

## **NORTHERN IRELAND POLICING BOARD**

**MINUTES OF THE 39<sup>th</sup> MEETING IN PUBLIC OF THE NORTHERN IRELAND  
POLICING BOARD HELD ON THURSDAY, 2 FEBRUARY 2006  
AT 12:00 NOON IN WATERSIDE TOWER, BELFAST.**

### **PRESENT:**

### **MEMBERS:**

Professor Sir Desmond Rea (Chairman)  
Mr Denis Bradley (Vice-Chairman)  
Mr Alex Attwood  
Viscount Brookeborough  
Mr Fred Cobain  
Mr Brian Dougherty  
Mr Sam Foster  
Mr Barry Gilligan  
Mr Willie Hay  
Mr Tom Kelly  
Mrs Pauline McCabe  
Mr Alan McFarland  
Mr Eddie McGrady  
Mrs Rosaleen Moore  
Mr Ian Paisley  
Mr Sammy Wilson

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

Sir Hugh Orde (Chief Constable)  
Mr Paul Leighton (Deputy Chief  
Constable)  
Mrs Judith Gillespie, (ACC Criminal  
Justice)  
Mr Sam Kinkaid (ACC Crime Operations)  
Mr Peter Sheridan (ACC Rural Region)  
Mr Duncan McCausland (ACC Urban  
Region)  
Mr Joe Stewart, Director of Human  
Resources  
Mr David Best, Director of Finance &  
Support Services  
Chief Superintendent, Command  
Secretariat

### **OFFICIALS IN ATTENDANCE:**

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

## **Apologies**

Apologies for non-attendance were received from Mr Joe Byrne, Lord Kilclooney and Mr Suneil Sharma. NOTED.

## **Chairman, Professor Sir Desmond Rea:**

Good afternoon and welcome to this 51<sup>st</sup> meeting of the Policing Board. A word of apology, the earlier meeting overran and we apologise to you for that.

Chief Constable, welcome to you and your colleagues, to the police staff association representatives, to colleagues from partner organisations, to the press, and in particular to members of the public. I should also say that we have with us today, some senior police officers from Columbia and you are very welcome to this public session.

Before I invite the Chief Constable to begin, I would like to make a few brief comments.

First, I would like to formally offer my congratulations to Tom Kelly on his award in the New Year's Honours list – this is a well deserved honour and one that recognises your contributions to public life and particularly to this Board.

This is, of course, the second last meeting in public of the Policing Board prior to reconstitution on 1 April 2006. The last public meeting will be next month, but the Board will be continuing in business and getting on with the business right up to 31 March 2006.

Effective oversight of policing in Northern Ireland underpinned the change process and was an essential requirement for public confidence. The PSNI is now perhaps the most accountable police service in the world – or as you often point out Chief Constable, you are the most accountable officer.

Given the evolution of policing in Northern Ireland and the requirement to deliver a substantial change programme, this level of scrutiny has been a necessary requirement to build public confidence in policing and deliver an open and transparent policing service which is fully accountable to the community it serves. The model in place in Northern Ireland provides lessons for all effective accountability mechanisms for policing.

Last week, the HMIC published a Baseline Assessment, which for the first time compared the work of the PSNI with representative services in England and Wales. This form of assessment greatly assists the Board's oversight work and will now be considered in detail by the relevant Committees of the Board. The Board is indebted to HMIC and other inspection organisations for their work, and in respect of oversight of policing; we too are evolving and learning on how we can further improve the oversight mechanisms in place.

Earlier this week the Board held a meeting of key oversight bodies – the Oversight Commissioner / CJINI / HMIC and the National Audit Office, to look at how various inspection activities planned for PSNI over the coming years might be better co-ordinated. This was a positive meeting of all the key oversight bodies, all of whom remain committed to working together to deliver the best policing service possible in Northern Ireland and help to make our communities safer.

Today Chief Constable, you are due to present the latest crime figures. Since Christmas there have been some despicable attacks on older people. The high media profile given to these attacks raises issues of public confidence within the community and contributes to the fear of crime among those who are vulnerable, so the Board would welcome your assessment when presenting the latest figures.

The Board would also welcome your comments on the Independent Monitoring Report (IMC) published yesterday.

**Chief Constable, Sir Hugh Orde:**

Thank you Chairman. If I could start with the performance. As you rightly point out it is the day we update the Board, and members of the public and indeed the press on where we are in terms of crime in Northern Ireland. You mentioned Chairman, the fact that the HMIC has now started to use comparative forces. But we are very much ahead of the game on this and have done this to allow the Board Members to form some sort of perspective, or put some context in relation to what our figures are and we continue to do that.

You will see the first slide shows a slight increase in crime for the first time, certainly since I have been here. Crime is up 4% this year. ***[Interruption from the floor]***

You can see also there against comparatives forces and we have done some work on that. I will go into a little more detail because it is important we understand what going on there.

Members will see that in terms of the comparative forces which we thought were relevant to Northern Ireland, crime in Northern Ireland is still lower than any other comparator Police Service shown on that particular slide.

In terms of looking at the increase, we have asked our analysts to look at that. In essence, it means there are an extra 2,500 crimes compared to last year. Those, as you see on the screen, can be accounted for in a number of ways, vis a vis just over a 1,000 breaches of Non-Molestation Orders which previously were not counted, so that is new crime. It is an additional requirement on us to record those so that would not have featured in last year's figures.

The disturbances during the summer again caused a blip, certainly during July and September with the Whiterock, an additional 600 offences are accounted for in that particular event.

In terms of domestic violence, a number of districts have, quite properly been running some substantial initiatives in relation to domestic violence to encourage people to report those sorts of crime, which again has shown an increase of over 500 reports which we would see as a confidence in policing issue and we accept the increase that attributes to our overall figures.

Additional activity from police has generated nearly 200 extra arrests for drugs offences which, of course, equally feature in those figures as extra crimes as well as extra clear ups. Likewise in terms of dangerous driving, an initiative by Traffic Division to try and reduce deaths on the roads, there are nearly 100 prosecutions there. So, that does explain to some extent, why crime has actually risen in this particular quarter.

In terms of areas of concern and again the areas where we have seen an increase which is not explainable in that way, criminal damage and low level assaults have increased again. Work on that has shown some interesting statistics, which we are doing some more work on, but certainly it would be right to say that in certain areas of Northern

Ireland, crime is increasing at a faster rate, West Belfast, Newry, Armagh and Derry being some examples of that. We are wondering, likewise, if in areas that are predominately nationalist, if we are getting increased reporting because of increased confidence in policing. It is too early to form an assessment yet but that is certainly a hypothesis we are looking at.

If I can move on. As you said, the HMIC has now started to compare us to other police forces and has chosen different forces, which you will see. We have shown the populations of those forces to give people some sort of understanding and context. In relation to those forces you will see again a slightly mixed picture, our crime is going up but again substantially lower crime overall than in those forces that Her Majesty's Inspectorate of Constabulary have chosen to compare us against.

I will move on now to crimes of particular concern to communities, that is domestic burglary and vehicle crime. A slightly better picture here, we have managed to maintain our reduction in burglary, down a further 2% this year as compared to last year. More importantly I think in terms of success, vehicle crime, another substantial reduction this year on the substantial reductions we have achieved before that, crime is now down 15% in that particular area.

