

NORTHERN IRELAND POLICING BOARD

MINUTES OF A MEETING OF THE NORTHERN IRELAND POLICING BOARD HELD ON THURSDAY, 6 DECEMBER 2007 AT 11.30AM IN WATERSIDE TOWER, BELFAST

PRESENT:

MEMBERS:

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

POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:

Sir Hugh Orde (Chief Constable)
Mr Paul Leighton (Deputy Chief Constable)
Mr Duncan McCausland (ACC Urban Region)
Mr Peter Sheridan (ACC Crime Operations)
Mr Drew Harris (ACC Criminal Justice)
Mr Joe Stewart (Director of Human
Resources)
Chief Superintendent Eddie Graham (Rural
Region)
Chief Superintendent Ian Cameron
(Operational Support)
Mr Dave Cox (Head of Historical Enquiries
Team)
Ms Gail McGreevy (A/Head of Media and
Communications)
T/Superintendent, Command Secretariat

**OFFICIALS IN
ATTENDANCE:**

Mr Trevor Reaney (Chief Executive)
Dr Debbie Donnelly (Deputy Chief Executive)
Mr David Jackson (Director of Community
Engagement)
Mr David Wilson (Director of Planning)
Mr Peter Gilleece (Director of Policy)
2 Board Officials

APOLOGIES:

Rt Hon Jeffrey Donaldson
Mr Daithí McKay
Mrs Rosaleen Moore

Good morning Chief Constable, Senior Officers, members of the public and media. You are all very welcome to this meeting in public of the Northern Ireland Policing Board.

At the meeting, Members of the Board will question the Chief Constable and the senior officer team on a range of issues relating to the policing of Northern Ireland, ongoing police investigations and police performance.

Whilst I am pleased to note in the performance figures that overall crime rates remain down, there is still work to do in relation to improving the sanction clearance rates. We are, of course, in the countdown to Christmas and whilst this is the season of good will it is also regrettably a time for opportunist thieves. Earlier this week, the Christmas Anti-Burglary Campaign was launched and the Board is pleased to be supporting PSNI in this initiative, which the Board trusts will be a reminder to the public to keep belongings safely locked up.

In the last week we have witnessed more carnage on our roads and more families bereaved and I hope that at a future meeting, that we can take a strategic perspective on this as a Board and the PSNI. As road users, we must all exercise caution, and the Board trusts that no-one will be tempted to drive under the influence of drink or drugs, the robust enforcement approach of the PSNI is to be welcomed.

Since the last meeting, and over the last couple of months, there have also been a number of tragic deaths in our community and a number involving young lives. Families who have lost loved ones through these tragic deaths have been seeking answers, good policing and justice and have rightly been given the support of local communities and this support is to be welcomed.

The Omagh fire tragedy also had a huge impact on the local community and right across the province. The police and the emergency services involved in dealing with this harrowing scene and its aftermath are to be commended, and on behalf of the Board could I ask you to pass those comments on to Chief Superintendent Baxter. Our thoughts are of course with the families who have suffered this tragic loss of life.

Chief Constable, we are of course very aware of recent dissident activity, and the attempted murder of two police officers, all of which have been condemned from right across the community and by this Board. We trust that the officers are on the road to recovery, and would ask for your current security assessment; and also in light of that assessment in light of the recent UDA statement.

Another issue which has been the focus of significant debate and discussion over the last number of months, and this Board today will be no exception to it, relates to the issue of TASER. As I have said, the Board today will be no exception to this because a number of questions have been tabled and you are already aware of the 'without prejudice' position in relation to the proposed introduction of TASER which was passed by a majority, this as a Board's view, at the October 2007 meeting. Let me repeat what that is because there has been some confusion about it.

"The Board notes the advice of its Human Rights Advisors which has been issued to all Members. It is the position of the Board 'without prejudice' first, to further communications and discussions between the PSNI and the Equality Commission, between the PSNI and the Board and between the Board and the Equality Commission.

Secondly, to the ultimate decision of the Board and the results of the Equality Impact Assessment (EQIA). The Board understands that the PSNI are currently carrying out an EQIA in accordance with advice provided by the Equality Commission, it is the view of the Board that there should be no deployment of TASER prior to the completion of the EQIA.

Further, the Board would expect that consistent with undertakings, the PSNI have already provided and in the time period required to complete the EQIA, that the Board's Human Rights Advisors are consulted and satisfied with respect to outstanding concerns, namely agreement on the proper legal test for the use of TASER, secondly, identification of the capability gap based on the agreed legal test, and thirdly, efficacy of the policy guidance and training regarding the use of TASER".

Chief Constable, if you could report to the Board.

Chief Constable, Sir Hugh Orde:

Thank you Chairman. You raised a number of issues in your opening statement so I make no apology for a fairly long reply before we move to questions, I hope it goes some way to at least delivering clarity on some of those points you raised.

Firstly, can I thank you and the Board for your concerns to my 2 officers, I will ensure that is brought to their attention. I am pleased to report that both officers, although one was more seriously injured more than the other, both are on the way to recovery. They have been visited by myself or my Deputy Chief Constable and many other colleagues. I think the most important statement and the most impressive thing is their determination to (a) return to work and in the case of the officer I met, his determination to go back to community policing which he had been in since he joined 2½ years ago, a highly impressive officer, likewise the other officer determined to get back and serve the communities.

I think the message is clear and as you have rightly reported, condemned by the whole community in Northern Ireland and further afield. If people seriously think this sort of activity is going to deter us or deter anyone else in moving Northern Ireland forward then they are sadly mistaken, misguided and of course, have no constituency of their own to fall back on, but I would make an appeal to all members of the public that know

anything about those to come forward and help us because collectively, we can lock these people up for 30 years fairly quickly, we just need those crucial statements.

You have touched on the fatal road accidents and I am sad to report that in the last week 8 people have died, a young lad was killed last night crossing a dual carriageway. We have discussed these in detail at senior management level, what is sad, but interesting from a Board's perspective is, there is no common cause that we have identified at first investigation, there is a variety of causes which may well in fact be the whole spectrum of reasons why people crash. I think the message has to be extremely clear, that we do have to ask the public to be careful when they are using the roads, especially in bad weather. Most of the accidents happened on a couple of very bad days in terms of weather. But it reminded me of a statement made 2 or 3 years ago by ACC McCausland which was, "there are people alive today who will be dead by Christmas" and it is worth repeating that concern we have and appeal to everyone (a) to drive carefully, but (b) certainly at this time of year not to drink and drive. A major campaign is being launched and we will take it very seriously, there will be zero tolerance of anyone who thinks they can drink and drive in Northern Ireland.

Chairman, more recently we found a body, you will have heard about a body being found in Omagh on 3 December 2007, investigations are ongoing but we have identified a female victim in that case and we are appealing for further information in respect of that particular issue.

Chairman, what you did not mention in your opening, but I will just touch on because there are some growing concerns around the role of District Policing Partnerships (DPPs), just to provide for sound, operational and efficiency reasons, I have absolutely no intention of changing, meddling or interfering with the current DPP structure, even if I could. I think it is one of the centres of excellence in Northern Ireland. It is a system of accountability which is looked upon with some jealousy by colleagues from across the water, it works.

If there is some concern about the level of representation by my officers at it, I am happy to have a conversation about that, but those I have been to, the most meaningful interventions and I think this is how they should work, is the accountability side which is the local officer who can make a difference, and in many cases that is the Chief

Inspector or the Inspector, and the local officers who deliver the service. Some of the most effective conversations I think, have been between Sergeants and Constables who have turned up and talked to their communities. As well as making sure there is the right level of representation to (a) say, we take these very seriously and (b), we are determined to put a right person into that situation so that they can deal with the issues raised at the right level. None of that of course means that District Chief Superintendents do not take them seriously and would not of course be visible as indeed that they were with ACC McCausland at the DPP meeting only last night, but if I can do any more to reassure people that they will continue and with the right people and that I think they do continue to make a difference, then I am happy to do it. I think it is a really important part of our accountability structure and I am absolutely committed to it.

Chairman, you also did not mention drugs in your opening and there has been increasing concerns, certainly with colleagues or members of the community I have spoken to around the perception that perhaps this is not something at the top of our agenda. It is at the top of our agenda, it is something we take extremely seriously. The chain is being attacked at 3 levels. My Drugs Squad, we have targets for those who are bringing drugs into the country and then distribute them and local police who deal with local dealers, we have not taken our eye off the ball in relation to local dealers.

In the last 3 months the Drugs Squad has arrested 36 people and we would say that impacted on 12 major crime gangs who were supplying, acquiring from an international market and supplying into communities. I think that is a substantial success. In terms of the impact, we would assess it as being in the following areas: Ballymena, Coleraine, Limavady, Londonderry, Belfast, Antrim, Craigavon, Banbridge, North Down, Newry and South Armagh, which shows that by hitting 12 gangs you have a major impact on supply in a very large part of Northern Ireland and my Chief Inspector and his team are determined to continue that.

Very briefly, some examples because I do think they perhaps help a bit. In Downpatrick only this week, planned searches have led us to seize cocaine, cannabis and ecstasy with a street value of £80,000 but not only that, 2 shotguns and a rifle and some of those were weapons stolen from burglaries, so these are serious criminal gangs who

are not only operating in the drugs market and someone has been charged with intent to supply as well as other offences and those are ongoing.

I have to say that when we do some of these operations, we come against public disorder and again I would appeal to community representatives who want us to do this, to actually have some influence on those who think it is okay to petrol bomb officers when they are actually working in those areas trying to take out the people who are actually affecting those communities, and sadly in that case, I think it was only one or 2 petrol bombs but some vehicles were also damaged. We will keep doing it, but the more we work together the more effective we will be.

Late in November 2007, another operation, a major operation which you would have heard about on the news, was again aimed at local drugs markets around the Coach nightclub in Banbridge. A large number of searches took place, a number of people have been arrested and some drugs and money were recovered, but on that occasion 9 people were arrested.

Earlier the same week, 2 vehicles were stopped in Belfast, £11,000 in cash and ½ kilo of cocaine from a nearby house, 8 arrests followed in follow-up searches and another 1½ kilos of cocaine were seized by my Drugs Squad, that is over £100,000 worth of drugs and as I have said, 7 people, 6 of whom were remanded in custody. I think there is a very clear message being sent by the judiciary, that people that come up for supplying drugs are looking to be remanded in custody which is exactly where they should be.

Another operation in Belfast led to 7 arrests and another large quantity of cocaine being seized. In Newcastle in November 2007, 3 people arrested for supplying Class A and Class C drugs, and again in Antrim on 10 November 2007, £125,000 worth of cocaine was recovered. In terms of impact, if one was to take that amount of drugs and sell it on the street, you are talking at about 2,500 people being supplied with that amount of drugs, the average amount of coke is purchased by a gram or half a gram, so that sort of intervention has a major impact on the drugs market in the local area.

I hope that goes some way to reassuring the Board and other people here that we do take this seriously and no people are being let off because allegedly they are human intelligence sources at the local drugs level. That is not the way we deal with local drugs intelligence. So, people are not being protected, if that is the commonly put forward suggestion that we are not taking it seriously.

In terms of trends, cannabis remains the most commonly seized drug, however, we are seeing substantial increases in cannabis being grown locally, apparently the quality of the local stuff is better than the stuff being imported, so we are seeing substantial additional seizures of people growing it in their own buildings, their own roof spaces etc. The growing market is cocaine, (a) we are seizing more and (b) intelligence suggests that that has gone up quite substantially, 17.6% rise in seizures between April and September 2007 as of the same period last year, so that is the one that causes us the major concern. Ecstasy appears to be decreasing as does LSD.

