



**Northern Ireland
Assembly**

COMMITTEE FOR JUSTICE

OFFICIAL REPORT (Hansard)

Policing Objectives: Departmental Briefing

10 November 2011

NORTHERN IRELAND ASSEMBLY

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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 Seán Lynch
Ms Jennifer McCann
Mr Peter Weir
Mr Jim Wells

Witnesses:

Mr David Hughes) Department of Justice
Mr Tim Logan)

The Chairperson:

I welcome David Hughes, who is the deputy director of the policing policy and strategy division, and Tim Logan, who is head of the strategy and support branch in the same division. Gentlemen, I will hand over to you to outline the issues that you are bringing to us today.

Mr David Hughes (Department of Justice):

As the Committee requested at the previous oral briefing session on this subject in June, we have provided to the Committee the revised version of the Minister's long-term policing objectives

with accompanying narrative. We have attached a couple of papers that we provided previously: a summary of consultation responses, which includes comments relating to each of the proposed objectives and a separate summary, broken down into organisations that were consulted; and a paper highlighting how and the extent to which we have taken consultation responses into account in preparation of the draft.

The objectives are accompanied by a narrative that has been revised. The narrative will be for publication alongside the objectives, and we have provided a copy, with the changes made in red. Hopefully, Committee members have a copy from a colour printer or, at least, one that shows the difference in tone so that you can see where changes have been made.

We welcome the opportunity to brief the Committee again, following our more detailed consideration of consultation responses, and to outline the changes that we have made to the supporting narrative and objectives. Of course, we are happy to discuss the reasons that specific comments or types of comments have led to revision or not.

Previously, we provided the Committee with a broad analysis of the consultation responses. To recap, the themes that were identified in the preparation of the objectives were generally found to be acceptable by consultees. Almost 75% of those who responded substantively stated explicitly that the right themes for long-term policing had been identified, and that is quite significant. The majority of respondents were generally supportive of the proposed objectives. A number commented that the themes were representative of what policing in Northern Ireland should look like in 10 years.

We did not uncover much in the way of controversy or disagreement over the proposals. None of the respondents disagreed fundamentally with any of the themes or objectives. The objectives do not take us on a radically different route for policing. They confirm the strategic direction that is being taken already, and, by and large, respondents signalled their support.

Where consultees wanted to challenge what was set out in the discussion paper, the concentration of their comments related to the surrounding narrative rather than the objectives themselves. We gave quite serious consideration to a number of points of detail. A point that emerged a number of times was the need for the Police Service to reflect the society that it polices. In particular, it was pointed out that community background needs to be broadly

reflective of society more widely. We have adjusted the supporting narrative accordingly, not least to reflect the significant progress that has been made in recent years in that direction.

We also considered the use of the term “normal” in objective 4 in reference to a “normal society” and looked at whether there was a better way of expressing that. Quite a number of suggestions were made regarding changing that word to another word that implies something beyond the divisions that have existed. Our proposed text now reads “inclusive and cohesive” society. We would welcome the Committee’s view on that drafting.

Several responses to the consultation drew out the lack of measurable targets as part of the objectives. I recall that the Committee expressed some concerns that the objectives were not SMART — specific, measureable, achievable, realistic, timely — to use the parlance.

The Minister is clear that his role is to set out the place where we want policing to be and to pitch the objectives at a strategic level that will retain their relevance over a number of years. It is not the Minister’s role to determine specifically how that destination is to be reached. He sets out long-term strategic goals — some might say a vision of an ideal place for policing — but that is not intended to be a route map. That role is more properly for the police and the Policing Board, the job of which it is to set strategic objectives and targets in the medium-term time frame.

In the supporting narrative, we have set out the reason that we do not have more explicit targets and that we have not attempted to highlight specific offences or issues, or specific sections of the community as priority areas for policing. The narrative makes the point that, given the long timescales envisaged for the objectives, it would be impossible to set targets in any meaningful way. We have consciously developed the narrative by making it clear that the Department should not usurp the role of the Policing Board and the PSNI in setting out the strategy for policing in the short to medium term.