Violent crime, our clear-up rate is at 50% which you will see, is about midway in relation to other forces we are compared with. In terms of violent crime, offences against the persons are up slightly, sexual offences are down and robbery is up 13%. The vast majority of those robberies actually can be accounted for during the Whiterock parade and indeed the summer with vehicle hijackings, which fall into that category. Vehicle hijackings are up substantially as a result of those particular events. It does not reflect an underlying trend, an increase in what Members would see as "robbery", in a more normally understood sense of the word.

Just to pick out a couple of initiatives which are highlighted. Strabane has put in a lot of work, certainly in terms of reducing target kidnaps and robberies. Domestic violence initiatives and regular bail checks on persistent offenders have done a number of things. One thing it has done is identify offenders who are given bail, who are offending against the conditions of bail and bringing them back into the courts system to either get them

reinforced or to get them put back in custody as they think clearly to lead to a reduction in violent crime.

Craigavon have been working on hotspots using their analysts to identify where they should be and the sort of problems they should be focusing on and again, the result of those initiatives and the domestic violence initiatives, they to have reduced crime in their area.

Likewise, Castlereagh is doing a lot of work with managers of licence premises to try and reduce the likelihood of assaults in those areas and indeed, patrolling robbery hotspots. Castlereagh, in terms of violent crime, has a reduction now of 8.5%. So, it is again a mixed bag but a lot of work is going on at the local level which Members are most welcome to go and see should they so wish.

If I could move on to violent crime and at the extreme end - murders. The murder rate in Northern Ireland is currently at its lowest for 10 years. Twenty-two murders were recorded last year that does, of course, include the loyalist feud so if one was to take those out, what one would call routine murders, are even less, very serious nonetheless. Compared to other forces, just by way of interest, Greater Manchester police had 29 murders in the same period and in Northumbria there were 11 murders so again we are midway between some other comparative forces.

A little more detail on domestic burglary, which as I said is down nearly 3% on last year. Again some substantial initiatives in North Belfast have led to a substantial reduction of over 40%, that is very much by using our analysts, identifying crime hotspots, targeting of active offenders through DNA and fingerprints and checking bail conditions. I think if one was to sum up what has gone on there, the District Commander would say, it is by devolving responsibility to the sector inspectors has been the primary driver. They really own the territory and they are really taking the crime very seriously and are making sure that every officer under their command is fully briefed and is really taking this to the extremes and its result has certainly been a substantial reduction.

In Foyle, again down nearly 21% and that is very much using intelligence and intelligence led crime operations to target persistent offenders.

It is worth reflecting, it was in the press a couple of weeks ago, a substantial initiative by police to bring to justice a prolific burglar who had over 90 previous convictions who was sent to the Crown Court because it was felt that the Magistrate's Courts would not have sufficient power to deal with such a prolific offender, who actually was given a non-custodial sentence. Now that does, without doubt, have an impact both on police resources, on the confidence of my officers that the criminal justice system is not necessarily working and it is something I think is right to bring the attention of Board Members.

You mentioned in your opening Chairman, crimes against older persons which have certainly been a substantial interest in the media and indeed within the communities recently due to some very worrying aggravated crimes against elderly people in their own homes late at night. It is something we take extremely seriously; we have a major operation being led by the District Commander in Craigavon across Rural Region to look at that which we may touch on again later. But if one could look at the figures in general, crimes against older persons, you will see by those figures, crime is slightly down in terms of assaults but a slight increase in terms of domestic burglary. It is important to note, that in terms of the burglaries the victims are people aged over 65, it does not mean the victims were present when these crimes were committed so many empty houses which are burgled, that happen to belong to older people do fall into that particular category. I think it is right to say that in the last week, as a result of the initiatives, a team of burglars were arrested in Fermanagh, having committed 2 distraction burglaries against elderly people late at night. Indeed, other arrests have been made in Belfast in the last 24 hours and the initiative will continue until we bring to justice those who are responsible for those very disturbing crimes indeed.

In terms of organised crime, a few observations to show what has been going on in terms of increases in quantities of drugs seized. We have arrested, I think what we would describe as one of the most dangerous robbery teams in the country just before Christmas last year, as a result of a substantial police operation. Indeed, in terms of extortion, we have arrested a very prominent extortion team after a very focused crime operations led operation. You will see the figures speak for themselves in terms of Restraint Orders, we lead the country in terms of seizures and in terms of references to the Asset Recovery Agency who work very closely with us in terms of those particular issues.

Finally, on the custody and bail figures, after concerted effort for the last 3 years we are nearly reaching our targets but we are not there yet. I am confident that the new Causeway system which links the whole criminal justice system together will further improve that. Electronic case file transfers are now in the routine of the Police Service of Northern Ireland which has had a substantial impact on our ability to deliver people into the justice system more quickly.

Very briefly, if I may continue slightly more at length, in terms of recent attacks in addition to proactive operations, our Community Safety Branch have been working very hard in districts making personal alarms available to older people. Crime prevention advice, local crime prevention officers have been using local newspapers to increase the awareness of people. We ran an advertising campaign just before Christmas again to raise the awareness level and the risk to elderly people of these people knocking on doors and distracting them and then stealing their money.

I touched on the operation which is being led by Chief Superintendent Drew Harris in Craigavon, it covers Downpatrick, Banbridge, Armagh, Dungannon, South Tyrone, Fermanagh, Cookstown, Omagh, Strabane and Magherafelt districts and that will, as I say, continue as long as it needs to continue.

In terms of the organised crime totals for last year, over £8m worth of goods were seized in police operations. The vast majority of those being counterfeit, it shows we are determined to deal with that particular sort of economic crime. By way of one example, in 2 days in December a police operation at Jonesborough Market netted just under £1m of counterfeit goods ranging from DVDs through to counterfeit cigarettes, tobacco, perfume, alcohol and fireworks. Again, a substantial operation which we continue to do and we are showing just how effective we can be by working closely with other agencies.

Another issue which I think is worth flagging up because it made a fair bit of press interest was the attack in Newtownards on a 19 year old man on Christmas Eve. It is important to record a number of things. Firstly, that 3 people were arrested and charged with attempted murder in relation to that offence. Assistant Chief Constable Duncan McCausland was actually at the District Policing Partnership recently, where there was a lot of press coverage. What was not covered was the acknowledgement by the victim's

family of the police operation and the fact that people had been brought to justice and I think that is important to put on the record.

In terms of robbery, again substantial successes in a number of areas. By way of one example, an off duty officer spotted a robbery in progress in Ballyclare just before Christmas and as a result of his intervention and uniform colleagues responding to his assistance, another armed robber was brought to justice.

I could go on Chairman but I think the point I am trying to make is, whilst crime has increased slightly, which we think we can explain in a constructive way without being complacent, the number of arrests coming in at the moment, it would be acknowledged by my senior team on Monday, is substantial and across the board. So, we are certainly up to the mark in terms of bringing people to justice for these particular offences. I think the distraction burglaries are something we intend to do a lot more on because of the way it raises the fear of crime but as I have said, the Fermanagh arrests we would class as highly significant and the Lisburn arrests we would see as equally significant.

I will draw to a close and will be happy to answer questions in terms of the performance figures.

**Mr Sam Foster:**

Chairman, may I make a comment please?