The other area which causes a lot of concern is prescription drugs. Certainly some of the issues around Tiger's Bay which were discussed briefly in the private session, we have found that more prescription drugs, anti depressants those sorts of things, are being sold by people who are getting them legitimately, and those of course are people from within that community. It is a different market, it is a different way of dealing with it. Many people are lawfully in possession of these drugs, they are unlawfully selling them on to people, especially young people, within their own communities and again it shows the importance of us working together.

Also veterinary drugs, ketamine in particular is the one that is currently in the public eye since the tragic death of Darren Clarke and again these are something we are working to deal with, but we do need the support of the community to deal with that. Certainly those sorts of drugs quite often dyed blue by people selling them, they could be any sort of drug and that is the other danger of people buying blue tablets. They could be ketamine, they could be viagra, they could be all sorts of things which people are selling on illegally, but legal drugs to some extent in their own right.

I will not go into the details and the partnerships currently being operated in this area, there are huge numbers of partnerships which are doing immensely good work. We can deal with the enforcement side, it is completely a waste of time if someone else is not doing the treatment side, the interventions and the move to discourage people from taking these drugs and we are fully engaged with any group that is interest and I am happy to speak to those which are thinking of moving into that direction, but drugs is something Chairman we take seriously at every single level and will continue to do so.

Chairman, what you did touch on was the use of TASER and again if I may give a fairly detailed opening comment in relation to TASER because I know it is subject that has certainly gripped the Board's imagination and to a lesser extent, I think perhaps the public imagination, but it is a very important issue.

On 16 November 2007, I wrote to the Secretary of State in my capacity as Chief Constable, seeking approval to purchase a small number of TASER units. I have to do that because TASER is of course a prohibited weapon and it requires that permission. Of course I will not buy any TASER units and have not bought any TASER units until I receive that permission from the Secretary of State to actually import them. At that point, I do intent to buy 12 TASER units for deployment by my Specialist Firearms Unit, and a small number for training which will not be deployed in any operational capacity whatsoever. I will not deploy any TASER until a number of other conditions which the Board have already touched on have reached my satisfaction.

In terms of procedures and guidance for use of TASER that is still work in progress and is up for debate at my Chief Constable's Forum on 17 December 2007, where approval will be sought for me to agree and sign off those procedures. I am not in a position today to say whether I will do that or not. It depends on how satisfied I am on that day with my whole Senior Management Team as to whether we think we have delivered, certainly in keeping with the human rights advice from your Board or at least, considered fully the human rights advice from your Board within those procedures and guidance, so I will certainly happily tell you after the 17 December 2007 what my decision is.

Once they have been procured, which is subject to that procedure, I would hope to start the training early in January next year, providing I can have the equipment by then. The training course will be the 2 day training course, which includes a human rights and scenario based training involving the use of TASER, in conjunction with firearms and other less lethal options.

TASER is only one item in an array of items we have to possess to make sure we can discharge our obligations in terms of proportionate use of force. The gap I have at the minute is the one we are looking to fill with TASER during a pilot phase, and during that pilot phase the only officers, and let me be absolutely clear on this, the only officers who will be authorised to use this equipment, subject to certain authority levels, will be officers from the Specialist Operations Branch who are the mostly highly trained firearms officers. I have no intention of training anyone who is not a firearms officer in the use of TASER and Specialist Operations Branch, as all Members will be aware, they are deployed to pre-planned events, they are not people who are routinely on patrol, they have to be called in to deal with a specific set of circumstances. That having been said of course, once deployed situations can evolve where one could argue they are slightly more spontaneous than pre-planned, that is the way of the world and the reality in which my officers have to operate.

The TASER pilot is to examine operationally the deployment of TASER in both pre-planned and potentially spontaneous firearm situations by these specially officers. We would fully analyse instances where it was asked for, requested, deployed, whether it is used or not, and indeed of course where it was deployed and check that against our procedure and guidance to seeing if there is any learning from it. There is, of course, a wealth of information within the United Kingdom in terms of the deployment and use of TASER, and it is worth using under the conditions that I think we are looking to operate it, they are far more stringent I think than any other police force in the world frankly.

Any use of TASER will be looked at by the Police Ombudsman. I have spoken, as has my Deputy Chief Constable, to the new Police Ombudsman for Northern Ireland and he is more than happy to take on that responsibility to fully review any deployment and use of TASER, certainly for the pilot period if not longer, depending of course on the outcome of the pilot.

In terms of a decision, this has been a difficult decision for me to make, it is my responsibility, I accept that fully and it is one we have not taken lightly. I think it is worth reflecting slightly on where we fit in the international and indeed, the national perspective. TASER has been on issue to the police services in Great Britain since 2003, it has now in fact being extended in some police services beyond firearms officers to officers who are trained to a higher level than an ordinary officer, but non-firearms officers, that is taking place in 10 police services. I have no intention of doing that, I intend currently to only involve specialist firearms officers and I have no intention to expand that, even at the pilot stage to anyone else.

In addition to the use of TASER by the police in Great Britain, An Garda Siochana had authority to purchase since the 3 April 2007 this year. So, in other words, I am the only police service in the island of Ireland or the United Kingdom that currently does not have that as an option to consider when dealing with some of the incredibly difficult situations we ask our frontline officers to deal with it.

I think personally that makes me vulnerable and if I have sleepless nights, and I do have sleepless nights, about putting an officer in a situation where he or she could probably have used a less lethal option than a firearm, but because of the availability of equipment to them and the situation unfolding, they have no choice but to use a more lethal option because currently I have denied, it is my responsibility, I could deploy it tomorrow I guess. I have decided to go through this process purely to try and bring everyone on board together in a way that we can get understanding and at least get some sort of recognition that we have taken it very seriously indeed. I would argue and have consistently argued that the deployment of TASER is without doubt a less lethal option than the deployment of a lethal firearm. I think the word lethal can properly be applied to firearm, I do not think it can be properly applied to a TASER. Anything is lethal in the wrong hands frankly, a baton potentially is lethal. CS Spray one could argue potentially is lethal, a firearm I think there is no debate about it, a firearm is without doubt a lethal weapon. So we do have that difficult balance to strike.

In terms of accountability and what else have we done, because we are different in Northern Ireland? We have conducted a comprehensive equality screening exercise on our proposal as a less lethal technological option for police officers' use in Northern Ireland. The screening was, we would argue, comprehensive and detailed and involved a pre-screening exercise where we wrote to 56 different organisations. When we made our decisions we did consider the impact of TASER, and we saw the impact of TASER on equality of opportunity as low, it is still my assessment frankly. However, we have consulted the Equality Commission again and following representations from a small number, and it was a small number of organisations, I did take the decision to extend what we had already done, which in my judgement was sufficient, to a full EQIA assessment on this introduction.

Our consultants, as the Board is aware, have been appointed and are carrying out that process. In early November 2007 we wrote to 10 different organisations. These are the organisations that had raised their concerns previously, and asked them to attend face to face consultations over a 3 day period. Only 3 of those organisations have chosen to take up that offer, that of course is a matter for them. Our assessment in terms of completion of this piece of work – March 2008 is when we hope this piece of work will be dealt with.

On completion of the EQIA, obviously I will take very seriously anything else that comes up from that which we have not already captured, and if there is anything else we need to do of course I will do it and I will fully consider it and I will make, if I have to, amend my decision in any way, shape or form I am more than happy to do that, I will have to make the final decision of course on all the evidence that I have in front of me at the time. I would say also that during all these stages of the process, I have taken advice from my human rights legal advisor and I am content with that advice.

Chairman, one of the other points you made was the issue around this capability gap. It is something I have struggled with personally frankly, just simply relying on my policing experience as have many colleagues around knowing of situations. But very briefly, by way of a few examples of situations where I think officers, as well as the public, have been put at unfair and unreasonable risk.

A couple of examples just to perhaps help illustrate the problem. A call, for example, to a man in possession of a large knife, which had already led to a total of 5 people being stabbed. The man was apprehended by a police officer, who at considerable risk, disarmed him using his baton, the male was later been charged with 5 accounts of attempted murder. Now, that is a situation where it could have resulted in the use of lethal force because the officers had that availability. It would have been one where, had we had a full system in place with armed response vehicles, you could see a situation where perhaps it may well have been an easier and less damaging to the individual who had to be subdued, to use a TASER in that sort of circumstance. These are only examples, I cannot second guess what my officers would have done, the responsibility weighs very heavy on their shoulders.

Another example, officers responding to a 999 call of an attack on a house, found 5 men attempting to force entry. One was recognised to have a substantial history, 2 of which were armed with hand guns. Police drew their firearms, shouted warnings, the situation deteriorated, a warning shot was fired into the air, CS Spray was deployed to no effect, had to be deployed again, a very messy situation in which 2 people escaped and some people were arrested. Again, while CS Spray was used, that does not incapacitate people fully like a TASER, and all the experience of TASER deals with the thing in a far more finite way than the use of CS Spray, and again officers put themselves at substantial risk in difficult circumstances.

A call to licensed premises to a man threatening staff with a large sword, again forced officers to draw their firearms before making an arrest in a different way, but again an example where perhaps TASER may have assisted the officers in not drawing their firearms and being subject to a proper investigation following that.

Another example of a man who was holding a lighter at the nozzle of a gas canister in a complicated domestic situation, also armed with a knife, taunting the officer saying "come and arrest me, see what happens". Again firearms were drawn and this individual then tried to stab himself and again, officers put themselves at huge risk to stop this person not only injuring himself, but injuring other people and indeed themselves.

Chairman, just some examples and if someone is still trying to tell me there is no capability gap then I personally am struggling. I cannot predict what will happen tomorrow or the next day where it may just be the deployment of TASER saves someone's life and does not take someone's life, and I think that is the point we are trying to get across.

Mention has been made of the recent incident in North America, in Canada where an individual was subject to a TASER and subsequently died. Now I do not know an awful lot about it. All I do know, and we have made some enquiries is, it was a situation where frankly TASER would not have even been considered as an operational possibility under our rules, procedures and regulations, and I would caution substantially anyone who is trying to make or draw parallels between the American experience of TASER and the United Kingdom experience of TASER, they are fundamentally different.

If one looks at the oversight system in the United Kingdom and certainly our oversight system, it is substantially different, far more persuasive and indeed, ensures that it is used again as an option of last resort rather than on occasions in other places perhaps an option of first resort. Every incident will have to be judged on its merits and, no doubt, there will be many people lining up to see if we do have to deploy this retched piece of equipment, how we deploy and, with the benefit of hindsight, 20:20 vision and all the other things that come with post event enquiries, we will be able to form a judgement and we may well be able to learn from those judgements.

But just by way of example, if you look at our approach, certainly not even the medical tests that have been undertaken independently, even the Home Office approval, the ACPO Manual of Guidance on Police Use of Firearms and TASER, policy and guidance training, all certainly contained in documents people can see. The authority levels for use of these sorts of things, our accountability structure under domestic law, our accountability structure on the human rights law, our independent post incident investigation I have referred to, a role for the Police Ombudsman, something slightly different from the IPCC, I would argue more effective not less, and the additional area of accountability of me as an individual and, indeed this Policing Board, I think we have done all we can frankly.

I am happy to answer specific questions if I can on this subject but if I can leave the Board with a message, it is not something I have taken lightly, it is something we all take extremely seriously. I sincerely hope as I suspect every Board Member and I know, every specialist firearms officer knows, they would rather not use this equipment than use it. But if by using a TASER we do not have to use a gun, I have to say that is an argument which is extremely persuasive and if there is a vulnerability, it is my determination to try to bring as many people on board and accept what is a difficult decision before I make it and if we get that bit wrong, then again it rests on my shoulders not anyone else's.

