the Chief Constable could report to the Board about the deployment and use of that station in Co Fermanagh to give public reassurance.

**Assistant Chief Constable, Mrs Judith Gillespie:**

Newtownbutler still remains operational. At the moment there is no police presence within it. There is Patten 53 work planned to commence very shortly and once the Patten 53 work is completed then we will publish our opening hours to the public and we will also publish the hours in which we are seeking to deploy the mobile community police station which will work in parallel with police patrols in other neighbouring villages, so there is a plan to deal with community reassurance in Newtownbutler. In the short term yes, there are no police officers in Newtownbutler at the moment but that will change when the Patten 53 work is completed.

**Chairman, Professor Sir Desmond Rea:**

The final question relates to the Secretary of State's speech in Glenties, question 25 Alex Attwood.

**Mr Alex Attwood:**

Thank you. My guess Chief Constable is that you probably do have views about the Secretary of State's speech in Glenties but I guess equally that you are not going to share them with us. But given that the Secretary of State compounded his error of the Glenties speech, yesterday in a press conference where he said and I quote "I think it is imperative that Sinn Fein co-operate with policing on a day to day basis" and they have started to do that and then he suggests later on that that is what he defines as progress when it comes to the policing issue. So I will ask you Chief constable not to comment on what the Secretary of State has said but I would ask you to define progress and would you concur that progress is when every party is encouraging people to join the police service, that every party is recommending to people to assist the police with their enquiries and that every party is letting people freely join the police institutions in order to make the police accountable in this part of Ireland, is that not the way to define progress?

**Chief Constable, Sir Hugh Orde:**

Yes. My views are well known on this Mr Attwood. Whilst I think it is good I think that any engagement is a positive step in the right direction and I do think, as articulated by my ACC McCausland and ACC Gillespie earlier, if you look at the parades this year there was a step in the right direction because more people were talking and it is good to talk. I absolutely agree with you entirely, there should be and my views are very well known on this. I have repeatedly said, I am on record for 4 years now that Sinn Fein should be on the Policing Board because I think until they come on the Policing Board, a substantial part of the population of Northern Ireland do not have the opportunity to hold this senior management and this organisation to account in the way that it was envisaged they would be held to account and I would repeat that now, I still think they should join the Policing Board and that really is what success looks like.

In the meantime, if we are seeing steps in that direction, I think that is a good thing. I can do no more. I think the other point worth making is, the Oversight Commissioner has said the police service has delivered, the Policing Board has delivered. We have proved it can work, the only institution really that has operated throughout this difficult time has been the Policing Board in terms of accountability, so I think we have done whatever we can and will continue to do whatever we can to convince people they should hold us to account through the proper process rather than through informal processes, and I think if you do achieve that then 2 things will happen. One is, you are right, you will see that we will sink under the applications of people wanting to join this organisation, the tragedy being I will not have the spaces to recruit them. I also think we will probably see, through far greater engagement with the police, we will get a far better picture of what the real crime situation in Northern Ireland is because I think people will tell us a lot more than they currently tell us.

**Mr Alex Attwood:**

So given that the Secretary of State laid out his view on policing in Glenties and has confirmed it yesterday and given that that has a very significant political impact, where those views shared with you given that you are the head of the police service in any way, shape or form before they became stated government policy given the fact Chief Constable, that there have been occasions in recent months and going back some time when the British Government relied upon you in order to bring some information to the

attention of Sinn Fein, that they rely upon you when it came to the Secretary of State making the Glenties speech and reaffirming that view of the world yesterday.

**Chief Constable, Sir Hugh Orde:**

What the Secretary of State says is really a matter for the Secretary of State, my job is to do the police job and in a way one of the biggest strengths of the UK policing structure is the independence of the Chief Constable in delivering that particular task and being held to account through this process rather than any other process so I think the Secretary of State is back from holiday now so perhaps you can ask him.

**Chairman, Professor Sir Desmond Rea:**

Dolores Kelly, supplementary.

**Ms Dolores Kelly:**

It has come to my attention Chief Constable in the past week, that far from local Sinn Fein activists encouraging local interface with the police, that in actual fact they have conducted leaflet drops in areas of the central area of Craigavon, advising people not to co-operate with the police or not to go to the police on matters of anti social behaviour but instead perhaps go to some of their representatives. If that is the case, is that information shared by you to the Secretary of State so that he can see that he is living in some sort of fantasy land?

**Chief Constable, Sir Hugh Orde:**

I am not sighted on that particular example and sadly there are still examples, it is back to the process of this place being in a form of transition, there are a number of cases where we have seen these sort of leaflets before. Let us be very clear, there is one police service in Northern Ireland, it is this one, and people should engage in it and the more they engage in it the more capable and effective we will be at protecting them and the more effective we will be at solving crime. Indeed, next month at the Board is the performance meeting and Members will be aware that crime is actually currently up on last year and I think part of that is very much around the fact that more people are talking to us. I think some of these so called politicians are being left behind by their communities and they need to wise up and get engaged and get on board.

**Ms Dolores Kelly:**

Perhaps this message you could deliver also to the Secretary of State, Chief Constable.

**Chairman, Professor Sir Desmond Rea:**

Could we bring this session to an end. Could I say to you Chief Constable and your colleagues, a very sincere thank you for taking our questions today. To members of the public, thank you for your attendance and to the journalists present as well. Thank you.