What is concerning me at this particular time is the fact that this group which interrupted us today or gate crashed this meeting, was it arranged, was it known they were coming? How did they get in, were they checked in case they were carrying any weapons? That was disgraceful what took place, anything could have happened. The top echelons of the police force that were here could have been shot. You as Chairman and the Members of this Board, anything could have happened if they had been wicked enough to do it. They have no respect for anybody or anything and I think this was an absolute shame that they should have been able to come in here today and disrupt this meeting. Were you aware this was going to happen Chairman?

**Chairman, Professor Sir Desmond Rea:**

I was not aware that the meeting was going to be disrupted.

First question, Mr Foster, which relates to the decrease in public satisfaction, let me take this question and then we will come back to that.

**Mr Sam Foster:**

This question is on police performance Chairman and Chief Constable. Given the decrease in public satisfaction rates relating to targets I refer to the following, "To increase the percentage of people who think that the police do a good job by 5 percentage points. To increase the percentage of people who think that the police treat everybody equal by 5 percentage points. To increase the percentage of people who are satisfied that police patrolling in their local area by 4 percentage points." Could I ask you Chief Constable would you outline the current initiatives in place to increase this public confidence, which is slightly on the wane at the moment?

**Chief Constable, Sir Hugh Orde:**

I'll ask Paul to cover those.

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

Chairman, obviously there are an awful lot of initiatives which all go towards increasing public confidence. The statistics quoted obviously have reduced in the first instance from 63% to 60%, so a reduction of 3%. In the second instance a reduction from 66% in April 2005 to 64% in September 2005 and in the third instance from 42% in April 2005 to 30% in September 2006. So there has been a reduction, albeit a small one.

Some of the things that are taking place Members will be aware of, the best value review of patrolling which has many recommendations which will go towards increasing public satisfaction, increasing visibility and the engagement of police with local communities. We are also looking very closely at results of other surveys to see what they tell us. Members will be aware, I know that the sub-committees have been briefed, on the results of a victim's survey which took place across England and Wales and Northern Ireland quite recently. The results of that were quite encouraging which showed an overall satisfaction rate of 82%, with 70% satisfaction rate for follow-up on investigations which is normally one of the areas that police don't do too well in. That placed us twelfth out of forty-four overall across Great Britain but the 70% follow-up placed us fourth out of forty-four which I think is quite a credible achievement. So we are looking at other surveys as well.

You will be aware and again we have briefed the sub-committee on the eight tracks of work that we have identified through Policing with the Community Steering Group and Members were quite impressed, as I understand it, with the work that is ongoing to increase training, partnership working, knowledge sharing, the policing with the community fund and how that is used and evaluated. So there is a lot of work ongoing there.

Members will also be aware of the new non-emergency number 0845 6008000 which has been launched. Members are aware of the work ongoing to improve our call handling which goes a long way to public satisfaction because it is the first point of contact. I think against all of that and the reassurance strategy which has been developed it is worth noting that this particular survey was a spot survey. It was a one/two day survey taken at a particular point in time and this particular survey was conducted in September 2005, shortly after the disturbances in the Whiterock. So to note that we are not happy about the reduction at all but we do place it in context and we are aware of the work that we are doing to try and improve the situation.

**Mr Sam Foster:**

Is there a difficulty about resources? Do you think you have enough resources to do what you need to do or is possible that something needs to be done in so far as delegation of police?

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

We do think we have sufficient resources, although we are constantly looking at the present to try and get more out of what we've got. I am aware that Members are considering papers on PCSO, Police Community Support Officers, later on in this meeting which would of course give us additional resources that could substantially improve the satisfaction level.

**Mr Sammy Wilson:**

Just on the statistics that have been given here this morning which I think people will feel a bit disappointed about – the percentage of people thinking that the police do a good job is down, the percentage of people who think the police treat everybody equally is down, the crime is up, violent crimes are up etc. But the one thing that worries me and I just want maybe some explanation, the Chief has given some explanation as to why that might happen. Why is it though that consistently, even where, for example, crime has come

down we still have an increase in rural areas? Can you explain why the rural area in particular, if you look at all the figures, the red parts appear to be in rural areas? Are there any particular reasons for that? The second thing is the organised crime people, the robbery teams and the extortion teams, and that's good work, do they get out on bail again or are still on remand?

**Chief Constable, Sir Hugh Orde:**

I'll ask Peter to cover the particular issues around rural crime verses urban crime.

In terms of bail, we object strenuously to bail on any what we would call a serious offence. In fairness the vast majority of people are quite properly remanded in custody where it is appropriate. The law is quite specific on this and in fairness to the judges there are situations where human rights legislation makes it very difficult for them to keep people in and the seriousness of the crime is no longer a prima facie reason for remanding someone in custody. So, just because someone has committed an extortion or a murder is not sufficient for a judge to allow that person to be remanded in custody. We have to prove a series of other points and use that as a supporting reason rather than the primary reason. Now that does make it very difficult and Members will be aware there are people awaiting trial for very serious crimes, or indeed waiting sentence for very serious crime having pleaded guilty, are remanded on bail waiting sentence. We look closely for example at re-offending people who are committing crimes - are they re-offending whilst on bail and we make it very public when we find that to be the case.

One I highlighted earlier and the frustration there was to arrest a prolific burglar takes a huge amount of police resources and resources has been rightly raised, but it's not just as simple as someone coming out of the front door with a swag bag. It takes a lot of police resources, a lot of analysis, a lot of time, quite often an awful lot of police officers to keep a person under control. So we do think it is right to make observations when people are put back into the community where frankly we feel they should be taken out of circulation to give the communities a break. You certainly see substantial evidence where prolific burglars are locked up of a substantial reduction in crime in those areas and that is very important. I will ask Peter to deal with the issue on rural crime.

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

Just in relation to the first issue you raised about the arrests in Fermanagh, those 3 people were remanded in custody and remain in custody.

You are quite right, crime is up in rural region by about 7.8%, up to 46,468 this year from 43,000 crime last year. We are up currently about 3,300 additional crimes, so we did some work into looking into why is that. Again I'd caution Members that we are at an early stage in this and more in-depth analysis are required.

But, when I look at Foyle crimes are up 850 crimes this year. Newry & Mourne crimes are up 550. Fermanagh up 600 crimes. Downpatrick up 550 crimes. We did a sample of 13 nationalist areas, which included Foyle and Craigavon, West Belfast, Newry & Mourne. When examined in detail a comparison that was made of crime recorded during this financial year and the previous financial year. Eight of the 13 areas experienced an increase in crime which was greater than the overall increase in crime in that district. Now that may be that people are starting to report more crime in those areas but as I say we will have to do some in-depth analysis on that.

There are other issues as well why crime is up in the region - 14% rise in reported domestic violence incidents. When I look at those, if you take Newry & Mourne 920 domestic violence incidents, 592 of those are first time reports. Again, in Down out of 500 domestic violence incidents 334 are first time reports. Magherafelt out of 251, 139 of those were first time reports.

When I look at crime, for example, in Crossmaglen 173% rise in reported crime in Crossmaglen, I don't for one minute think that crime has went up in the number of years by 173% in Crossmaglen. It's up from 86 crimes to 235 crimes reported. The same when you look at Belcoo, up 81%, now that's up 13 crimes. When I look at Dergonnelly up 29 crimes or 93%. So, we will have to do some more in-depth analysis around that.

