



**Northern Ireland
Assembly**

COMMITTEE FOR JUSTICE

**OFFICIAL REPORT
(Hansard)**

Long-term Objectives for Policing

16 June 2011

NORTHERN IRELAND ASSEMBLY

COMMITTEE FOR JUSTICE

Long-term Objectives for Policing

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Members present for all or part of the proceedings:

Mr Paul Givan (Chairperson)
Mr Raymond McCartney (Deputy Chairperson)
Mr Sydney Anderson
Mr Stewart Dickson
Mr Colum Eastwood
Mr Seán Lynch
Ms Jennifer McCann
Mr Basil McCrea
Mr Alban Maginness
Mr Peter Weir
Mr Jim Wells

Witnesses:

Mr David Hughes) Department of Justice
Mr Tim Logan)

The Chairperson:

I welcome David Hughes, the deputy director of the policing policy and strategy division in the Department of Justice (DOJ), and Tim Logan, the head of its strategy and support branch. The evidence session will be recorded by Hansard, and Committee members will have the opportunity to ask questions after the introductory presentation. I will hand over to you, David.

Mr David Hughes (Department of Justice):

The papers provided to the Committee include the initial discussion document on which the Department has consulted, a summary of consultation responses by consultee, and a summary of some of the key themes arising from the five objectives in the document. We very much welcome the opportunity to brief the Committee following the end of the consultation period, with a view to setting out our next steps. This may also be an opportunity for members to make contributions to the discussion around the shape of policing in the medium to long term.

Our analysis of the consultation responses is broadly as follows: the themes identified in the preparation of the objectives were found to be generally acceptable. There were questions about whether the theme should be “freedom and accountability” or just “accountability”. Otherwise, consultees were apparently content. That is probably quite significant.

There is an indication that the impact of the reform of policing over the past decade has been that a consensus has developed on what policing should be like. The themes of human rights, policing with the community, policing in partnership, social transformation and accountability are core issues in Patten, and we did not uncover very much in the way of controversy or disagreement about the themes. Therefore, the objectives do not take us on a radically different route for policing. Rather, they confirm the general strategic direction already being taken.

Although consultees wanted to challenge what was set out in the discussion paper, few of the points raised were about the objectives themselves, although there were comments about the language used. Rather, many more of the points were about the surrounding narrative. A strong theme, and one that I bring to the fore, is the necessity to set out more clearly the context from which we are starting. The existing security threat, especially the threat to police officers, was not referenced in the discussion paper. That was deliberate, because the paper was seeking to set out long-term strategic goals — almost a vision of an ideal kind of policing, some might say. It was not intended to be a route map. We are being asked to consider whether it is possible to set out those long-term objectives without reference to the current scenario. In particular, it is a special challenge: casting the police as body that is a contributor to change, through policing with the community and policing in partnership, and one that is required to act in response to the security threat in a way that embodies an often quite different type of policing.

There are also a number of points of detail to which we will want to give serious consideration, and I will give one or two examples. A point that came up a number of times was the need for the police to reflect the society that they police and for community background to be reflective of society more widely. A number of consultees also sought to highlight specific offences or issues in the work of the police that were priority concerns for their organisations.

We also want to consider what we mean by the change to a more normal society. Several respondents asked whether there was a better way of expressing or clarifying that, and we recognise that there are places in which the text could be clarified and expanded.

Several responses to the consultation drew out the lack of measurable targets as part of the objectives, and there is a clear question in consultees' minds as to whether those are genuinely objectives to which the PSNI should be aiming or whether they are sometimes principles or characteristics that more generally inform the work of the police. As is pointed out, although there is a value in having objectives pitched at a high strategic level to retain relevance over a number of years, without a degree of specificity, there is a risk that there is no impetus to change.

One comment states that it would be worth setting out in the narrative the reason why we do not have more explicit targets, which seems fair. At present, that narrative makes the point that, given the long timescales envisaged for the objectives, which can be up to 10 years, it would be impossible to set targets in any meaningful way. In addition, we want to make sure that the Department does not usurp the role of the Policing Board in setting out the strategy for policing in Northern Ireland. That will need to be brought out more clearly.

Mr Tim Logan (Department of Justice):

We propose to bring a revised version of the discussion document to the Minister, taking on board consultees' comments. We will ask the Minister to consider the revised narrative as well as the five objectives.