Chairman, that is a long summary but I think it is important.

Very briefly, you have touched on crime. It is currently down 14.2% this year, the main crime categories – violent crime, criminal damage and domestic burglary are all showing a decrease. I think that is a result of a number of things. I think it is partly an ever increasing co-operation between police and communities at the local level which I have seen personally in the last couple of weeks as I know my Deputy Chief Constable has, we have been out and about. Also more and more focus on intelligence led policing and community policing but I will not go into any more detail until specific questions.

Our clearance rate does still remain concerning as you rightly point out. It is increasing and I am confident that we are getting a far more focused approach on clearance rates. We are narrowing the gap on our performance last year, that is not to say our performance last year was acceptable. We are looking to increase that and improve it, and I know some Members of the Board have been to my performance meetings where we have looked at best practice etc. to make sure there is clear focus and understanding, it remains a very important issue for every single one of my District Commanders and more importantly, every single one of my police officers.

Chairman, I will stop there and over to you.

Chairman, Professor Sir Desmond Rea:

Thank you very much indeed Chief Constable. Does any Member have a question on the drugs issue? Mrs Dolores Kelly.

Mrs Dolores Kelly:

I would like to congratulate the Chief Constable and the officers for their recent successes, but could I ask through you Chairman, if there has been an increased willingness of members of the public to come forward in relation to drugs within their areas, and in particular, has there been co-operation from members of the UPRG in the Tiger's Bay area?

Chief Constable, Sir Hugh Orde:

I will ask ACC McCausland and Chief Superintendent Graham to touch briefly on their experiences.

Assistant Chief Constable, Mr Duncan McCausland:

It would be right to say Chairman, there has been increased co-operation by members of the public in relation to the issue of drugs. Specifically in relation to the Tiger's Bay question, I know there has been active information that has been passed, possibly not by the UPRG but by the community, and Members of the Board will be aware that there were 5 arrests that have taken place and a number of searches in that particular area. We will continue to keep pressure on in relation to Tiger's Bay at the request, not primarily by the public, but by the public supporting us in relation to the actions that are being taken. You yourself have been aware, as has the Vice Chairman in relation to a Board meeting that we have held with representatives from the community and that is ongoing.

Chairman, Professor Sir Desmond Rea:

Still on the drugs question, Alex Maskey.

Mr Alex Maskey:

Thank you Chairman. Obviously I would make a couple of points. First of all, I certainly very much welcome and I want to place on record, my welcome on behalf of our party certainly that in recent times there has been an apparent and fairly considerable increase in the number of drugs busts and I very much welcome that. In saying that, and this Board has discussed this previously, and the Chief Constable will be aware I even had a conversation with himself a week or so ago about this, so it is an issue which affects all of the communities and has been raised repeatedly as you would rightly acknowledge yourself. I think that obviously I am fully aware and supportive of the need for a comprehensive approach to this matter in terms of education, awareness and so on. But my main concern is that and again I want to be saying that as far as I am concerned and all the meetings I have had, including with residents and the PSNI, there is a commonly held view that there are a lot of these drug dealers working locally who are a protected species, who are allowed a certain degree of immunity and certainly inexplicably lenient treatment from time to time. Now I know you will argue that that may well not be the case, but certainly a previous strategy of leaving the so called "Mr Smalls" in place to allow you to track the "Mr Bigs", to me that would be a failed strategy and I certainly would like to hear that that no longer is the strategy.

My main point would be, that I would want to see from here on in, an absolutely sustained campaign and concerted campaign against the scourge of the drugs trade which affects wholesale communities. I would have to say, as I have said, and I do very much want to welcome the recent developments, but the figures that we have in front of us in terms of performance are not good, they are not encouraging as you well know in terms of the targets set by yourselves and the Board in terms of the supply of drugs, the disruption of gangs, the closing down of gangs, those figures are not very encouraging. Now obviously recently this has appeared to be in reversal and I very much welcome that.

Chairman, Professor Sir Desmond Rea:

May I ask you could we have the question please?

Mr Alex Maskey:

Can we be satisfied that from here on in, whatever the past, that we will have a sustained and a co-ordinated attack against all levels of the drugs trade. The final comment is, that people still find it inexplicable that when you have a case, 9 people arrested, 9 people charged, 6 people bailed and I could go on with other examples and people see that here are a number of people who are up for a charge, who are in the courts, who are not even being opposed in terms of their applications for bail, very often by the PSNI themselves, so I think that that again proves a gap in the concerted effort against this drugs trade.

Chief Constable, Sir Hugh Orde:

You have got to attack drugs markets at both ends, the notion that we will leave the smaller people to catch a big person later, never has added up. It did not work in London and it does not work here, you have got to hit both ends and I think hopefully what I explained was a strategy that is looking at both ends of a chain and is not missing anyone out. I think you can always do more. I understand that fully, and we will have to continue to do more to convince people, that just because someone is operating out there is not because it has got some stamp of authority from anybody because it has not. All bets are off. If you are dealing in drugs you get nicked, it is as simple as that, and the notion that under the current regulations and guidelines I can employ all these so called 'street corner people' to feed me information just does not work, it would be pretty much illegal and I am not interested in doing it.

I think there is something about community confidence, if giving information does not make you a snout, it does not make you an informant, it makes you a public spirited member of the community that is saying "these people are wrecking our community". We have got to get this disconnect from this idea that if you simply talk to the cops about some bad people in your own world, that makes you something that is sinister, it does not. It makes you a public spirited citizen, not a covert human intelligence source. Much of this information is coming from people who just do not want these people in their community, we do not pay them for it, we do not give them anything for it, it is simply they want them taken out.

In terms of the slightly wider point around the judicial process, in fairness we have recently been I think more successful. Many of the people I have referred to were arrested and remanded in custody, we objected, the judges agreed. The law on bail is a complicated one. There are occasions, where frankly I know before we put someone in front of the court, we are not going to get them remanded in custody. They just do not fit the criteria that the law allows judges to keep people locked up, so I fully understand that the perception of that may well be, we are letting these people out. That is not the case, and the more we can do to inform people on the law around this and what we can do and what we cannot do, perhaps we can knock down some of those concerns as well.

Mrs Dolores Kelly:

I would like to follow up on the issue of prescription drugs which you said was on the increase and ask, has the PSNI as an organisation had any consultation with Trusts or with GP forums in relation to the management of that and indeed, the detection of?

Deputy Chief Constable, Mr Paul Leighton:

We have had a meeting with the Health and Education Chief Managers to try and look at cross cutting problems and drugs certainly featured during that day. There are some ongoing projects of work that have come out of that and I am hoping that we will be able to spread those across the rest of the province, but we have to see just how exactly we can work better together, but as the Chief Constable said earlier on, to tackle enforcement alone does not tackle the drugs problem. We have to tackle the demand bit and that is largely education and health to play a part in that and we have started to do that. There are already bodies in existence that look at drugs as a cross cutting issue but I think we need to get more impetuous behind that.

Assistant Chief Constable, Mr Duncan McCausland:

If it also helps Chairman, we do have the figures of the lower level drugs arrests which the Board do not have. This year alone in Urban Region, I have arrested 577 people and seized 695 separate incidents, not personally Chief Constable but overall, and the force as a whole are actually up, a 2.3% increase in the number of low level seizures that have taken place, 1,596 seizures across the whole of the country so it shows the continued commitment, not just at the higher level which ACC Sheridan leads at in

terms of serious and organised crime, but also at the uniformed level on the ground day and daily.

Chairman, Professor Sir Desmond Rea:

One final question on drugs, Martina Anderson.

Ms Martina Anderson:

Go raibh maith agat. There are many reasons why people take their own life, but I am wondering if there has been a connection made by the recent rate of suicide in our areas. I know that there are concerns there, in particular discussions and debates going on within the areas about the relationship between some of the suicides, and I say that very mindful, that not everyone who takes their own life at all have any connection or have been associated with taking drugs, but there are concerns within our areas that some of the deaths have been related.

Chief Constable, Sir Hugh Orde:

That is a good question, I do not know the answer of hand, but it is certainly something to look at. It is as much around health as it is around a policing issue, I do not know to be quite honest.

Chairman, Professor Sir Desmond Rea:

Okay, just before we get to TASER, any questions on performance figures from Members?

Mr Alex Maskey:

Sorry Chairman, just to say that we are dealing with that and certainly from our point of view we want to deal with that more fully in terms of the incoming Policing Plan.

Chairman, Professor Sir Desmond Rea:

I was referring to the report today and in particular on clearance rates but if Members do not could we move to TASER.

Mrs Dolores Kelly:

Sorry Chairman, we do not want to just gloss over the Performance Plan.

Chairman, Professor Sir Desmond Rea:

That is why I was providing you with the opportunity.

Mrs Dolores Kelly:

The sanctioned clearance rates. Whilst there has been some improvement, I am sure the Chief Constable would agree, that even on the comparable forces in the UK in terms of their level of achievement, it is still something of 70% of non-clearance and we certainly would want to see a much higher figure in terms of clearances, and has the Chief Constable any proactive measures that he would be bringing to the Board or suggesting to actually improve all of those figures?

Chairman, Professor Sir Desmond Rea:

If you could also say something for the benefit of members of the public about what is meant by sanctioned clearance rates.

Chief Constable, Sir Hugh Orde:

What a sanctioned clearance means is that it has been a judicial closure. It is what the public expect a solved crime to look like. Someone has been brought to justice for it, they have either been cautioned for an offence because they have admitted it and have not gone to court, or they have gone to court and been convicted of the offence, so it is a substantial clearance rather than an administrative clearance which have now gone in essence. It is a tiny percentage, less than 1% and those people for example, someone who has died, who is awaiting trial for a crime, those sorts are very minor ones. All other situations where, for example, we would argue in a way we know who has committed the crime but because perhaps the victim does not want to support a prosecution, no prosecution takes place. That is no longer a sanctioned clearance, albeit we know who has done the crime and many of those fit into some very difficult areas like domestic violence for example where the person is known, but for other reasons it is too difficult for the person to prosecute, who is vital in a prosecution like that because it is word against word.

In terms of the result. First of all, yes they are lower than I would want them to be but increasing. We are different to the comparative forces, we do not have for example, fixed penalty tickets which can contribute up to 6, 7 or even 8% of overall clearances. These are forces where, for example, they give someone a fixed penalty ticket for a public order offence, shoplifting those sorts of offences and it is an instant clear up because you have got the person, they have admitted it, they have got the ticket and in essence they have got a sanction. We do not have that available to us, even if we did frankly I think they should be used at the lower end. It is a good idea for public order, if you loose £80 because you are misbehaving in a public street on a Friday night, it does focus the mind, it also removes your potential earnings to spend on drink, so it is something we are denied, so it is not surprising we are below many of the other comparative forces. That having been said, we should be doing better and whilst we can always argue Northern Ireland has some unique features, I think in this case we should be seeing it continuing to increase.

I would be delighted to spend a session with the Board where some of my District Commanders could come and explain what they are doing, because a huge amount of work is going on. Some very successful, certainly on level 2 crime, ACC McCausland's crime team has brought some outstanding results.

At a more basic level administratively, I have been running performance meetings on a regular basis where all the Detective Inspectors, Chief Inspectors and indeed main District Commanders turn up and we look at what everyone else is doing to see if we can learn from each other. We bring in other forces, we had Northumbria over who have a very high clear up rate to explain what they were doing to see if we can learn from those, so we are doing an awful lot about it. It is not something we take lightly, but if the Board is interested I am happy to have a presentation at the next public meeting Chairman.