One of the Policing Plan targets is to increase the quantity of drugs seized and that is a two-edged affect in that the more drugs we detect the more crime rises. Currently this year in Rural Region drug crime is up by 24% because we have detected 24% more drug dealers in the area. So that adds to it.

The Chief Constable pointed out that breaches of non-molestation orders were not recorded as crimes last year. There are an additional 700 of those so far to date this year in Rural Region which is an additional 700 crimes this year. Assaults on police have risen by about 15% this year and some of that I think is down to the fact that during the night time economy in towns and provincial towns round it, when police officers are out in yellow coats, more assaults are happening on police officers and that's adding to crime. The significant cross-border multi agency operations we have done around fuel laundering, counterfeiting those are all detections which also add into the crime that were not detected previously. So there is a range of reasons why when you get into the detail of it, but I would caution Members that more work has to be done.

**Mr Sammy Wilson:**

Why do you think those reasons are unique to rural part of policing in Northern Ireland? For example, increased recording and if that were the case would you not find that in nationalists areas in the urban section, increased recording of domestic violence, would you not find the same there. I mean why particularly in rural areas are you finding this?

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

I was only answering you in relation to rural areas, but the same applies in Belfast. In West Belfast crime is up.

**Mr Sammy Wilson:**

If that were the case then that would not explain the discrepancy between crime going up in rural areas and not in urban areas?

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

It would depend whether you have more nationalist areas and where the greater nationalists – and that's the point I am making on this and that is why I cautioned Members at the start of this, there is some much in-depth analysis needs to be done around this. There is some particular reason why crime is seen to rise more in Rural Region.

**Mr Ian Paisley Jnr:**

Thanks very much Chairman. Can I say that I actually welcome the report the Chief Constable has given today. I think it is very significant. I think that there are some very

significant changes to the report in what we saw maybe 2 years ago. I think we did set you a challenge to reduce crime to under 100,000 and whilst I recognise the health warning and the analysis which ACC Sheridan has given I think it would be churlish not to acknowledge that there has been movement. We hope that that movement will continue to see a downward trend in the areas where at present there is an upward trend.

I also think it is important to note that we have had the lowest number of murders in 10 years and that is very significant. I take on board the points that you have raised concerning violent crime, attacks on the elderly but in particular the failure of the courts to deal with some of these issues. I hope that we have something in place soon that will allow for a management of those cases and see successful prosecution.

But could I ask for your assurance that the Police Service is not going to become a crime recording agency but is going to continue and work towards being a crime deterring and a crime beating agency and a crime beating service. I think that is priority number one if you are an elderly person, if you are a vulnerable person, if you are a person who runs into crime, you want to know that there police are there to beat that crime and to catch the culprits of that crime. You were invited to comment on the IMC Report. Could I ask you – do you agree with the views expressed in the IMC Report yesterday, in particular in relation to IRA decommissioning, in particular to the strategic intent of the Provisional IRA and in particular to organised crime where the Report actually says that in terms of organised crime as a whole there appears to be no diminution in the amount of illegal goods that are being trafficked by the Provisional IRA.

**Chief Constable, Sir Hugh Orde:**

I'll deal with those in order. This organisation has never been a crime recording agency. Obviously, we have to record crime, it is an obligation put upon us but it is determined to solve crime and bring people to justice having solved those crimes. I think what I was doing today and I could have gone on for a lot longer Chairman, was to highlight some of the significant arrests being made. I think if I was to look at the reasons behind that, certainly in the organised crime field, the armed robbery team for example, the extortion teams, that's because we re-organised, with the help of Board, we created Crime Operations Group to deal with serious crime, freeing up districts to deal with local crime. What you are seeing and what I was describing today was a small part of the successes that this organisation has achieved. I think we need to be very proud of those

achievements whilst we are not going to be complacent and we acknowledge your challenge of 100,000 crimes.

In terms of the IMC Report well, my glass is half full we gave evidence to the IMC Report, Members be clear on that, as were obliged to do, I stand by my assessment which at the risk of repeating myself has been clear and unequivocal for some considerable time of time as there is no evidence or intelligence to suggest the Provisional IRA have any intention of going back to any form of armed struggle. I also repeat the point that for me the mindset was more important than any decommissioning albeit decommissioning was important for other particular reasons. The Report has been published, Members will no doubt have read it, I have read it, if people think I am going to act as some sort of arbitrator between what I think is now various political interpretations of the same product, I am not going to do that for some very straightforward reasons. I am not required to do it, it is not my place to do it and therefore I do not intend to do it.

As a police service we have to protect all communities and we are committed to doing that and I think the evidence we have shown this morning shows that is exactly what we are doing. The one thing the IMC did not report on this time because it was not required to, was the normalisation agenda and one part of the normalisation that is being delivered is that which we are required to deliver. We have not failed to deliver anything that has been asked of us in terms of normalisation. Be it higher visibility policing, and indeed I was on patrol last week in West Belfast, Portrush and Craigavon and my Deputy was also out in various parts of the country. We are modernising our policing stations as much as we can and as fast as money will allow us to do so. The towers on the border are coming down, the tower as Rosemount will come down Deputy Chairman in keeping and on time with the agenda that we have been set.

So, I think we have shown this organisation is mature enough to deliver against that and I sincerely hope other political groups and others are mature enough to read the Report in the whole, rather than selecting individual bits that suit particular persuasions. But I am not prepared to comment in terms of detail apart from the fact it is out, we gave our evidence to it, we gave our intelligence to it, the IMC took evidence and intelligence from many organisations and has formed an overall assessment on which they should comment, certainly not me.

**Mr Ian Paisley Jnr:**

I'm not asking you to comment in detail, but I do think you owe the Board and the public a satisfactory answer to the issue of police tactics regarding strategy. For example, if we now have a report which indicates that a paramilitary organisation which six to eight months ago told us they had completely disarmed and we now have a report which indicates that not all of their weapons have in fact been handed in and that they go beyond what might be regarded use for a legal personal protection. I think we need an explanation.

How does that affect your normalisation policy? How does that affect your policy and practice in terms of tackling that organisation? I think that we are entitled to that and I think that you should give us that.

**Chief Constable, Sir Hugh Orde:**

Well let me reassure, and I've just described to Crime Operations Group, let me reassure the Board unequivocally that anyone who breaks the law, be it a terrorist or a criminal that comes into our field of vision will be targeted and will be dealt with. If we don't deal with them then we will make sure the Asset Recovery Agency, Customs and Excise or joint operations will deal with them and again we have articulated very clearly our willingness to deal with these people. Allan McQuillan was on the radio yesterday highlighting yet another joint PSNI/Customs and Excise/Assets Recovery Agency joint operation that netted substantial funds, about £800,000 plus several thousands of litres of illegal fuel. We will do our bit; I don't distinguish between criminals and terrorists who happen to be criminals. If they break the law then we will dealt with it. You have my absolute assurance of that and I think we have evidenced that Chairman.

**Chairman, Professor Sir Desmond Rea:**

I will take 2 more questions on this – Alex Attwood and then Willie Hay.

**Mr Alex Attwood:**

Thank you Chief Constable. I've just got 2 questions to ask. The first is given what the IMC has said and given comment generally what is your assessment of what is going on with the loyalist organisations at the moment. Because, if we going to look at the full illegal paramilitary picture, we have to look at the loyalist as well as the republican side.