Once we have heard from the Committee today, it is our intention to send the objectives and accompanying narrative to the Policing Board, with a view to securing its agreement. That is a statutory requirement. It is worth noting that the Policing Board and the senior command team of the PSNI met this morning for their strategic planning session. It served as a useful reassurance for us, as observers, to hear in their discussion that their conversation was entirely consistent with the high-level objectives that the Minister has proposed. The objectives, therefore, set the

parameters for the Policing Board and the PSNI and provide them with a reference point against which to develop a strategic policing plan.

We do not have a definite timetable for publication, but, given that the process of developing next year's policing plan is already under way, the desire is for the Minister to publish the objectives as soon as possible before the end of the year. We would welcome the Committee's views on the objectives and the refined narrative that we have produced, as well as any of your questions on the paper.

The Chairperson:

Thank you for that. Members will have seen the report and the changes that have been made to it, and you have now heard from David.

I have one question, and other members might have questions. Objective 5 relates to what the Police Service "continues to be". The final bullet point is that the Police Service continues to be:

"accountable to the public through the Policing Board, the Department and the Assembly for the use of public money."

It is about whether we are able to define exactly how it is accountable to the Assembly with regard to public money. You could say that whatever the police do involves money. We could, therefore, call them to the Committee constantly, because you could provide justification for doing so within that remit. Has any thought been given to defining exactly how the police are accountable to the Policing Board, the Department and the Assembly, through the Committee?

Mr Hughes:

Since the police budget is provided by the Department of Justice, and the Department is accountable to the Assembly through this Committee primarily, that is the principal route. I know that the Committee takes an interest in particular issues that arise through the police budget, and that was raised with the Department.

The Chairperson:

So there is nothing stopping us calling the police here to give account for pretty much anything and everything that they do?

Mr Hughes:

I am sure that the Justice Committee would want to respect the role of the Policing Board in

holding the Chief Constable and officers to account; that is why we have the Policing Board. However, it is true that, because the police budget forms part of the departmental budget, it makes sense that the Department is accountable to the Assembly, through this Committee, for the whole of the departmental budget.

Ms J McCann:

Paragraph 16 concerns public confidence in the police. Is it the case that something like 11,000 people are employed when you take account of civilian staff, police officers and private consultants?

Mr Hughes:

I cannot give you specific numbers. The figure of 11,000 sounds quite large — it may be 9,000 or 10,000 — but I am sorry that I cannot put my finger on specific numbers.

Ms J McCann:

Do you agree that the make-up of the PSNI remains unrepresentative, particularly in terms of gender and religion?

Mr Hughes:

I must admit that I do not have figures to hand for the overall service. I am conscious that a lot of attention has been given to the composition of officers in the past, and I know that there are obviously figures for civilian staff as well. I am sure that it is right to say that the composition is not precisely reflective of society as a whole, certainly in respect of community background and gender, for example. It is a long time since I looked at the figures for ethnic minority background. My recollection is that the proportions of minority officers in comparison to the wider population were not far off those of the last census. I am sorry that I cannot be more specific.

Ms J McCann:

Given that that is a big issue for everyone, is there some way that you could amend paragraph 16 to include a requirement that you take steps to ensure that all areas of policing are representative of all areas of society?

Mr Hughes:

The point that is made in the redraft of the objectives is that there is a strengthening of public confidence where it is felt that the Police Service clearly derives from the community that it serves. The document does not say that there should be a target for the service to be precisely reflective of society overall.

Critically, there are numerous ways in which the public has confidence and develops confidence in the Police Service. It may well be that the composition of the Police Service is a significant issue at some point. For some people, it may well concern the specific experience that they have of dealing with a police officer or member of police staff at a particular time. There are numerous ways in which public confidence can be developed and enhanced. We want to reflect that rather than pinpointing one specific way to build confidence and placing it above all others.

Ms J McCann:

You could take the opportunity to include in the document that you will take steps to ensure that it becomes representative.