Chairman, Professor Sir Desmond Rea:

I am going to take 2 more questions on performance figures, Mr Basil McCrea and then Mr Alex Maskey.

Mr Basil McCrea:

Thank you Chairman. Can I say Chief Constable just dealing with this issue about clearance rates. I was lucky enough to be out with ACC McCausland and actually it was quite a serious thing, which was an issue that I do not think people quite understand. There was a long running operation tackling car theft and so on in Poleglass and Twinbrook and other areas around that area, and until I was out on the ground with the folk, it was not apparent to me the amount of resources that were concentrated in that area and the effectiveness. One of the issues when we talk about clearance rates, actually I think the figure is about 25% down in terms of the number of crimes committed, but it really is very very important for us to understand that the resources go in there means that you do not have to clear them up because you stop them happening in the first place and it is something I think that you do need to communicate through. Whilst I do accept that we have to deal with the clearance issue, which is something that was going on before, there is a communications issue out there than the effectiveness of your deployment is actually making significant inroads.

Chief Constable, Sir Hugh Orde:

It is rather like the drugs, you have to hit it at both ends. Reducing crime is a far more successful long term strategy, you have less victims which is what I think everyone wants. That having been said you have to not give up on the other end of the business and look to clear up the crimes that are committed. So yes we have got to pinch it but I think the other thing that sometimes people do not realise is the amount of resource put into a very small area, much of which was not by definition be visible because that is not actually how you solve the crimes, but I am glad you survived the experience.

Chairman, Professor Sir Desmond Rea:

Mr Alex Maskey.

Mr Alex Maskey:

Thank you Chairman. As I said earlier on Chairman, I wanted to deal with this more fully in terms of the incoming Policing Plan but since it has been raised, I can not comment in some way. Again obviously I do accept that it is a very complex area in terms of using statics and using various parameters and benchmarks and how we actually define in some cases, if it is a crime or a sanction. But on the face of it, the difficulty we have is that we have a reduction in recorded crime and we have a

reduction in the clearance rates so on the face of that, that tells you then we are solving less crime. Now, on the one hand as you rightly say, you have to pinch this from either side. You have to prevent more crime, and that is obviously something that this Board will major on in the incoming Policing Plan about prevention and so on, but by the same token, we have to be careful that we are not deploying all our resources in one end of the scale and then deficient in the other end because we still have to get seriously down in terms of the clearance rate, in other words, sanctions imposed against people. So again I understand it is a complex area of work, but as I say, on the face of it, less recorded crime, less clearance rate so there is less crime unsolved and in terms of public confidence that is a major issue that we are going to have to come to terms with.

Chief Constable, Sir Hugh Orde:

Yes, it is complicated but I am delighted to have solved less crime if I have got less crime frankly. You have got to pinch it at both ends and it is a complicated area, we could do the numbers but for me success looks like a decreasing crime rate and an increasing clearance rate. At the minute we are decreasing the crime rate but we are not increasing the clear up rate, albeit it is a falling number of crimes, and if that is the point you make, I understand it fully.

Chairman, Professor Sir Desmond Rea:

Now, there are a lengthy list of questions in respect of TASER. Could I ask those who have put the questions down if they could ask themselves, did the Chief Constable answer my question in his opening statement and if he did, not to repeat the question. If he did not answer it of course adequately, then it is for you to probe and could I suggest you do that. There are questions in from the Committee and Mr Basil McCrea to lead.

Mr Basil McCrea:

Thank you Chairman. I am speaking here on behalf of the Human Rights and Professional Standards Committee as the Chairman, and I would like to thank the Chief Constable for his very fulsome analysis of the situation. In part that will have been in response to the very detailed questions that we put to you, and I do take what the Chairman said and I do not intend to repeat them all, but it is I think a very beneficial exercise in proper oversight arrangements that we are not, in any way, trying to impinge upon your operational independence, but there are some very legitimate and

reasonable questions that the Board and specifically Members of the Committee, want to put to you.

If I could just mention briefly, there are 2 questions I want to ask and then maybe colleagues from the Committee will come in. When was the business case agreed and by whom? The second thing is, I did hear what you were saying about when you intend to deploy the TASERs but where will the training actually take place and who will provide it. If I could, when that has been answered ask just one other question.

Chief Constable, Sir Hugh Orde:

The business is purely a process issue around procurement. Training will be at Steeple by our own people who will have been trained in the national training course, I do not know if Chief Superintendent Cameron wants to add anything to that, I think it is as simple as that. If any Board Member wants to observe the training, not a problem. The whole Committee can turn up and see it is a 2 day process, all I would ask is, if they are interested they want to spend the whole time there so they see the whole process rather than just dip in and out, but open invitation to any Board Member who would like to come and see it.

Mr Basil McCrea:

Obviously we have detailed quite a number of questions and you did answer the whole lot, it might be useful if after this meeting we actually have just a written response so that we have actually got clarity on the points that you have raised.

But the second point that comes on that I would like to ask you about is, there is concern that there may be what is known as 'mission creep', that originally TASER might be suggested that it goes out to pre-planned operations, but obviously ACC Toner mentioned in the past, there will be spontaneous issues that arise and there is some question that we would like to be reassured on about how we might deal with these issues. The question I have for you is, would you consider that the pilot study might be incomplete if we only look at TASER in one specific pre-planned area of deployment and therefore, we do need to look at it in the wider context, the issues that you might envisage it being deployed in the future.

Chief Constable, Sir Hugh Orde:

The short answer is no. The reality is, these weapons will not be held locally so the only time they are likely to be deployed will be in an operation where, because of the planning, it becomes apparent that we are dealing with people who are so dangerous, that TASER may be a better way of dealing with the situation than a firearm, or give that option to the officer to use less lethal force in what are clearly dangerous situations, we will not be pre-planning them.

I thought I had covered, but I obviously failed in my introduction, that situation can unfold and all sorts of things can happen as a result of that, which means the officers with the equipment may be closer to a situation that is unfolding than they would otherwise be and then it would be entirely appropriate to deal with that. The distinction between spontaneous and pre-planned becomes a bit complicated at the operational end of the business. A pre-planned operation to search or to arrest a violent criminal in a house could lead, if that person were to escape, to another situation that in essence is a fallout from that situation or a quick response to another building where there is less pre-planning gone on as a function of intelligence, but again, could not be deployed without proper authority levels being put in. I do not know if Chief Superintendent Cameron could give any more detail on that.

Chief Superintendent Ian Cameron:

No, other than to say that during the pilot, it will be issued to officers from Special Operations Branch and the tactics and methodology across spontaneous and pre-planned operations, so any information gained would be of benefit to the assessment.

Mr Basil McCrea:

Just very briefly, Chief Constable it was not that you have not answered questions before and I know that you have covered a lot of these areas, it is just in terms of getting them structured that these are legitimate things to be brought out and Chairman, Gearóid Ó hEáara would take onto the next section. Thank you very much.

Chief Constable, Sir Hugh Orde:

Just before that Chairman, on that last point. There are situations which, for example, a pre-planned situation I think may be in people's mind something we are going proactive on, so it is around we want to arrest a dangerous person in a certain location which is exactly a fair description. It is equally the case during a pilot for example, a street officer patrolling as we speak, comes across a situation where he or she needs specialist support, including firearms, and that will be the same unit that will be deployed. The difference will be they would not just be deployed as they are currently with firearms and more substantial firearms than officers carry, they would also be equipped with TASER if it was an appropriate thing to deploy with and that, one could argue, is a longer term spontaneous event because it is not something that requires immediate response, it has got to be called out.

Mr Gearóid Ó hEára:

Go raibh maith agat. This is a question that arises out of our human rights discussion which was long and painful and out of that came some of these questions. I know that you have kind of dealt with the situation in Canada in Vancouver. The PSNI have previously stated that they are confident that TASER is a safe piece of equipment. There was an incident on 14 October 2007 in Vancouver where a 40 year old Polish immigrant died after being stunned with a TASER. The subsequent autopsy found no signs of drugs or alcohol or failed to pinpoint the cause of death. Do the circumstances of this death bring any new information to light that may affect the PSNI's decision to deploy TASER? I want to just point out that you could say this was an error, this was a whatever. There have been 18 deaths in Canada since 2003 as a direct result of TASER which can be traced to that, so this is not a one off. I think it is an example of where these are used wrong.

I also have some concern about the issue of planned operations and spontaneous operations, because it actually goes against some of your arguments about the need for them in spontaneous situations and I have a feeling that they will gradually slip into general use and I wanted to pointed out that when you talk about safeguards and all the high qualities of training and standards and all of that. When you look at what happened to Mr De Menezes in London, then you can see that human error and system error are paramount and that when you make these things widely available then you invite a lot of that.

Chief Constable, Sir Hugh Orde:

Firstly, as I have said and one thing I hope I have reassured is, they will not be widely available. I have no intention, and even if it was issued to the level of armed response vehicles, if we had them here, I would not be looking to come to the Board and say I want them more widely deployed than that. What we need to have is a proportionate response that is available to officers, subject to safeguards in fairly unusual situations and we would be talking in terms of incidents that we would define as firearms incidents. Currently, you are looking at 7 or 8 a day across 5,500 square miles and 1.7 million people, they are not usual events even in the routine of policing.

In terms of is there learning from Vancouver, I think the short answer is no and I really would reinforce this. I have been and seen presentations in the States by all sorts of people who have done a lot of work on the use and deployment of TASER in the United States. It is fundamentally different to how we are going to deploy TASER. If I was to look at the UK experience, and the last time I read the reports, it is over 300 deployments, not one death in the United Kingdom and these are people who are operating to a standard and a system which is very similar to ours. We would say ours has actually got a higher level before use can be authorised or the officer can use. All I would ask is that people look at the UK experience of TASER. I am not sighted on the Garda rules and regulations on it but certainly in the UK, we would say that is what we each need to look at, not the American use.

Speaking on what we do know about that Canadian experience, it was a situation where we would probably have deployed at best, most TSG. It was a public order situation of a man throwing chairs around, not even close to the starting point for a consideration for TASER, but that is on what I know. I do not know the details, I do not know if the death can be directly attributed to TASER or it is inconclusive, I just simply do not know. But rest assured, any learning and we are absolutely keyed into the UK data gathering machine, any learning from any use of TASER in the UK, which I think is highly relevant, we would certainly look at and learn from.

In terms of the device, no piece of equipment like this is safe, by definition it is extremely dangerous. That is why it is only used in certain circumstances, it is dangerous because it immobilises someone, albeit for a very small period of time. All I am saying is a firearm is far more dangerous and predictably more dangerous, and if

we are in a position, heaven forbid, where an officer is in a situation where he or she could actually immobilise someone for a split second or two and safely detain them, it has to be better than that officer being put in the awful position of having to resort to a firearm because the level of threat is so high. That is the bit I am trying to fill, it is no more and no less than that and rest assured, if we have to use it the post event review of the first few (a) it will be entirely professional and independent, Al Hutchinson will do it and (b) he will I have doubt report with the same forthright nature as the previous Police Ombudsman reported, and if we have done something wrong, he will no doubt tell us.

You can never say we will not make a mistake with these sorts of devices. I would not want to draw a connection with the De Menezes, it was such a fundamentally I think different situation and there is still the inquest to be held. We are not saying we are going to get it right every time, we make mistakes. We fully accept police officers make mistakes. I would like to think we have so much in place around oversight on this and structure and training and process and learning from 3 years of experience elsewhere in the UK, that we will be well positioned to make proper professional judgements and I trust the officers who I will be training in this, to do that job very professionally. That is the only reassurance I can give.

Chairman, Professor Sir Desmond Rea:

Ms Mary McKee.