What is your assessment of what is going on within the UVF and the UDA at the moment and is there something positive emerging out of elements therein?

The second question is that as we sit today, is it your assessment as Chief Constable that that which the IMC said has ended remains the case and is not going to arise again and that which the IMC says is continuing in respect of IRA activity, is that continuing or is that in further decline?

**Chief Constable, Sir Hugh Orde:**

On the risk of repeating myself and people need to read the IMC Report and form their own judgement on its accuracy and form their own position on it. In terms of loyalist terrorism the same argument applies I don't distinguish between loyalist terrorists and republican terrorists, they are all criminals and our job is to bring criminals to justice that is what we will do. In terms of the positives as I have said very clearly that I have no assessment, intelligence or belief that the Provisional IRA are going back to any sort of armed struggle. That is the consistent positive I have had for many, many years now and have articulated for many, many years.

In terms of loyalism, the IMC Report which you will have read is more of a mixed picture, but we have had some indications that suggest there may be some positive moves in the near future and we would say what we always say, which is, we would encourage people, they have got to walk away from their terrorist groups and move on because the rest of Northern Ireland has moved on. What strikes me around all of this that is the vast majority of people are just getting on with their lives while a very small number of people persist in carrying on what is now becoming a niche market which people have little interest in?

**Chairman, Professor Sir Desmond Rea:**

Final question Willie Hay.

**Mr Willie Hay:**

Chairman I will be very brief and its adding to what Alex has said. In the IMC Report there is an issue around whether the Provisional movement has handed in all their weapons or is still holding some. Did that information come from yourselves indicating that? I think that that is the question that needs to be asked to the Chief Constable. It is quite obvious that the IMC Report is saying intelligence reports and reports they have received indicates

different to what the General is telling us and did any of those reports come from the Chief Constable or from his security people indicating that the provisional IRA was holding on to arms?

On the other issue Mr Chairman it was very brief on the crime performance figures. I always worry Mr Chairman about statistics and about performance related crime and I think the public out there are almost fed up with statistics when it comes to crime because I am not too sure its feeds that well in to their perception of policing across Northern Ireland. Sammy raised the issue of the rural area, if you speak to many people in their rural areas they will say to you that they sometimes feel very isolated from policing. I don't know if the police have looked at this situation especially within the rural area and see what more they can do to try and bring rural people into policing.

The other issue as well I always worry and I know Peter has already said it is on the whole issue of resources. I still believe Chairman there is a serious issue when it come to resources within policing.

**Chief Constable, Sir Hugh Orde:**

Statistics, I'm afraid we are stuck with them, we need to be able to benchmark how we are doing, not only for our own benefit but also to see how we are comparing with other police forces and if we can learn from others and will continue to do that.

In terms of visibility well this is the biggest policing territory in the United Kingdom, save the North of Scotland. Five and a half thousand square miles is a lot of patrolling areas and we very much understand the point around isolated rural communities. Paul made the point that we are looking are maximising our front end delivery by becoming more efficient and getting more officers onto the beat and we are working very closely with the Board in terms of how we review our district structure. Community Safety Officers could make a huge difference in my judgement to local policing because they are recruited locally, they work locally and they work locally with their local colleagues from the PSNI. So that's a matter I know the Board is discussing later and I would commend it to them for serious consideration because I think we could increase reassurance by achieving that.

In terms of the two organisations, the Decommissioning Organisation and the IMC Report, I can say we have discharged our duties as we are required to do properly in respect of

both organisations. We have given full briefings of our information and intelligence to them but so have others and other people have fed into that process and then judgements have been made. I am certainly not going to comment on any conversations between those two bodies but I would reassure Members I have certainly delivered everything we are obliged to do in a very honest, frank and open way to enable them to make the judgements and to add that to the other intelligence and information they have gathered.

**Chairman, Professor Sir Desmond Rea:**

Composite question bringing together questions 25 and 28 relating to the tragic deaths at Ardglass and the underwater search unit

**Mr Eddie McGrady:**

Thank you Chairman and I'm sure the Board will want to join with me in sending condolences to the Gibson family of Downpatrick and the Bogue family of Ballynahinch and indeed related to this question is the incident which took place around this very area, the Docks area where Martin Kelly is missing.

Chief Constable, we all understand the difficulty and dangers and indeed the sensitivity of these searches and how difficult it is for the family and the personnel involved. We pay tribute to all of those emergency services and indeed the volunteer groups who have given so much to the community in that respect. Fortunately, in terms of the PSNI diving unit participation in Ardglass and indeed that has been reflected by some of the criticisms made by the Kelly family. It is important that you are able to re-establish in the communities either rebutting the allegations that the PSNI unit was either found wanting or not attending to duty, which I don't particularly believe that these are the allegations being made and have to be dealt with. Therefore I would ask you to give some explanation particularly for instance, the fact that volunteer divers were able to continue diving on days when the PSNI diving unit said they were unable to dive and other matters surrounding that.

**Chief Constable, Sir Hugh Orde:**

My senior officers have spent much time with the relevant people in relation to this. The loss of the Greenhill and I'll ask Duncan to cover the issue around Mr Kelly, I'll cover general points, I'll ask Duncan to reflect on those afterwards. The loss of the Greenhill was clearly a terrible tragedy and we would reflect exactly what you have said and extend

our sympathies to the families. In all such cases our first obligation is to save life, that's our first obligation and we do that wherever we can. Where it was sadly not possible in this case, we will do our utmost to recover the bodies so that families may at least get some form of resolution. That remains our determination in relation to the family of Connor Bogue.

The boat sank, by way of information, so that we are all clear on the detail, on Thursday 19<sup>th</sup> January. The underway search unit attended the scene all day on Friday 20<sup>th</sup> and located the sunken vessel. Due to bad weather they were only able to make one dive on the Friday and only police divers were used on those two days.

We went to sea on the Northern Ireland Fisheries vessel, the Ken Vickers. This vessel is berthed at Bangor and is crewed by full-time sailors and indeed I have been on it myself some time before. The skipper gave advice to the diving team in terms of when it was safe to dive in relation to tides and weather conditions. The reality is that we have to take very much cognisance of the advice of the professionals in terms of when it is safe to dive, my colleagues may have heard a retired diver describing the difficulties of diving for police diving teams on the radio this morning. We have to be very careful certainly when diving near wrecks to make sure we don't actually cause more casualties to those already sadly being lost. On 21 January members of my team were assisted by the Royal Engineers diving team who provided huge support to us during this event and indeed other events in terms of demand for divers. On Sunday 22 and Monday 23 on the advice of the professionals, diving was not possible due to tides and bad weather. Again we were assisted by the Royal Engineers and we dived on Tuesday 24, Wednesday 25, Thursday 26. The vessel and the surrounding area has been searched but there is still as we sadly know one fisherman missing at sea. Further dives took place on the 27, 28 and 29 and that was all co-ordinated by my diving sergeant.