The supporting narratives are important in that they provide an explanatory note or gloss on the meaning and context for the objectives. That is useful in making sense of them. The

objectives will then be sent to the Policing Board with a view to securing its agreement. The new board has not yet had the opportunity to consider those objectives, because the consultation period ended in April, which was before the board was reconstituted. That took place towards the end of May. However, we are happy to enter into dialogue with the new board on the subject.

We do not yet have a definitive timetable for the publication of the revised narrative and the objectives themselves, although, given the broad level of support indicated by the consultation responses, we do not anticipate that taking very long to prepare. It is more important to ensure that the new objectives are brought to the board in order to inform the development of policing strategy for the coming period. We expect work to begin in the autumn on a new three-year policing strategy and next year's policing plan.

We welcome the Committee's views on the objectives and the surrounding narrative, as well as any views that members may have about the views expressed by the consultees. We are also happy to discuss further the procedure.

The Chairperson:

Thank you very much. Will you be producing a more refined document on the back of this?

Mr Hughes:

Yes, there will be a revision of both the narrative and the five objectives.

The Chairperson:

When you do that, are you able to demonstrate where you have taken account of the consultation responses, just so that we know what the response was and how you have reflected that in the change?

Mr Hughes:

If it would be useful. That would be perfectly straightforward. We might not include every single detail of any revision, but if the document goes out saying that consultees raised specific issues and we want to make sure that they are reflected, that would be a way of doing that.

The Chairperson:

Were the district policing partnership (DPP) responses corporate body responses, or were they a result of engaging with the public and collating their views?

Mr Logan:

There were a number of DPP responses, some of which were from the DPP specifically. Some respondents refer to the fact that their responses were combined as a result of their being engaged with focus groups and conducting wider consultation.

The Chairperson:

I want to pick up on draft objective 5. I am trying to get my head around the objectives. I find them vague and woolly. I was always taught that objectives should be SMART — specific, measureable, achievable, realistic and time-bound. Perhaps those objectives are meant to be that way. However, I think that it will be difficult to measure outcomes.

The words “free from external interference in operational matters” try to explain the narrative of freedom and accountability. From where does the need to be free arise? Where is there currently external interference in operational matters?

Mr Hughes:

It is not implied that there is external interference. The objective reasserts the principle that the Police Service needs to be free from external interference. I take the point that you make about the nature of the objectives. They tread a line between a target at which to aim and a principle to be upheld. That is quite appropriate for something that is cast at that high strategic level.

Surely that is one draft objective about which people today would say that there is no question. It is a given. We could have included others that are also givens — principles that pretty much everyone would accept. We have come down on the side of including that objective because it fits in its theme clearly. It is the starting point of the theme, and the objective of freedom and accountability generally.

Ms J McCann:

Thank you very much for your presentation. I want to make a comment and ask a question. The last point that Women's Aid makes in its response to the consultation is key for any long-term policy on policing. Voluntary and community sector organisations such as Women's Aid should be in a position to have input into evaluations and outcomes. That is important. Apart from Women's Aid and a couple of other organisations, not many community and voluntary sector organisations responded to your consultation. Why was that the case?

Mr Hughes:

In general, it had occurred to us that the number of responses was down to the fact that the issues that we are setting out are not particularly controversial at present. In a way, we have seen that there is broad acceptance of what we describe as the general principles and objectives for policing. In that context, it may well be that many of the consultees did not feel the need to contribute or felt that they had nothing more to add. I do not mean to flatter ourselves by saying that we have captured everything but rather that we are walking in quite familiar territory for people. We targeted an extensive list of people. We got responses back from them.

Mr B McCrea:

Draft objective 1 refers to the:

“fundamental responsibility of the police to serve the community.”

The statement “to serve the community” is very general. Should the statement not read, “to protect the community”?

I am sorry that I am not dealing with the objectives in order. I am taking them in the order in which they appear important to me. I have some difficulty with draft objective 5, which states that the Police Service should be “free from external interference”. Define “external”. Is the Policing Board external to the police?

Mr Hughes:

That is an excellent question.

Mr Weir:

Surely the caveat is that it talks about “in operational matters”. From that point of view, even the Policing Board says that it is the remit of the Chief Constable and the police in operational matters. There is a difference between that and more strategic input.