Ms Mary McKee:

Chief Constable, again proven the idea of spontaneity and it does follow on from slightly closer to home. Just 9 days before the Jean Paul de Menezes shooting, a man who slipped into a diabetic coma on a bus in Leeds was “tasered” twice because police mistook him for a suicide bomber. Two questions, have the PSNI had the opportunity to consider the circumstances of the case and reflect on the findings of the Independent Complaints Commission and, as far as possible, can you assure the fact that such an incident if TASER was deployed, would not happen in Northern Ireland.

Chief Superintendent Ian Cameron:

I would just simply say in relation to that one, we have contacted the Independent Police Complaints Commission and their investigation is not concluded. When the report is available, we will examine it to see if it has any relevance for PSNI.

Chairman, Professor Sir Desmond Rea:

Okay, any more questions from the Committee? Ms Martina Anderson.

Ms Martina Anderson:

Go raibh maith agat. You started off your presentation by saying that you believed that there was more concern around this table and the Board than there was in society outside, and I am just concerned that you are not listening. There are concerns out there among many of the groups and organisations, who just simply do not understand you pressing ahead with a pilot in advance of an Equality Impact Assessment (EQIA) being completed. There are bodies like the Equality Commission, the Human Rights Commission, the Children's Commissioner, Human Rights organisations and many of them are telling you that issuing TASER is inappropriate. It is absolutely not acceptable until an EQIA is completed and its conclusions are taken into account, and those conclusions by you will then inform the guidance that you will give to the PSNI in the event of you pursuing with that. So, I think like the views of the Board that have been given to you in October 2007, that you are totally ignoring and you are not listening to the views expressed by those organisations that out there that have grave concerns about you piloting TASER at a time when you are also carrying out an Equality Impact Assessment.

Chief Constable, Sir Hugh Orde:

I have certainly not ignored it and I would be distressed to hear people say I would. If I had ignored their advice I would have implemented TASER 18 months ago frankly, because all the evidence at that point from all the pilots elsewhere was, it is a thing that keeps people alive and that is the underlying purpose of a police officer is to keep people alive. TASER keeps people alive, it keeps alive who sadly in the routine, are people who are in the states of high distress, maybe suffering from mental illness and maybe in an extreme domestic circumstances, these are not people who deserve to be subject to lethal force if something else is out there for them. I have taken that risk and I accept it because I have been taking the advice seriously. The EQIA assessment that

we are currently running I think will be as informed by the pilot as the other way round. The screening exercise we did I would argue was comprehensive and bordering on close to a full EQIA, the fact I take it seriously is, I am now running both and in terms of the parallel, it will be an extremely short period of time by the time we have done the training subject to the 17 December 2007 decision, it may be that actually we will not argue about anything because of a situation that has actually butt ended, but it is not a position I am prepared to guarantee, because if I do think we can do it safely before that it may just be one person who is alive in March who would not have been.

But that all having been said, it is my responsibility and I fully accept it and the Board will judge me on the merits of my decision.

I would also add, as I said in my opening, we have sought out proactively or the independent advisor on the EQIA, has sought out the 10 key organisations who did raise those concerns as we were keen to get additional feedback. Only 3 of them chose to give us that additional feedback. It is very easy to say to me what I cannot do and I have, during this time spent a lot of time speaking to people formally and informally around this and sought "What else can I do?", "What else do you suggest?", and all I am told in the routine is, that is not for us, we are telling you what you cannot do, you have to work out what you can do and I think that is not a very constructive place to be.

Now I hope I have done all I can to reassure people. I do take this extremely seriously and this is why I am here today with my full team and we have been working very hard to try and get this into the best situation we possibly can, but it is always going to be and I full understand no-one wants to be shot with something that fires 50,000 volts. I fully understand that, I certainly would not want to and have no intention of offering, like some people, to partake in some sort of pantomime. It is a very dangerous bit of equipment that should only be used in extreme circumstances and I fully accept that.

Chairman, Professor Sir Desmond Rea:

Ms Anderson.

Ms Martina Anderson:

Whilst you are saying you fully understand but do you not accept that, given the concerns that have been expressed by those organisations and this Board, that it would actually be better for all to get some degree of confidence here within a community that I come from that is still moving to ensure that there is that confidence with the PSNI, that you just wait. We are only talking about a matter of weeks, that you wait until after you carry out a full Equality Impact Assessment. That is what people cannot understand, that the fact that you are going ahead to pilot and I think that that is something that you should seriously take into account and seriously consider, that you wait until after you carry out an EQIA before you go ahead with the deployment, because I do think that the conclusions will inform the guidance that you will put in place and they will strengthen.

Chief Constable, Sir Hugh Orde:

I understand the point and the point is well made, but from a professional police officer's point of view, my other responsibilities are to my officers and I do not want to suffer the indignity of being marched into a court as a Chief Constable under health and safety regulations, I have denied something which has been proved to keep people alive.

In terms of community confidence, yes I do understand it and I think it came up at ACC McCausland's meeting yesterday and I am happy to enter into those debates at my level if it is appropriate. But also what I am convinced about is, if, heaven forbid we do shoot someone in those communities because we have not got it, I think I would lose confidence anyway. It is a 2 way sword, huge difficult situations where if I do not use it I should be told off, if I do use it I shall be criticised, but I would rather use it and be roundly criticised for not killing someone than not make it available in those unique sets of circumstances and end up killing someone. I think the debate could continue
Chairman, I think that is where I am on it.

Chairman, Professor Sir Desmond Rea:

Mr Peter Weir, now this is the last question I am going to take on it. Sorry Mr Maskey, I apologise.

Mr Peter Weir:

The last remarks covered the point I was going to make. I suppose it is fairly difficult to make comparisons with the John Charles De Menzes situation that, had TASER been used, he would still be alive today. But I think we have got to remember that this is the question of a less lethal option and I think, and I know the Chief Constable to some extent covered this in his last response, but if we are in a situation where someone in a community because of a particular incident, and be it either the unionist community, nationalist community or whatever community, is actually shot dead by the police because TASER is not available and we get into that dreadful situation. I think the impact on the community confidence in the police is going to be an awful lot worse than the situation where somebody is "tasered" in that regard. Could I just get confirmation then, that in terms of any of the incidents that it has been used because I think there is a lot of facile comparisons with across the Atlantic, has there been a single case anywhere in the British Isles, be it the UK or the Republic of Ireland, where this has been used where it has been then proven to lead to a death?

Chief Constable, Sir Hugh Orde:

No, it has not is the short answer to that and I am looking at Chief Superintendent Cameron if I have missed one but I am sure I would not have done. There is another constituency which I have touched on, which are my officers. Again, can I in all conscience say I am happy not to allow my officers this when one of my officers could lose his or her life on the back of not having this piece of equipment. I do think we got to the stage where I had hoped we had a shared understanding, albeit there are clearly different views on this, but it is at best be described as a necessary evil and that I, of course, will come back to the Board at any time should we have to use this thing to explain the circumstances and to be held to account for it.

Chairman, Professor Sir Desmond Rea:

Final, final question because Mr Maskey had indicated he wanted to ask a question on this, Mr Maskey.

Mr Alex Maskey:

Chairman, thank you. I have a very basic question and that is can the Chief Constable's decision on this be changed? The reason why I put this is because you have given in your earlier report a fairly considered response which included that you

had already made your mind up, the evidence was all there to back it up, the need for it and all the rest of that. You also at the same time said you were taking the views of the Board on board, but in actual fact, the day that the Board gave you that view you went out, in my opinion, and I have said this to you already in a very unceremonious manner, rejected the views of the Board. So, as far as I am concerned you have your mind made up, you are going to deploy these weapons. We cannot ignore, and certainly from my party's point of view as Members of this Board, and while others of this Board might want to abdicate the responsibility, I believe that this Board has the responsibility to take decisions of this import and it is not solely a matter for the Chief Constable and that we will take exception this Board having a contributory view on that, but that is obviously an intense debate which is ongoing. We cannot ignore, I mean I watched the video of what happened in the Canadian airport, which to me was akin to a drunken crowd on a town centre binge, the way that person was treated in Canada and for anybody to say it was not related to a TASER, the death, well I cannot understand why.

Chairman, Professor Sir Desmond Rea:

Question Mr Maskey.

Mr Alex Maskey:

Mary McKee has already mentioned a guy who was comatose on a bus in London who was "tasered" twice, so my question is, in terms of the capability gap that has been dealt with, you yourself Chief Constable outlined an example earlier on, because this is relevant Chairman if you do not mind, I would appreciate the time here. You yourself gave one example of where a TASER might have been an appropriate weapon but that was an example of where your officers turned up, where there was an attack ongoing at the rear of a house by known loyalist paramilitary representatives. Warning shots were fired, those people managed to escape. Now, for me there is a capability gap but I would not suggest it was to do with the weapons because that in itself I think is a very bad example to be presented to this Board as a reason for the need for TASER. So, given all that has been said and your own statement very clearly in favour of the use of and commitment to deploy, you are also saying you want to hear people's views. Can your decision yet be changed, can your mind be changed on this matter in respect of the deployment of TASER?

Chief Constable, Sir Hugh Orde:

Of course it can. At the moment I have told you exactly where I am at this minute in time, and if for example, the guidance for use on 17 December 2007 is not to my satisfaction, then I will delay it and I will take responsibility for that. If there is suddenly something, which I think would be surprising looking at where we are in the experience of the UK, there is some sudden new information that comes and it is says, “this weapon is in essence as lethal as a gun” then, of course, we would not need it anyway, we have not actually filled the gap. All the evidence and this is my professional judgement, at the moment shows that it does fill a gap and it has the potential to keep people alive which has to be the basic principle.

In terms of responsibility, I have said and if it helps I will repeat it, it is my responsibility and I accept that. If the Board wants to take responsibility, my view is it cannot, it would be unconstitutional and it would challenge the independence of me as a Chief Constable but the Board would also have to accept responsibility for the consequences of its actions, which would make you responsible for its failure to be deployed or its deployment rather than me, and I think that causes a huge debate around where we all fit and I am happy for that debate to take place. But I am clear, on current legal advice and my own judgement anyway, this is my responsibility. But can I just repeat once more, I will come back to the Board at any stage, at any time, to discharge that responsibility and the Board can ask me whatever it wants. I understand the points around communities, it is not something I have taken lightly, but this is where I am as we speak today Chairman.

Chairman, Professor Sir Desmond Rea:

I should say to members of the public and to the press, that this Board has not reached a view on the use of TASER. It will do so as and when the EQIA is complete and its view is, that the decision should be left until that is complete, but the Chief Constable has made his decision in terms of his operational responsibility.

Can I take you to question 12, it is from Mr McCrea and it is to do with unfounded complaints.

Mr Basil McCrea:

Chief Constable, there are a number of issues that happen in a localised area, it actually came up as a result of an engagement between a community group and some policing officers. The accusation comes back that, whenever we report a particular problem, the people that we reporting the problem about, then immediately counter claim. So you get the situation where, and I do not know which side is right, but you do get this issue where the guys with the white hats think that they are being victimised, whereas the guys with the black hats seem to be getting off scot free. So, I just wondered if you would give us some advice on how to deal with it. Just in terms of putting in context, it was to do with certain developments in Glenavy in County Antrim.

Assistant Chief Constable, Mr Drew Harris:

Unfortunately, I do not know the incident in Glenavy, so it is really the question on unfounded complaints. We do not have a specific policy around unfounded complaints. We do have a general duty of investigation as laid out in the Police Act about bringing offenders to justice, and the 2 relevant pieces of legislation are around wasteful employment of police time, but also then, legislation around protection from harassment and those seem to be the 2 pieces of legislation which might be applicable in the circumstances you outline. But overriding all of that, is the police officer's duty and the duty in law, to actually investigate matters thoroughly, so in the instance of allegation and then subsequent counter allegation, what police officers are responsible to do is then find some form of corroboration, either by independent witness or other physical evidence.