The underwater search team, by way of information, is made up of one sergeant and six constables and each member of that team trains for eight hours per week so they are very well trained to deal with most situations we find ourselves in and on average we dive 150 operational dives per year. Now sadly that does mean we cannot, like nearly every other police service in the country, justify a full-time diving team as being one proposed solution. The other reason is of course, sadly as you see at the moment, a huge demand for underwater capacity whereas in many months of the year we have no demand for

underwater search capacity so it is a difficult thing to balance but we do take it very, very seriously indeed. In extreme situations we can call on other police services to support us if we so need, but on this occasion with support from the Army, we felt we had enough to do what we could do when we were allowed to dive.

Volunteer diving teams have again provided invaluable help but I am mindful of a tragedy on one occasion a few years ago, a volunteer diving team did lose a diver while searching for a body. So, we do have to take very seriously the advice given from professionals as to when it is safe to dive and when it is not safe to dive but I know that Duncan has spent a lot of time in relation to Mr Kelly, so perhaps he could update on that one.

**Assistant Chief Constable Mr Duncan McCausland:**

Mr McGrady in relation to the Kelly family, we did actually what you were suggesting. I met them for four hours last night with the CID from South Belfast, the Command Team from South Belfast, a representative of our diving unit, the Harbourmaster and representatives from the Harbour Commission here in Belfast and the Harbour Police and we went through with them in an extensive interview all the things that we the police and the various other agencies have done to try and locate Martin. Unlike the Ardglass situation, it is an hypothesis that Martin is in the water, but Martin may have gone somewhere else. We are following up for example 123 various actions and lines of enquiry to potentially locate and find Martin. One of those, and sadly one of the main ones, Mr and Mrs Kelly understand, could be the water just outside this building. We also went through with the Kelly family at length what would reassure them in terms of checking the water beside this building if Martin was in there. We have a two week operational plan about to commence on Monday involving divers, involving boats, involving looking at sonar in terms of the harbour, involved in actually looking at some sort of underwater camera system that could be brought in to give reassurance and to check that Martin is not in the water. Now, I facilitated that meeting with Lady Hermon who we went through and answered all their questions to the extent that we possibly could to give them satisfaction. Thankfully the Board has also agreed to facilitate the Kelly family here for the next two weeks in one of your offices to allow them to watch the operation go on as it takes places.

This has been a clear process we have gone through in relation to a missing person and remember the difference from Ardglass is sadly the people in Ardglass were lost at sea, this is a missing person situation with Martin and we have followed the line of enquiry, not just the water but a number of other multiple lines of enquiry which we will continue to do. The Kelly family have been fully briefed and have listened and we have answered their questions and hopefully reassured them.

**Professor Sir Desmond Rea:**

Question relating to traffic.....

**Mr Eddie McGrady:**

I have a supplementary on that because it is important that lessons are learned from where we have been over this past month. Now I hear the Chief Constable saying that these are part-time diver units specially trained and I presume therefore they do other duties, so it would not be an enormous additional burden to train other part time divers who would also be engaged on other duties when they are not required. Because, it seems to me that one diving unit is not sufficient to address any emergency if they as a small unit have to continuously dive, there must be alternatives. There must be a relief teams available to them and I would like you to look at that.

Secondly, in respect of Ardglass, the criticism being levelled or at least an allegation is being levelled is that the volunteer divers where diving were the police divers found it too dangerous to dive, now that's very hard to explain if there is an explanation.

In respect of the Martin Kelly one here, the huge resources which the Assistant Chief Constable says, but not huge, but the adequate resource put in now are only being put in this last week. Nothing happened for weeks as I understand it, as I'm not totally familiar, there was a superficial search for about an hour or two when Martin Kelly was reported and nothing for a long time. Now, because as I would suggest for publicity, there is a huge, relatively huge input into it. Those scenarios have to be explained and lessons learned and addressed.

**Chief Constable, Sir Hugh Orde:**

I thought I had covered the health and safety issues when our divers can dive and it is based on the advice of professional seamen as to when it is safe to do so. There is a

difference between a professional police diving unit and those who have come to help and have taken, one may argue, an excessive risk or extra risks where we are not allowed to put our people under. But believe me these people are volunteers – they dive because they know they are good at diving, they will do their level best to recover the bodies if they possibly can. They will dive as long as it is safe to do so and for as long as it is necessary and we are committed to that.

I will certainly look at the numbers to date. They have not been found wanting – one in six as a diving team seen as sufficient. The training abstraction has to be quite substantial because you have to keep fully up to speed and qualified to be able to dive and to be called out in an emergency situation. So, they train for one day a week already, it is a substantial abstraction to increase the number of officers we have in that particular area. I'll ask Duncan to cover the issue. I don't think nothing was done.

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

Very, very quickly Mr McGrady, the Kelly family were fully compliant. We had an extensive land search before we finally moved to the water. We did as you say dive in the immediate risk area around the 18<sup>th</sup> of this month as you rightly say then Ardglass took place and the diving team had to move to there, but there was a huge five stage land search carried on both sides of this lough in terms of recovery dogs, in terms of TSGs, in terms of boats in the water, in terms of our helicopter – all that has gone on. I am more than happy to share with you, the review document, the 28 day review document which outlines extensively what we were doing.

We are not reacting as a result of Mr & Mrs Kelly or the press making comments, we are going through a proper investigative process in relation to Martin's disappearance. Martin's disappearance is not being classed as a murder enquiry, but we are dealing with it in case there is something suspicious potentially comes out. I don't want to mislead the Kelly family and I was very clear on this, it is not and there is no crime suspected but we have to do this very logically and very clearly. We have done that and there has been extensive resources put into this and other missing persons, because remember there are other families who have missing persons in Northern Ireland and we have followed the same process with them.

**Professor Sir Desmond Rea:**

Question, question...

**Mr Ian Paisley Junior:**

Mr Chairman, Mr Chairman, I am sorry...

**Professor Sir Desmond Rea:**

I'm sorry Ian I have a lot of questions left.

**Mr Ian Paisley Junior:**

I know there are but I just want to clarify one of the statistics that was given in relation to the diving team. It is my understanding that three years ago the police service had 12 divers and now according to these statistics we are down to 6. I understand for health and safety reasons and a whole lot of other reasons, that if any of those men goes sick or takes stress leave or anything like that, they are then restricted in the sort of dives that they can do. I wonder if you could explain why we have had that 50% reduction in the number of divers.

**Chief Constable, Sir Hugh Orde:**

I will have to check the figures, I am not sighted there was one in twelve before. What I said earlier we are lucky enough to be able to draw on military support and in extremes, we can draw on Strathclyde police support. There is a mutual aid agreement. What I said to Eddie, I'll certainly have a look at the numbers and we will come back to the Board having reviewed them.

**Professor Sir Desmond Rea:**

Question 29 relating to trafficking for prostitution – Tom Kelly.

**Mr Tom Kelly:**

Chief Constable I think it might well be in Duncan's area again but a lot of the media attention has obviously raised the spotlight on prostitution and the trafficking of young women in South Belfast in particular. Again, dare I say, it seems a bit on the reactive side because the issue seems to only be in prominence when the media take an interest in it. I just wonder if you could give the Board an update on what exactly you have been doing on this.

**Chief Constable, Sir Hugh Orde:**

Duncan may want to come in on it but in terms of the reactive side I think we reported quite clearly that over 20 brothels have been closed down. That wasn't in reaction to the press, it was something that we told the press about when the press got interested but I'll ask Sam and perhaps Duncan may want to touch on some of the detail in Belfast.