Mr Hughes:

As I said earlier, the document is not intended to be a route map or a strategic plan to be delivered. Rather, it sets out the high-level principles that we want policing to meet.

Ms J McCann:

That is fair enough.

There is obviously a need for community policing. People in communities are under threat from drug dealers and people like that as much as they are from other people. Paragraph 28 appears to promote the concept of dual policing with community policing on one side and security policing on the other. Do you agree with that?

Mr Hughes:

I think that there is a recognition that the role of the Police Service extends over quite a big range. It has a lot of responsibilities and roles. From some perspectives, those different roles can sometimes feel at odds with one another or uncomfortable in the same place.

Ms J McCann:

I will give you an example of something that happened in the community that I represent quite recently. There was a perceived security threat in the area, and all policing was taken out; we had no policing at all in our area for over a week. We obviously had meetings with the local PSNI and everything else around it, and we voiced our concern about it. My difficulty is that security-style policing sometimes has an adverse effect on community policing. Community policing is very important. It is important that people are protected from drug dealers, burglars and all the rest. I have a concern because the security aspect of policing can sometimes overtake normal community policing.

Mr Tim Logan (Department of Justice):

I know, having spoken to the Chief Constable and his officers, that the police acknowledge that the security threat and context at times hinders and hampers them in delivering the type of police service that they would like throughout the community. They will not be deflected from delivering policing with the community and within the community. That is one of the key pillars and strands of policing and the model of policing that they are keen to promote. I think that they acknowledge that there are times when perhaps their tactics or style may need to differ depending on the situation that they face. I know that they would absolutely acknowledge that establishing better connections with all communities is one of their key focuses, not least in areas in which there are vulnerable people and issues that they need to deal with.

Ms J McCann:

I am concerned because the concept is enshrined in the long-term policing objectives. I have knowledge of how it affects communities on the ground when the like of that is enshrined in long-term policing objectives.

Mr Hughes:

There is recognition in the document that it is a challenge and that there is a tension between different kinds of policing. What should last longest is the objective that policing should contribute to transformation and respond and adapt to changes in society. That is, as it were, a permanent fixture, and it may explain the context in which the objective you mention is being set. It has been put in there to illustrate the challenge that exists. Rather than saying, "This is the way it must always be", it is saying, "This is the starting point based on where we are". There is a challenge in delivering policing of different kinds and contexts.

Mr McCartney:

I have a couple of questions. I take it that this is the first time that the Department has been tasked with doing this?

Mr Hughes:

Yes. When the Department of Justice was set up, it was one of the first things that it did after devolution.

Mr McCartney:

Would it have been carried out in the past? Would there always have been a number of policy statements on long-term policing objectives? Would there have been a precursor to this?

Mr Logan:

Yes.

Mr Hughes:

The Secretary of State for Northern Ireland would have had long-term objectives under the same legislation. Tim will correct me if I am wrong, but I think that they were originally drafted in 2002.

Mr Logan:

They were drafted in 2002 and revised in 2007. Obviously, however, David Ford, as Justice Minister, took the view that, following devolution, it would have been a wasted opportunity had he not looked again at the existing objectives. It was acknowledged that they were beginning to show their vintage in certain areas. That was why David Ford was very keen to look afresh at developing new long-term objectives.

Mr McCartney:

Would the NIO have been one of your consultees? Was there any formal communication with the NIO?

Mr Logan:

Yes. The NIO is on the list of respondents that you would have received. It made a number of

general comments on the objective. It was part of the consultation process.

Mr McCartney:

Its contribution was by way of submission rather than a formal meeting.

Mr Logan:

Yes.

Mr McCartney:

OK. The reason that I ask is that you might, perhaps, have expected that to be stated somewhere in the introduction. Perhaps “asserting” is too strong a word to use, but the Department is certainly saying that, since the transfer, this is its first opportunity to lay out its long-term policing objectives.

Mr Logan:

To be fair, the consultation paper did set that out. The narrative that you now have in front of you is what we hope will be a publishable narrative that will be capable of being published alongside the objectives. It is drawn from the original consultation paper. The initial consultation paper that went out in January 2011 set the background to that. It listed the existing objectives and the context in which we were looking at them again.