Mr Basil McCrea:

If I bring you the details of this specific issue then you can look at it, but I do think that there is a general policy issue which is why I brought it up in general terms and we will come back to it. Thank you.

Chairman, Professor Sir Desmond Rea:

Supplementary, Ms Anderson.

Ms Martina Anderson:

I would like to raise a similar case in relation to Derry. There has been a lot of media attention put on the City from Halloween night, and there was another incident 2 weeks ago. In the front page of the paper and the headlines in Radio Ulster and elsewhere, made reference to sectarian attacks in the City of Derry and it then later transpired that neither of the attacks, either on Halloween night or the other one, were sectarian attacks. Now as a party we absolutely oppose anyone who is involved in a sectarian attack, but as someone who is coming from the City of Derry and in the context of when we are trying to stand up for Derry in the “Stand Up for Derry” campaign, I am very appalled by the fact that our city’s name is being in that way defaced across the community and across the north, in a way that it almost has got the PSNI supporting the allegations in the first instance. That is what concerns me and that is why I think we do need some kind of a policy, because there was reference made to statements by the PSNI in support of that. I would just like to raise that concern, whether that was inaccurate reporting or not, but if it is inaccurate reporting then it needs to be stated when it appears in the local media that that is the case.

Chief Superintendent Eddie Graham:

Again, I am not specifically aware of the particular allegation, but quite often you can find that the reports are made through the press for which the police have no responsibility. I am not quite sure we labelled that attack as a sectarian attack and I am really not sure we can establish whether we did or not, I am pretty sure we did not, but I accept the point that you are taking.

Chief Constable, Sir Hugh Orde:

I could not agree more. I do not think we are responsible. Certainly in the one I am aware of where people make false allegations, there is an offence of course, of wasting police time, and that particular, it can have a huge impact, absolutely huge impact for someone to make a statement which actually, post event is found to be something fundamentally different within the community in terms of erasing tensions at difficult times, so I could not agree more. We can be held to account for what we tell the press, the press has to be held to account for itself for what it reports.

Chairman, Professor Sir Desmond Rea:

Questions 13 and 15 relate to evidence, Mr Alex Maskey.

Mr Alex Maskey:

Chairman, if I could just take the both together. In terms of question 13, I am asking what was the RUC policy regarding the retention of murder weapons? Was there ever a policy of destruction of such weaponry or evidence?

Question 15 is really a lead on, is there a PSNI policy regarding serving or former officers found to have wilfully removed and/or destroyed this type of evidence? How many cases of this type have been investigated and what disciplinary measures were taken? Are there any outstanding cases of this type which are currently relevant to the PSNI, and this is really about from the past into the current?

Chief Constable, Sir Hugh Orde:

I will ask the Head of Historical Enquiries Team to deal with most of that for me.

Mr Dave Cox, Head Of Historical Enquiries Team:

Good morning Chairman. I will break the question 13 down if I may into each constituent part.

There was no policy around retaining weapons that would be used in a murder. This would be a procedure that would be governed by the common law, as in any police force, a weapon is obviously an integral part of a murder case.

In terms of its disposal, after examination, a weapon would be kept until the conclusion of legal process, whereby it can then be disposed of as any other property under the Police Property Act with the authority of a court. There are also certain regulations, if the weapon turned out to be a firearm in the case, then there Firearms Orders and the Firearms Act, so some statute involved as well.

In terms of other evidence, the retention of other evidence, records such as statements would be retained. Any other exhibits in a case would be retained and this policy would be observed by the police, by the forensic science service and also by Coroner's Court etc. Since its inception, the Historic Enquiries Team (HET) has been involved in a

search to recover documentation, weapons, exhibits that relate to the cases that it is examining. We have found occasions where weapons which were used in murders have not been retained. This may well have been because the forensic science laboratory was, on one occasion, blown up. It may be because a number of police stations were blown up, it may also have been an issue of volume and security. The amount of weapons that were seized by the RUC was quite astronomical and the storage of weapons like that represented a considerable threat. What we have found is, in every case evidence of the examination of the weapons and a full case history, even if we have not recovered the weapons themselves.

In terms of our search, I know that we can now say in 98.5% of the cases we are looking at, we have now recovered the police documentation such as statements, reports etc. Does that answer your question around the retention of evidence?

Mr Alex Maskey:

Well, obviously you will appreciate I will want to take further time at another point just to explore more fully some of these responses, but the procedures that you mentioned, did those procedures not lay down clearly that such weaponry and other associated evidence had to be retained this side of a final legal process being complete?

Mr Dave Cox, Head Of Historical Enquiries Team:

Generally, you would have expected weapons to be retained. As I have said, the occasions when they were not will be subject of individual review as the cases are examined. We have found occasions in the cases we are looking at, where the weapon no longer exists even if the results of the examination and the case history linking of the weapons is available.

Mrs Dolores Kelly:

In relation to the sharing of evidence, could Mr Cox confirm whether or not the HET have received the full Stevens report?

Mr Dave Cox, Head Of Historical Enquiries Team:

The HET have access to the Stevens 1 report, have access to the Director of Public Prosecution (DPP) files which were in effect the result of Stevens 2 and Stevens 3, the

report that was made public is the only report that exists in that case, the remainder of the documentation was subject of cases sent to the DPP.

Chairman, Professor Sir Desmond Rea:

Would you like Mr Maskey to take your question 17 since Mr Cox is speaking and I have no doubt the Chief Constable would like him to answer the question. This is in relation to C8 in the HET.

Mr Alex Maskey:

Chairman, we had asked question 15 but we have not had the response.

Chairman, Professor Sir Desmond Rea:

Sorry, okay.

Deputy Chief Constable, Mr Paul Leighton:

Chairman, if I could answer that. Obviously serving and retired officers are subject to the full criminal law should they commit any criminal offence of wilfully removing or destroying evidence. I am not aware of any current or ongoing investigations into that, although serving police officers are also subject to discipline investigation and sanction. We have gone back as far as the formation of the PSNI and we have identified 4 such cases, all of which are now being closed and finished. In 2 of those instances, individuals received discipline outcomes and in the 2 others there were wide ranging recommendations for the organisation as to how better to protect such evidence, so there was a large implementation plan which has helped us to protect better that information for the future.

The caveat I would put on that is, that it does only go back to the beginning of the PSNI because it is quite a lengthy manual process to go back through all the cases, and the other part is, that I am not aware of what PONI may be investigating in the same field so I cannot comment on anything that may be in their remit.

Chairman, Professor Sir Desmond Rea:

Question 17.

Mr Alex Maskey:

Thanks, sorry Chairman, if you do not mind I would ask a further supplementary on that. You mentioned Deputy Chief Constable 4 cases, but can you give us any ideas to the nature or the gravity of those particular cases, or the impact of the evidence, or whatever else having being destroyed and the types of disciplinary action taken?

Deputy Chief Constable, Mr Paul Leighton:

It is not so much evidence having been destroyed, as slackness in the keeping of records and of the maintaining of records and of passing on records, and the recommendations that came out of it actually have gone a long way now and we have tightened up procedures quite stringently to make sure that it does not occur in the future. But there are no cases in the 4 that are of wilful destruction. There are cases where policy logs and such like have disappeared but it has been impossible to identify how that has happened and it is impossible to be categorical that someone wilfully destroyed it, but what has come out of that are the new regulations with regards to that type of document to make sure that that cannot happen in the future.

Mr Alex Maskey:

Would these involve cases where there were deaths for example which could not then be prosecuted?

Deputy Chief Constable, Mr Paul Leighton:

I cannot identify that from the information I have in front of me at the minute, I am happy to talk outside about that.

Chairman, Professor Sir Desmond Rea:

Question 17.

Mr Alex Maskey:

I would just be interested, what is the operational relationship between C8 and HET?

Mr Dave Cox, Head Of Historical Enquiries Team:

Mr Maskey, the HET is a bespoke unit which was established to examine all 3,268 deaths attributable to the security situation between January 1969 and April 1998. It is

a PSNI initiative which has the support of the Northern Ireland Office which has provided a separate ring fenced budget for the project.

When the project was under assessment between April 2005 and November 2005, it was given a designation of C8. This was purely an administrative process, as it was initially thought when we were scoping the project, that it might be part of the Crime Operations Department which has Departments C1 to C7. However, as the scoping of the project developed, it became clear from consultation with community groups, from Government organisations and families themselves, that the HET needed to demonstrate some operational independence from the PSNI to reassure some sections of the community and also individual families in certain cases.

The Chief Constable therefore decided that the Unit would sit outside Crime Operations and other PSNI structures and I, as the Director of the Unit, would be accountable to him for operational decisions. So, therefore, the Historic Enquiries Team is what C8 might have been, but we do not sit within the Crime Operations Department.

I wonder if perhaps your question was around an operational relationship between us and C2 Department which is the current Murder Investigation Teams.

Mr Alex Maskey:

Thank you Mr Cox, that would also be helpful because obviously I have a number of questions, some of which were taken in private and some of which were taken by written response just to allow me time to go through them, but it would be helpful if you would elaborate as you suggest.

Mr Dave Cox, Head Of Historical Enquiries Team:

Just briefly, we have a number of cases within the PSNI where, before the inception of the Historic Enquiries Team, the Murder Investigation Teams of Crime Operations were relooking at those cases, and in some cases advanced investigations were underway. It is good operational practice that you do not transfer current investigations, and therefore those cases were retained under the auspices of the C2 Department until their completion where, if there is no prosecution coming from them, they will be re-examined again by the HET review process.

Chairman, Professor Sir Desmond Rea:

Okay, question 16 relates to call handling, Mr Trevor Ringland.

Mr Trevor Ringland:

Thank you Chairman. Yes, how we deal with the past and the crimes of the past is still very much an open debate and we do look forward to the Eames/Bradley Consultative Group, so I hope they can give some direction to this community.

But Chairman if you would pardon me for one second as we look at the past but also look at the future. Can I just take this opportunity as Vice Chairman of Rally Ireland to thank the Chief Constable and his officers for the help that they gave in that event. It was a very positive image that was sent around the world of Ireland and what is now going on here and it really was very much appreciated the work and the support that was given.

Chairman, Professor Sir Desmond Rea:

Sorry Mr Ringland, we are at cross purposes, question 16.

Mr Trevor Ringland:

Leading on to the question, there is a certain irony I think with the increased demand of policing coming from the community and certain areas of the community, that there is also a heightened expectation. So, could the Chief Constable confirm that he recognises the importance of effective and efficient handling of telephone calls from members of the public? I would be grateful if the Chief Constable would identify and outline the general training guidance and directions provided to his officers on the importance of answering calls on time, and getting back to callers when committed to do so. Further, I would be interested in the quality assurance arrangements that are in place that monitor the performance in relation to handling telephone calls and the assessments that he has made. The Chief Constable will be aware that this a concern that is raised with Members of the Board on a consistent basis by DPPs.

Chief Superintendent Ian Cameron:

Just in relation to that I would confirm that the PSNI does, of course, recognise the importance of the effective and efficient call handling of telephone calls from members of the public. We do recognise the importance of the first point of contact between the

public and the PSNI and just to contextualise it, there are approximately 300,000 emergency calls and nearly 7million calls per annum going through the exchanges.