**Assistant Chief Constable, Mr Sam Kinkaid:**

I think you have to distinguish between prostitution and trafficking for prostitution which is the question which is an organised crime activity and usually involves people coming in from outside, certainly an experience in the rest of the United Kingdom.

We have looked over the last year into a number of allegations that there may be trafficking going on from persons from the outside to be involved in prostitution. May I remind the Board of a situation that we investigated of the murder of a person from the Chinese ethnic community who had clearly been brought in for those purposes. Now, to what extent, we couldn't find if it was a voluntary move or one of a trafficking nature? So clearly there are people from outside at times coming in to be involved in prostitution in Northern Ireland. To date we haven't any evidence of any major organisation crime background to this in the sense the way it is currently being seen in London and in Dublin and in other places like that.

What I can do is give an undertaking to the Board that we will pay attention to this and if that situation changes, clearly we will brief the Board because that would be a major development in this area.

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

In relation to Belfast, the District Commander South Belfast established, almost a year ago, a drug and vice team in South Belfast. As the Chief Constable rightly says, before the press became interested in this, we had already closed down 20 brothels by police activity and 12 persons had been charged.

It has to be very clear and Members of the Board Chairman have to understand we are working in Belfast under the Soliciting Article 72 Town Improvement Ireland Act 1854 and also the Soliciting Article 167 Belfast Improvement Act 1845. Now, we have asked and

continually asked over the last five years the Northern Ireland Office to look at this and they are actively looking at this. The Minister has publicly made a statement that he will look to bring legislation that has now been introduced in England and Wales, particularly in relation to kerb crawling to be introduced into Northern Ireland so that we can have a greater effective legislative arm to deal with this. Besides that, we continue to take not just because the press has shown an interest but continue to take significant activities in and around those areas and I feel justified by what South Belfast have done and continue to do.

**Professor Sir Desmond Rea:**

Question 19 from Mr Sammy Wilson relating to training facilities for fighting dogs in the South Down area.

**Mr Sammy Wilson:**

Chief Constable can you give me an update on the police investigations into the raid on training facilities for dogs in the South Down area, any arrests and any further leads from that?

**Chief Constable, Sir Hugh Orde:**

I'll let Assistant Chief Constable Sheridan speak to this as it is his region.

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

This came out as a result of when we were in the Katesbridge area in a completely unrelated matter doing a search, when an officer observed a dog pen with three boxer dogs plus a rottweiler dog eating the full carcass of a calf. There were 22 boxers, 36 west highlander terriers, 3 scotties, 2 terriers and 6 rottweilers caged in inhumane conditions. There was also a dead boxer dog located on the premises. The USPCA was called and indicated that it appeared to be the largest illegal puppy farm seen in Northern Ireland and that several offences were being committed. A USPCA vet confirmed inhumane treatment of the dogs. A large shed with approximate half a dozen calves was observed alongside an open freezer containing a calf in the process of thawing. To date there are now welfare issues regarding these calves following a USPCA and Department of Agriculture vet's inspection. Enquiries to establish ownership of the dogs are ongoing.

A further search was conducted on 6<sup>th</sup> January at another address in Katesbridge for offences being committed under the Welfare of Animals Act 1972 and a further 37 dogs were seized after a USPCA vet confirmed cruelty to them. Four of these were classed as dangerous dogs and were taken to the Dog Warden. There were numerous live and dead calves at the scene. The Banbridge Divisional Veterinary Officer examined the calves, however, the Department of Agriculture has indicated to police that no specific cruelty issues regarding the calves have been established. There may be issues regarding identification, movement, slaughtering and disposal of these animals which will be dealt with by the Department of Agriculture under their own legislation.

On 12<sup>th</sup> January, the Court granted the USPCA a Disposal Order regarding the dogs seized on 5<sup>th</sup> and 6<sup>th</sup> January. If owners cannot be identified, the dogs will be dealt with as seen fit by the USPCA. A Veterinary Report outlined that the dogs seized had been subject to inhumane treatment including lack of light, food, water, dry bedding and ventilation. They were suffering from unclean skin conditions, coats matted with dirt and faeces and secured in overcrowded pens. Five dogs were subsequently destroyed due to ill health. A number of rottweiler pups died due to ill health and one dog has been returned to its owner.

On 9<sup>th</sup> January a further search was conducted at a third address in Katesbridge under the Welfare of Animals Act 1972, fighting dogs and training equipment were located. A USPCA officer described the scene as a training camp for fighting dogs. The owner of these dogs was present and signed over 14 pitbull terriers to the USPCA. He was subsequently cautioned and informed that the matter would be reported. Photographs were taken of the area with traces of blood on the walls which is believed to be a fighting ring. There were also a number of animal carcasses which had been cut up and strewn around the area. The animals that were seized were classed as dangerous dogs and will be destroyed.

A number of enquiries are still to be conducted by the police and a joint meeting between the police, USPCA, Department of Agriculture is to take place in the near future to discuss a unified approach by the agencies so that successful prosecutions can be achieved. The police will deal with the aspect of cruelty to the dogs under the Welfare of Animals Act and the Environmental Health, Banbridge District Council will deal with dangerous dogs and the Department of Agriculture will deal with offences relating to the cattle.

**Mr Sammy Wilson:**

You have mentioned that one of the places you actually did have someone on the premises who admitted owning the dogs. The other two premises, were there any arrests there, or I mean for the premises to be used for those purposes, is that an offence whether the person can be proved to own the dogs or not?

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

We would have to make some link between the cruelty to the animals and the individual and those enquiries are ongoing currently. We are absolutely hopeful of prosecution.

**Professor Sir Desmond Rea:**

Composite question bringing questions 14 and 18 together relating to seizing of cars that have not been taxed and to Operation Clean-up, Mr Wilson.

**Mr Sammy Wilson:**

Chairman, maybe if the Chief Constable could just simply outline in light of the adverse publicity that there has been, where an individual had a car seized which they had just bought, drew it to the attention of the officers, was able to produce the documentation and yet it was still seized. Could the Chief Constable tell us what instructions are given to officers when they go out on one of these operations? Could he maybe also tell us the kinds of areas where Operation Clean-up has been targeted because again there appears to be some debate as to whether or not this is uniform across the Province?

**Chief Constable, Sir Hugh Orde:**

I'll ask ACC Gillespie to do the detail, but in broad terms I think it is fair to reflect that the clean-up has been a major success in terms of taking extremely dangerous vehicles off the roads and out of communities where they are used and driven as stolen cars. I'll ask Judith to cover the details.

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

Police officers remove untaxed vehicles from roads under Operation Clean-up and since its inception in November 2004, there have been 3660 untaxed vehicles removed from the roads. Now, 63% of those vehicles have actually been destroyed and only 33% actually reclaimed by owners on payment of costs. The removal of these vehicles has

undoubtedly contributed to a signification reduction over the same period in creeper burglaries, arson of vehicles and hit and run road traffic collisions. So in this regard, broadly speaking, it has been a hugely successful partnership operation.