Mr B McCrea:

All that I am asking for is a definition of “external interference”, because the next point is that the Police Service is “responsible to the community for operational decisions”. What does “responsible to the community” mean? You could say that it is responsible to the Policing Board for operational decisions or to the Assembly. How will it be responsible to the community?

The final point in draft objective 5 is that the Police Service is:

“accountable to the public for the use of public money.”

Surely it is accountable to the Committee, the Executive, the Assembly or the Policing Board?

Mr Hughes:

I need to check whether there is some confusion over the version that you have. I am very sorry if there is. The full text of draft objective 5 includes the following points:

“That the Police Service is free from external interference in operational matters; accountable within the rule of law; answerable to the community through the Policing Board for operational decisions; and accountable to the public through the Policing Board, the Department and the Assembly for the use of public money.”

I am sorry if there has been confusion with versions.

Mr A Maginness:

The version that you read out is the one that I have.

The Chairperson:

That version is at annex C, which I accept is probably a bit confusing for members. Annex A does not contain the full details. The paper then goes into consultation responses, before going back to the full consultation document. I accept that how the paper has been presented is not particularly helpful to members. It breaks down draft objective 5 thus:

“answerable to the community through the Policing Board”.

Mr B McCrea:

It is pretty unhelpful, given that we are looking at where the issues are. I did read it all, but I have to confess that, by the time I got to the last page of annex C, I thought that it would be more or less the same as what was in annex A.

The Chairperson:

I accept that.

Mr Hughes:

I apologise if we have provided a confusing set of papers.

Mr Logan:

The only point that we would make, which I hope is demonstrated in the consultation document, is that where we say:

“The Chief Constable and his officers must be able to take operational decisions on the grounds of the requirements of policing alone”

we further add that that:

“ought never to mean that the Chief Constable is free from being answerable to the community and accountable through the Policing Board for those decisions.”

I hope that that is made clear in the consultation document.

Mr McCartney:

A number of consultees are listed as “Nil return”. Are they the only ones who did not respond?

Mr Hughes:

They are the ones who replied specifically to say that they had no comment to make.

The Chairperson:

As nobody else has indicated —

Mr McCartney:

Will you be back with a refined document? I will have other questions to ask then.

Mr Hughes:

Yes. We will want to bring you the revised version.

The Chairperson:

We will go into that in more detail. We want to make sure that this document does not just go on to a shelf. I do not know how much the public will look at it. My concern is over whether it will be a living document. It is in danger of being a paper exercise.

Mr Hughes:

We would not necessarily expect it to be on everyone's bedside table. Its value is in the way it feeds into the work of the Policing Board. In preparing the policing plan, the board is required to reflect the long-term objectives set by the Minister, and it has always been very keen to do so. That is the way in which they are made real for the immediate future, and the work of the Policing Board needs to take account of those objectives. Therefore, it is the engagement with the Policing Board that will make the objectives worth having. Nevertheless, it may not grip the public's imagination.

Mr S Anderson:

Do you consider 40 responses to be a high level of response to the issue, especially given that 12 of them came from DPPs and community safety partnerships?

Mr Logan:

David made the point that the level of response might, in many ways, be interpreted as a positive sign, in that, although policing has been a contentious issue for many years and attracted wide-ranging and diverse opinion, the positive comments from respondents and the overwhelming support could indicate the fact that what we have outlined is not seen as controversial. It is also fair to make the point that the nature of the objectives — because they are medium- to long-term objectives and in the five- to 10-year time frame — makes it difficult for some people to engage with them as easily as they would with objectives that are in the here and now.

Mr S Anderson:

I suppose that you can consider that as a positive response to my question. *[Laughter.]*

Mr B McCrea:

I have had a chance to read annex C. I still think that there is some ambiguity, perhaps intentionally, in draft objective 5, the first bullet point of which is that the Police Service be:

“free from external influence in operational matters”.

The third point is that it should be:

“answerable to the community through the Policing Board for operational decisions”.

It is not clear to me what “answerable” means. What does “answerable” entail?

Mr Hughes:

That describes the Policing Board practice of seeking an explanation or an answer from the Chief Constable and senior officers for operational decisions taken. That is the practice, and it is part of the function of the Policing Board.

Mr B McCrea:

OK.

The Chairperson:

We will come back to that when we get the refined document. We also want details of where the consultation responses were taken into account. Thank you very much.