Mr McCartney:

This will be the public face of your work.

Mr Hughes:

Yes. If you think that the introduction needs to be developed in order to make clearer the context in which it is being produced, that is helpful.

Mr McCartney:

Even under themes and objectives, I would like to have seen the Department laying out its stall for the next 10 years and stating that policing projects are firmly based on the Patten proposals as it takes that forward. I would have liked that type of commentary. In a way, it is the Department’s first go at it, so to speak. That is what I am saying.

Mr Hughes:

Yes.

Mr McCartney:

I want to make a couple of small points about the text. Under “Societal Change”, some words are in red. I am not sure why they are in red. Perhaps you could explain. It is, obviously, a change of some sort.

Mr Hughes:

Yes. It is a change to the original text.

Mr McCartney:

Paragraph 25 states:

“We acknowledge that managing the legacy of the past is likely to impact on the delivery of long-term policing objectives.”

Why should the legacy of the past impact on policing objectives?

Mr Hughes:

It just means that, if all policing resources were simply directed to present and future issues, more resource would be applied. There has got to be some resource to deal, first, with division and the security threat and, secondly, on another level, with serving inquests as well as other legacy issues with which the police must deal. It is just an acknowledgement of the starting point.

Mr McCartney:

That aside, I think that that is overstated in the objectives. There is no doubt that there is a resource issue. However, there will be a resource issue for something that happens today in nine or 10 years’ time. I think that that concept of dealing with the legacy is holding the police back from doing their job. It is overstated.

Mr Weir:

On that point, I appreciate that there will be a divergence of opinion. To my mind, what is being stated is factually correct. Both the current Chief Constable and the previous Chief Constable have said that a certain amount of resources has been going in that direction, which means that there is not the same level available to deal with present-day policing. It is right that there is

some acknowledgement of that without going too far over the top.

Mr McCartney:

What is over the top? It is mentioned under “Societal Change” in particular. If it is stated that too many resources go towards managing the legacy, it will be in the consciousness that, as the past is being dealt with, policing does not work. That is a dangerous thing to say.

Mr Weir:

It just says that the legacy is likely to have an impact on delivery. I think that that is reasonable.

Mr McCartney:

I think it gives a sense that we cannot set objectives while we are dealing with the legacy of the past.

Mr Hughes:

I do not want to give the impression that somehow, by inserting that line, there is no intention that those objectives should be aimed at or even achieved. Rather, it is important that the context in which reaching those objectives has been set recognises the context in which it starts. It is not an entirely straightforward or simple context in which to begin. That needs to be reflected. I recall that the first time that we brought ideas to the previous Committee, the challenge was around what makes the objectives that we propose specific to Northern Ireland. What made them different to those of other police services elsewhere? This is probably the most significant difference: the starting point from which policing begins under this set of objectives. That needs to be reflected.

Mr McCartney:

OK. I have made my point.

Mr Wells:

There is no doubt that the document clearly indicates that huge progress has been made, and it is churlish not to say that great strides have been made. I was at an interesting meeting recently in a very nationalist estate in south Down. Six top police officers were present, and a large audience was screaming and swearing at them. Interestingly, they were swearing at the police and demanding to know why there are not more police patrols and men on the beat and why Aunt

Mabel is being terrorised but no bobbies are immediately available. I thought that that was an interesting change in the times. Ten years earlier, the conversation would have been rather different. There is no doubt that huge strides have been made.

There is great play in the document about community engagement, community policing and linking with the community, and that is great. However, the mechanism through which that is normally delivered is the local police station. I hear rumours that the Policing Board has another round of closures coming up; round three is about to start or may be starting, and we will have further closures of the basic unit that —

Mr Weir:

As a former member of the Policing Board, I should state that it is the Chief Constable who takes decisions on closures. The only position of the Policing Board is that, when a police station is closed or partially closed, a proposal comes to the police for the disposal or sale of it. However, the closure is an operational decision.