Over the longer term, PSNI has established a Project Unity to deliver a corporate call management solution which will align our processes to the ACPO national call handling standards and which will provide modern technology to facilitate effective and efficient call handling. But in the immediate term during 2007, there were a number of interim improvements made to call management, both in terms of consolidation of control rooms and switchboards and in the establishment of 8 call management units, all of these will help improve service in this area.

In terms of guidance, there is guidance in General Orders which I can provide a copy of to Members, if required. This covers answering calls, transferring, taking and delivering messages and responding to queries and there is some specific guidance for calls assessed as requiring attendance by officers and in terms of emergency calls, we would expect the call back to be made if a resource is not dispatched within 10 minutes. For non-emergency calls, for a call back to the caller if a resource is not dispatched within 45 minutes.

In terms of training, which is also in your question, there is a number of levels of training both for police officers when they join the PSNI, for controllers, for communications assistants and for station enquiries assistants at various levels within training.

There are a number of areas of work in progress and during the first and second quarters of 2008, there is work ongoing to route calls to fewer better equipped answer points, establishing the District Call Management Units which I mentioned previously to handle non-emergency calls and providing specialist training when those units are set up. There is also going to be an independent mystery caller survey programme to measure performance and service quality. There is some new implementation of technology to give management information in terms of call handling.

In terms of assessment, the recent 2006/07 Quality of Service Survey of victims on violent crime, vehicle crime, domestic burglary, racist incidents and road traffic collisions showed that just over 90% of respondents were satisfied with the ease of contacting someone who could assist them and 70% of respondents who had further

contact with PSNI were satisfied with how well they were kept in progress. In summary, this is something which we do recognise the importance of.

Chairman, Professor Sir Desmond Rea:

Mr Basil McCrea. There are a sizeable number of questions by the way still to be asked and answered and if Members could peruse those questions and are prepared to volunteer them for a written answer, it would be helpful if they would let the Chief Executive know.

Mr Basil McCrea:

I will be brief Chairman, but there is a wider issue about the response times in rural areas. There is increasing concern in our rural areas that as we concentrate resources, no matter how effective or efficient it might make into the urban areas, that you do not get a call back. Quite a lot of people in the rural areas of Northern Ireland think there is no point in reporting a crime because nobody will ever turn up.

Chief Constable, Sir Hugh Orde:

We need to dispel that myth, we will turn up, we will stay and take your report. We are actually still probably unique in the number of calls we do respond to physically turning up rather than taking reports on the phone and such like which most forces have gone down the route of and I think that is a good thing. So, if people want to report a crime, I am pretty sure we can deal with it.

In terms of the overall satisfaction levels, we can always do better, of course we can. But in terms of people who have been victims of crime, the feedback is about 73% or 74% feel that we actually do get back to them. There is 26% out there that are not happy, so we need to deal with that.

Chairman, Professor Sir Desmond Rea:

The Omnibus Survey was very positive in respect of that.

Mr Basil McCrea:

But the point is, averages deceive and if you get most of your crime taking place in urban areas and if you have got good response times in urban areas, it looks like you are doing well, but there is an awful lot of people that live in rural areas of Northern

Ireland that feel that the policing is being taken away from them and whether it is in telephoning or the response to that telephone, they are not getting the service and it is something that we need to address at another point.

Chairman, Professor Sir Desmond Rea:

Martina Anderson.

Ms Martina Anderson:

There is also an issue around the response time in urban areas. I know in terms of the republican/nationalist areas of Derry, there is a concern of people who have been phoning in and the kind of responses they have been given, they were dealing with that locally but I just would not like people to have a view here that is only going to happen in the rural areas.

Just in terms of logging calls and around the handling of telephone calls. Are they logged the same way, whether you phone directly into the system or if you phone a 999 or if you are phoning the station, are they both logged in the same way, because we are finding people who are phoning 999 and are being told that there is a logging system there, but if they are phoning directly into the station, that the system does not operate in the same way and there are questions about whether people have made calls or not?

Chief Superintendent Eddie Graham:

It really depends very much on the nature of the call. Our Command and Control System, if the call requires a police response, is automatically put onto our Command Control System and there is a full audit of the time of the call, the time of the response, the nature of the response and how that has resulted. Now the 999 system operates in a very similar way, if it clearly needs a response and the Command and Control System will log every police action and the result of that police action, which allows supervisors to assess the nature of the call and whether the response and the action taken was appropriate. If it is a call that is simply by the nature, an enquiry not needing an immediate response or a response at all, they are not logged.

Chairman, Professor Sir Desmond Rea:

Two questions relating to security assessment, questions 22 and 23 David Simpson.

Mr David Simpson:

Thank you Mr Chairman. Would the Chief Constable give an assessment of the capabilities of dissident republican paramilitary organisations and would he outline ongoing paramilitary activity across the province?

Assistant Chief Constable, Mr Peter Sheridan:

Chairman just to remind members that some of the incidents have happened as a result of dissident republican activity. Back in April of this year, 3 explosive devices were discovered at the homes of DPP Members and at a PSNI officer's home in Strabane. We had explosive devices found in Newry, on the railway line in July 2007. There was a pipe bomb thrown at Strabane police station in July 2007. It exploded on the roof of an adjacent house. We had believed the murder of Joseph Jones and Eddie Burns were committed by dissidents in March this year. Dissidents also claimed responsibility for throwing a pipe bomb at a police vehicle and petrol bombs at police gate buildings in Armagh. We recovered 400lb home made explosive device in Craigavon in August this year which we again attributed to dissident republicans.

All of the dissident republican groups remain involved in serious crime activity and then of course recently we have had the attempted murder of Constables Doherty and Musgrave. Members will probably be aware of the recent video shown in the media by dissident republicans setting out their intent.

So, by any assessment of those incidents and other incidents which will not be in the public domain that we have prevented, it does demonstrate that dissident republicans have the capability to target and carry out attacks on on-duty and off-duty police officers. They do retain the capability to mount improvised explosive devices attacks and shooting attacks against police officers and again the capability around explosive devices was demonstrated on 11 November 2007 at the War Memorial in Newry, where Members will see an explosive device exploding in the cannon. Given the past attacks, we have recently warned business premises to be aware of the capability of dissidents around incendiary devices and we would reiterate that warning.

In terms of sophistication, it varies from one end of the scale to the other. We have crude pipe bomb style devices used by dissidents and those have been left at the homes of DPP members and police officers, to a relatively sophisticated device at

Brownlow police station on 3 December last year. So it is quite a broad expanse from dissident republicans.

As far as other paramilitary organisations are concerned. Since the UDA statement of 11 November 2007, it is clear on intelligence and broadly accepted across the UDA organisation, and that was in terms of moving away from criminality and dealing with the paramilitary capability. It is too early to say what the impact of that will be. We will continue to monitor and see what the outworkings of that statement look like in due course.

In terms of the UVF, they continue to push ahead, all be it at a slow pace with the reforms of the organisation. I see no indication that there is any move towards decommissioning in the short term. So far as the Provisional IRA are concerned, there is no intelligence to suggest that the Provisional leadership commitment to the political path has changed or altered.

Chairman, Professor Sir Desmond Rea:

Supplementary, Mr David Simpson?

Mr David Simpson:

Very briefly. In relation, ACC Sheridan to the devices and you said they range quite a bit, but from the first device that was found until the more recent device in Lurgan which was more sophisticated, would it be your opinion that the devices are getting better and more sophisticated or more professional?

Assistant Chief Constable, Mr Peter Sheridan:

Yes, I would think that would be a fair comment Chairman. We have seen an improvement in their sophistication into recent events.

Chairman, Professor Sir Desmond Rea:

Trevor Ringland, supplementary?

Mr Trevor Ringland:

Very briefly. Is it not time Chief Constable and Assistant Chief Constable, that we did change the terminology and stopped giving these guys any credibility to these

organisations from giving themselves a label. Secondly, how many Omaghs do we need before they learn that this community wants to move on. It is not about shooting police officers. It is about shooting people who live in this society. Some of who might be police officers, but too often in the past, have also been individuals who just live in this society.

Chief Constable, Sir Hugh Orde:

I think it is a very valid point. These are simply criminals who have been left in the dark ages which is where they seem to be quite happy to fester. I take the point, I do not think they have any credibility in their own communities and if there is one thing which is made explicit across any divide, political, sectarian or whatever, at the attacks on my 2 officers was the universal condemnation.

I think that is the hugely powerful statement from the overwhelming majority in Northern Ireland and the way to dealing with it is through the criminal justice process and I think we have to make that also equally clear here, the notion that anyone else can deal with it, is wrong. It has to be dealt with by the police service. We need the information to do it. We are working flat out, as I know the Garda are and our colleagues in the security services, to find out who these people are and bring them to justice. We can short circuit that by the people within those communities who know who they are, but still feel unable to tell us. I have said it before and I will say it again, I will absolutely guarantee we will protect them and if that costs me another million pounds, I do not care. If we get that, we can get these people locked up for 30 years and I think that is the statement we need to build on. We proved we can do it with these so called brigadiers, another one who has got himself a substantial jail sentence. We can do it on the other side too. We just need that crucial bit and we need the statement, the signatures on the statement saying "I am fed up with this". I think that is how we move it along quickly; otherwise it is going to be a long hard struggle. We are up for it, they will come second but it will take longer.

Chairman, Professor Sir Desmond Rea:

I am going to take 2 further supplementaries, Mr Alex Maskey and Mr Tom Buchanan.

Mr Alex Maskey:

Thank you Chairman. In respect of, well the UDA in particular, you referred to their statement of 11 November 2007, and the fact that that was broadly accepted throughout the membership and that would be welcome I think to most people. Can you give us any indication, does that mean that crime, distortion and drug dealing and all that is actually stopped, or what does acceptance mean?

Assistant Chief Constable, Mr Peter Sheridan:

What it means is acceptance of the statement and as I have said, we will wait and see what the outworkings of that are and see if there is any improvement in areas such as distortion, criminality, drug dealing and so on. We are not even a month into the statement, so we will have to wait and see how the leadership can deliver on that. It is too early to say.

Chairman, Professor Sir Desmond Rea:

Mr Tom Buchanan.

Mr Tom Buchanan:

Thank you Mr Chairman. Following on from the answer given, can the Chief Constable tell us what help or assistance if any, the PSNI are currently receiving from Sinn Fein political representatives in seeking to identify those dissident republicans who are causing the difficulties throughout the province, and what implications does the continued threat have for the PSNI and in moving forward with community policing in such areas that have been branded in the past as hardened republican areas, such as South Armagh and in parts of Fermanagh and Tyrone?

Chief Constable, Sir Hugh Orde:

In broad terms, the implications I think are obvious, we step back a bit. What I think has impressed me more than anything else, post those events, well 2 things. One is, as I have said, there has been universal condemnation across the peace from every political representative. There has been no one holding back and saying "this has got to stop". It has not changed fundamentally.

I was out in Dungannon after the shooting of our officer there, and that night speaking to the local officers, the TSGs that were down there, my specialists units, there was a determination to get on with the job and to go back out. If you look at the Omagh fire, which I think was a day after my officer was shot, I actually called up on our Command and Control system. It took our officers 4 minutes from call to getting there. They were not holding back. They were not saying this might be another set up. They went straight to the call. That is what police officers are doing. I think that is a huge positive message. We are not going to change if we do not have to.

I was on foot patrol in Crossmaglen a week ago, and again they were determined to go out and do ordinary foot patrolling or as ordinary as policing down is and it was not an issue. The officers were determined to get back out. So, I think that is a very positive statement, but we need a reality check around this. If one of my District Commanders feels that he has to police differently because of the increasing threat that is fine by me. We may have to take a step back. You may see more armoured vehicles, less ordinary vehicles, all those sorts of things, which is a shame. Which is again why we need more support to make this completely unacceptable and get these people locked up, the quicker we will move on.