There are detailed operational instructions in relation to Clean-up and I have made these available to Board officials. Board Members are quite welcome to examine those in detail, but in summary, if a police officer identifies an untaxed vehicle on a public road, they will carry out a vehicle check to ascertain if the vehicles has been untaxed for over three months and where this is the case, the officer will arrange for it to be removed under the clean-up scheme. Once a contractor has been tasked to remove a vehicle, the owner must pay for the recovery charges and fees and neither the police officer nor the contractor will enter into any financial negotiations once the contractor has been tasked. However, obviously if at any point the police officer discovers that the vehicle is parked on private land, or is in fact licensed, then the process will be stopped and the relevant DCU will be charged for any removal. Owners are not permitted to pay police officers or recovery drivers direct, for obvious reasons, as an alternative to removal. So, in short, if a vehicle is not licensed and far less not licensed for the past three months, it should not be on a public road. In terms of where Operation Clean-up takes place, the districts are as follows: Antrim, Ards, Ballymena, Banbridge, Carrickfergus, Castlereagh, Craigavon, East Belfast, Larne, Lisburn, Newtownabbey, North Belfast, North Down, South Belfast and West Belfast.

**Professor Sir Desmond Rea:**

Question relating to.....

**Mr Sammy Wilson:**

Chairman, could I just ask one supplementary. What discretion does a police officer have? The example in the press where on the 5<sup>th</sup> January, where over a public holiday, a car could not be taxed, someone comes out, shows the police officer., I bought this over the holiday period, there's the person I bought it from, there's a receipt for the car and still it's seized, does commonsense not prevail here as well?

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

The police officer is instructed to perform a check through our central vehicle index. If that check reveals that the vehicle has not been taxed for three months, then the vehicle will

be seized. There are quite a lot of owners who will come out and produce documentation which will state otherwise, but if our records show that the vehicle is not taxed and the owner hasn't notified CBI of the vehicle being taxed, then the vehicle will be seized.

**Professor Sir Desmond Rea:**

Question relating to officers convicted of drink driving offences. Question 10, Pauline McCabe.

**Mrs Pauline McCabe:**

Chairman, just before I ask my question, I just want to make a small, but I think important point because you were talking about efforts to build community support. I was on Sunday at the Chinese New Year celebrations at St Georges Market at which there was a huge crowd and there was a team of PSNI officers there throughout the proceedings. I just wanted to recognise the really superb effort that those officers made to engage with all of the people that were there. They made a really positive contribution to the proceedings and there were really, really great ambassadors for the service, so I just wanted to say that.

In terms of the question, it is one that I first asked a year ago and I know you were looking at it, so it was really an opportunity for an update. It was to ask how many officers have been convicted of drink driving offences in the last 12 months and what action has been taken by the PSNI with regard to these officers? Secondly, could you indicate how many court cases are pending and what action, if any, has been taken regarding the officers concerned there.

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

Firstly, can I echo your views about officers at events in the city, at the Indian Meila last year we had a similar team of officers and we got the very, very positive reception so I'll pass on those congratulations.

To do with drink driving within the Service, during the calendar year of 2005, 7 officers were convicted for drink driving related offences. Included in that number are 2 offences which related to a previous year, so there were 5 officers convicted from offences in 2005.

As we sit at the moment in 2006, there are 28 cases pending which may or may not result in a prosecution. Presently 9 of the 28 officers are awaiting court appearances for drink driving related offences and 19 await PPS instructions.

As a result of the convictions at the court in 2005 of the 7 officers, they have been dealt with as follows: 1 was dismissed as a recruit, 2 were reduced in pay, 1 was fined, 1 was granted a medical discharge because of a particular medical problem and 2 are pending misconduct hearings for breaching the Code of Ethics because obviously our misconduct hearings must take place after the court case has taken place, so that we don't prejudice any court proceedings.

**Mrs Pauline McCabe:**

Can you explain to us the policy and approach that has resulted in those kinds of decisions because I know the last time we discussed it, I think Members were a bit shocked that we hadn't taken a tougher line if you like on some of these officers. Could you explain to us how it's been approached?

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

After the last meeting, what we did was that I instigated a training day for the presiding officers at discipline hearing so that they understood exactly where we were coming from as an organisation on this offence.

The situation in Northern Ireland is slightly different from England and Wales in that the guidance which is issued by the Home Office in England and Wales is not yet replicated here and we have approached the NIO to have that replicated here. We are close to getting that done.

The ACPO guidance on this offence is very clear. It says that where there are aggravating factors and the aggravating factors that it lists are things like non co-operation with the police committing the arrest, or substantially over the limit, or involved in a road traffic accident or any other aggravating factor which makes the offence in some way worse should result in the consideration of required to resign or dismissal, which are the two top penalties that a discipline hearing can actually impose. We have reiterated those guidelines to all the panels that sit on DIC hearings. Now the delay between court cases and misconduct panel hearings is quite considerable mainly because of the solicitors and

friends of the officer getting involved and saying well they can't come on this date because of such and such a medical reason. We are trying to speed that up as well to try and make it quicker.

**Mr Willie Hay:**

On the figure that we have heard from Paul, what would the rank be of those officers?

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

I don't have that breakdown at the minute. I am aware that not all of them are constables, but I don't have that breakdown at the moment.

**Mrs Pauline McCabe:**

Can I ask one final thing? I understand that a number, if not all services in England, that the approach is, unless there are exceptional reasons for doing otherwise, the officer is dismissed. Can you explain how the guidance that you are talking about as lifting, how that will impact upon our approach?

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

The impact is a legal one. We will have to ensure that the whole organisation is aware of the new guidance when it comes out, so that we can then reiterate that to panels, otherwise the precedent issue is one that lawyers will continually throw back at us.

I think if there is a positive in this and there aren't many and I would admit that very freely, if there is a positive in this, it does show that we are treating police officers arrested for DIC as we treat any other member of the public and prosecuting them. I think that is something that, not that I would say that other police service are not doing that, but certainly in other parts of the world, it may not happen that way.

**Professor Sir Desmond Rea:**

Two questions, bringing them together, organised crime 15 and 16, Mr Wilson.

**Mr Sammy Wilson:**

Chief Constable, recently police detectives, PSNI detectives, were quoted in the press as saying that IRA members were linked to highly lucrative fuel trade, cigarette smuggling, counterfeiting, extortion. While they are obviously more discreet at the moment, it is still

co-ordinated by a chain of command and the people have not changed, in other words, they are still people who will be identified with the IRA, do you agree with that assessment from your own officers?

**Chief Constable, Sir Hugh Orde:**

I'll ask my Head of Crime to deal with that.

**Assistant Chief Constable, Mr Sam Kinkaid:**

As the Chief Constable said earlier, I would just refer you Sammy to the IMC Report, to what they have said in relation to the Provisional involvement on those particular offences and other paramilitary groups to that extent that they are involved. We have nothing more to say more than what was in the Report published yesterday.

**Professor Sir Desmond Rea:**

Is that you? You have nothing to add. That brings this session to an end, but it would be remiss of me not to mention that ACC Kinkaid this, I'm correct in saying Sam that this is your last public meeting with the Board? In the view of this Board, Chief Constable, ACC Kinkaid has been an outstanding officer. He led effectively the change programme, he was the lead officer in terms of human rights and latterly, he has been responsible for bringing together the Crime Operations Department into a unified department. In respect of the latter, he has pursued a role with this Board which has been geared to be open and transparent and has teamed as far as this Board is concerned with integrity and we wish him well in whatever he does in the future. He has been a great servant to the PSNI, before that the RUC and certainly in assisting this Board, thank you very much indeed.