Assistant Chief Constable, Mr Peter Sheridan:

Just in terms of the 2 investigations into the 2 attempted murders. We were encouraged by some of the support and co-operation we got. Now that is not to say there was not still a lot of fear, intimidation, concern and reluctance on some people in those areas because they were not clear that this is over and done with yet, and other people have made the comparison. What needs to happen is those debates in those communities, what is the intention and strategy of dissident republicans? Where is it intended to take communities? I think that debate has to happen in those communities to allow those people who currently still feel some sense of fear and intimidation and threat around this to be able to break out of that so they can make those statements which the Chief Constable has said.

Chairman, Professor Sir Desmond Rea:

Question relating to the Paul Quinn murder, question 26. Mrs Kelly.

Mrs Dolores Kelly:

Thank you Chairman. Whilst accepting that An Garda Síochána have the primary investigating responsibility in the Paul Quinn murder, can the Chief Constable give a progress report from the PSNI's perspective on the investigation this far?

Assistant Chief Constable, Mr Peter Sheridan:

Chairman, I will take that one. Just to reassure the Board. First of all, that we still have substantial resources and continue to support the investigation with An Garda Síochána on a daily basis. At the last Board meeting, I did say that there were both police officers from Northern Ireland and Garda officers who were carrying out house to house enquiries in the Cullaville area at the request of An Garda Síochána.

The Garda Síochána investigation team have developed a search strategy which included all roads around the border area of Cullaville and Cullyhanna, and we carried out that search strategy at the Garda's request. We have returned to house to house enquiries with An Garda Síochána, as a result of a questionnaire that they had developed. We have carried out a number of searches of premises at the request of An Garda Síochána and in total, we have carried out over 400 lines of inquiry by my officers at the request of An Garda Síochána and so we continue to work and support them. We have shared intelligence with An Garda Síochána in relation to the murder and I meet and speak regularly with the Assistant Commissioner who is in charge of the murder.

Chairman, Professor Sir Desmond Rea:

My apologies. Go ahead Mr Maskey.

Mr Alex Maskey:

Chairman, obviously this was raised in the private session of the Board as well as here, but would ACC Sheridan or the Chief Constable be in a position to put on public record here, that there has been no request or co-operation denied to either the PSNI or, as far as you know the Garda, from people in that community, including the local MP Connor Murphy?

Assistant Chief Constable, Mr Peter Sheridan:

I can confirm having spoken to the officers on the ground, detectives on the ground both from An Garda Siochana and from PSNI that we have been very encouraged at the level of support and co-operation that we have got on the ground in Cullyhanna and Cullaville in relation to the murder.

Chairman, Professor Sir Desmond Rea:

Question 28 relates to an investigation into sectarian attacks on youths at Woodhouse Street, Mrs Kelly.

Mrs Dolores Kelly:

I think Chairman, you have paraphrased the question in terms of sectarian attacks on youths? Are there any arrests likely to happen?

Chief Superintendent Eddie Graham:

In relation to the incident. The incident took place at three minutes to 1am on 6 October 2007. There is an investigation ongoing into the criminal offences that are associated with that public order incident. The incident is being overseen and investigated by a Detective Inspector locally. At this stage the investigation is at an advanced stage and we hope to be able to report to the Public Prosecution Service (PPS) in the very near future. To date 5 people have been interviewed in relation to a number of offences and those offences include the assault on a female officer who was one of first of the responders to that incident, and a further 1 individual has been identified and will be interviewed very soon. The District Commander following the incident made an immediate referral to the Police Ombudsman and the Ombudsman is currently investigating and I understand that the Ombudsman's investigation is also at an advanced stage.

Chairman, Professor Sir Desmond Rea:

Question 31, injury on duty payments, Mr Brian Rea. I would thank Brian Rea for agreeing to take a written answer to question 32 and David Simpson for agreeing to a written answer to Question 36. Brian Rea, Question 31.

Mr Brian Rea:

Seeing some of the questions asked today have delved away past into the past, my question also tragically takes us into the past, and the comment I would make before I ask the question is this. If some of those who used bombs and bullets in the past had used less lethal weapons to further their cause then the injury on duty costs would not have been so massive and many police officers and others may still be alive today. Now given the concern expressed recently, Chief Constable, about the massive cost on the injury on duty payments coming out of your budget, would you comment please on the number of claimants whose claims are made as a result of injuries inflicted on them by terrorist criminals in Northern Ireland and elsewhere, the range of circumstances in which the injuries were inflicted, including the necessary measures taken to combat terrorism, for example, firearms training and also those claims made as a result of other causes, everyday causes, like trips and falls or vehicle collisions and I have left it you can do that over as reasonable period as possible.

PSNI Director Of Human Resources, Mr Joe Stewart:

We have different ways of recording this information and different systems. The injury on duty system does not make a distinction between officers injured, and recording the claim between those officers who have been injured as a result of terrorism and those who have been injured on duty by other means, but we can say that our records show, that since 1968, approximately 11,860 officers have sustained injuries as a result of terrorist activity in Northern Ireland.

Chairman, Professor Sir Desmond Rea:

Supplementary?

Mr Brian Rea:

No. The figures speak for themselves Chairman.

Chairman, Professor Sir Desmond Rea:

Ms Martina Anderson.

Ms Martina Anderson:

Could you confirm that if an 87 year old ex RUC man has put in for an injury on duty claim for an incident that has happened 30 years ago?

PSNI Director Of Human Resources, Mr Joe Stewart:

I cannot because I am not aware of the circumstances.

Chairman, Professor Sir Desmond Rea:

Could I take Question 35. By the way Ms Anderson, if you want to put that in writing to me I will ask the question from the Chief Constable and I should say, that not only will the reply go to you, but will go to all Members of the Board. Question 35 relates to the implementation date for the arrival of the first PCSOs, Mr David Simpson.

Mr David Simpson:

Thank you Chairman. Could the Chief Constable determine for us the implementation date for the arrival, we understand that it is in the Policing Plan for April 2008, could the Chief Constable confirm if this will be the case or not?

Assistant Chief Constable, Mr Drew Harris:

Well, there will be no PCSOs deployed by April 2008. We have not commenced the recruitment process yet, and the recruitment process and the training process can only really be decided upon when CSR07 is actually declared and we know what resources that we are able to put into the PCSO project. PCSOs are an integral part of our Neighbourhood Policing Teams and will be an essential element of those. So we are very anxious that the PCSO project starts as soon as possible. When we know the outturn of CSR07 then we can start to plan, hopefully for a commencement date in April and that will be around advertising and then towards recruitment and there is, from our past planning, there is approximately a 6 - 7 month delay between the first advertisement and the first PCSOs actually being deployed onto the streets.

Chairman, Professor Sir Desmond Rea:

Final question. Question 42 relates to ...

Mr David Simpson

I have a supplementary.

Chairman, Professor Sir Desmond Rea:

Sorry, okay, Mr Simpson.

Mr David Simpson:

Again, very briefly ACC Harris, I am sure you will accept that the PCSOs are a vital part in my opinion, of the community policing. If as we suspect, the budgets that will be released very shortly will be somewhat cutback, I would suggest that it brings the whole question of the Part-Time Reserve and Full-Time Reserve into the whole of policing again for community policing and that will probably be a political debate. But if we do not get the community officers, then I can assure the Chief Constable that there will be definitely a vigorous campaign in relation to the Reserves, because we need community policing and we need the people on the ground.

Chief Constable, Sir Hugh Orde:

I understand the emotion about it very well. Success for us is we get PCSOs because they are people hopefully recruited from their community to support policing in their community and I see the role of PCSOs as very much limited to that, it is around high visibility, locally led and locally supervised.

The Full-Time Reserve is a different issue and I would not be looking personally to join the two. One is around the security situation, one is around community policing. Success for me is we deliver on the Full-Time Reserve as we planned and indeed many of my Full-Time Reserve colleagues are planning, and we get PCSOs to deliver community policing in the way we envisaged, that is not to say we have some outstanding Full-Time Reserve officers currently delivering outstanding community policing.

Chairman, Professor Sir Desmond Rea:

Question 42 relating to closure of Carryduff police station, Mr Brian Rea.

Mr Brian Rea:

The PSNI spent approximately £100,000 on a mobile police station for Castlereagh, which since its launch a year ago, has been plagued by mechanical failure and operational deployment problems. The Castlereagh DPP make the suggestion, would the money not have been better spent on the station at Carryduff, allowing it to be permanently manned by officers who would be deployed in the local area?

Chief Constable, Sir Hugh Orde:

ACC McCausland will answer that question.

Assistant Chief Constable, Mr Duncan McCausland:

Thank you Chairman. This was a prototype vehicle designed specifically for the PSNI and we actually received it 2¼ years ago. Since we have received the vehicle, it has broken down 13 times and it has been repaired fully under warranty. Now, that may be a surprise to the Board to hear that it has broken down 13 times but the reality is, it is a prototype unique in the United Kingdom and the main problems have been around the alternator used as a generator.

The mobile police station was an investment which we undertook with the support of the Castlereagh DPP, to consider the actual move forward in relation to Carryduff station, whether we would retain the station or we would actually replace it with a mobile police station. The mobile police station was deployed in Carryduff, Moneyrea and Dundonald on an advertised schedule. This was used over limited periods as an Inquiry Office, not just in Carryduff but across the entire area.

To date, there has been very little significant take-up of the service offered. The vehicle, however, has been used at major venues in the Castlereagh area, particularly in relation to offering crime prevention advice and it will also form part of the Christmas crime prevention initiative and will be deployed at local shopping centres which does have a significantly higher take-up. With effect from 3 December 2007 however Chairman, Carryduff station will move to a 'lock and leave' status. In addition, 3 officers will be relocated to Carryduff in order to perform neighbourhood policing duties locally. This will include 1 Sergeant and 2 Constables who will work closely with the locally community to tackle crime and anti social behaviour and as always look to reduce the fear of crime among residents.

The key message is really, that PSNI were developing a mobile police station. That development has been taken forward into other developments we are making with further such vehicles which we are looking to introduce across the province. As the Board would be aware, these have been successful in other parts of rural areas where static police stations have been closed and mobile police stations have been effective in terms of reassuring the community as to the police presence.

Chairman, Professor Sir Desmond Rea:

Trevor Ringland, are you asking a supplementary or are you chancing your arm?

Mr Trevor Ringland:

Chairman, it is a supplementary to question 28, just very briefly if you do not mind. I appreciate it has been and gone, it is very quick.

Chairman, Professor Sir Desmond Rea:

Very quickly, I do not want to establish a precedent, come on Mr Ringland.

Mr Trevor Ringland:

Question 28 was to do with sectarian attacks in Portadown. When there were sectarian attacks in Ballymena, one of which led to the death of Michael McIlveen, there was tremendous leadership shown by the local community, working with the police and by the local council to actually start tackle sectarianism in Ballymena. It may be that you will not be able to answer this today, but what action has been taken by the local council to actually start tackling sectarianism in the Portadown and Craigavon area?

Chief Superintendent Eddie Graham:

What I can say is the local District Commander, Chief Superintendent Todd has an excellent relationship, as has his Area Commanders. I am aware of the initiative that you talk about in Ballymena, I have not got the details that would justify your answer at the moment but I undertake to come back to you with a further response.

Chairman, Professor Sir Desmond Rea:

Could I say thank you to the Chief Constable and his team for the frank way in which you have addressed our questions in a spirited way and an informative way. Thank you very much indeed. To members of the public thank you very much indeed and to the press for your attendance today.