Mr Wells:

I apologise. The Chief Constable is about to hold another round of closures. The community is not too bothered about who closes police stations, whether it is the Chief Constable or the Policing Board. It is bothered about the fact that they are being closed.

Mr Weir:

Board members might have something to say about that.

Mr Wells:

We are getting to the stage where we will have one very large policing facility surrounded by a desert with no coverage at all. I am surprised that the document makes no reference to that inexorable trend. I foresee that, in five or six years' time, Northern Ireland will have 30 police stations: one in every district council area and maybe a couple in Londonderry and Belfast or something like that. That worries me. How do you deliver a community-orientated police service that is directly linked to the community when some people are living 30 miles from their nearest police station? That problem does not figure at all in the document.

Mr Hughes:

The document sets out an objective that the community should have an effective, accessible and accountable policing presence. Whether that depends upon there being a police station within a certain radius of a person's home or whether it can be achieved in any number of other ways is not the purpose of the document. We set out what the strategic objective is, and there may be many ways of achieving that objective. You gave the specific example of whether there are enough police stations open. Those are operational decisions for the Chief Constable. I do not think it would be appropriate for the Minister's long-term objectives to be explicit or specific about setting that out.

Mr Wells:

I find it difficult see how you can deliver that without at least a skeleton policing presence in most large communities. Certainly, in my area, Down district, it looks like we could go from seven police stations to one very quickly, leaving some very significant communities without any form of presence. I think that the public would identify with policing more readily if there were a presence rather than a situation whereby someone away down the road will come out to them if they phone. It is just a thought. I must be honest: if you look at the consultation responses, you can see that none of the consultees raised the issue either, so it is quite clear that it has not registered with DPPs and all the other various bodies that have responded. So, maybe this is a perception among the community on the ground, rather than of those who are directly involved in policing. However, it is odd that the station network is not mentioned anywhere in the document.

Mr Logan:

The closest reference to that is possibly in paragraph 6 of the document, where we have identified that:

“It would be impossible to determine the future operating environment that the Police will be in and the challenges that they will face, whether it be in terms of resources, a continued security threat or the emergence of new crime types.”

As David said, we have not attempted to map out the risks of delivery of policing over the next 10 years. Clearly, the point that you made about station closures is linked to that. We have said that some risks may diminish and others may escalate:

“but what will remain constant is the determination of the police to deliver an effective police service.”

Mr Lynch:

First, David, I am slightly unclear as to where the Department's long-term policing objectives fit with those of the Policing Board.

Mr Hughes:

The Minister issues the long-term objectives — we understand long-term as meaning five to 10 years — and we interpret them almost as strategic principles within which we set a strategic direction for the long term. The Policing Board has a statutory responsibility to set objectives in the short and medium term. The expectation would be that the strategic direction set by the Department would be the same as that taken by the Policing Board and the PSNI, but the specifics of the policing plan are set by the Policing Board for the PSNI.

Mr Lynch:

Would the Department's long-term objectives have an influence and bearing on the short- and medium-term Policing Board objectives?

Mr Hughes:

I do not have my copy of the Police (Northern Ireland) Act 2000 with me. My recollection is that the Policing Board is required under the statute to have consideration for or give consideration to the Department's long-term objectives. I think that that is the way it is cast.

Mr Lynch:

So it is not the case that you are invariably writing the Policing Board's objectives?

Mr Hughes:

No. We have cast them in a way that allows the Policing Board freedom to set the policing plan and the short- and medium-term objectives for policing at a very high level.

Mr Lynch:

I want to go back to recommendation 27:

“Policing continues to be delivered in the context of threat. It would be inappropriate to suggest that we are operating in a benign environment.”

Lots of people get threats — Members of this House and members of the public. Who gauges or ascertains what the threat is?

Mr Hughes:

My sense of what we were trying to draft in that instance was specifically the security threat. The measurement of the security threat is undertaken elsewhere. It is not something that the Department is responsible for.

Mr Lynch:

Somebody in the Department?

Mr Hughes:

No. The security threat is not the responsibility of the Department of Justice.

The Chairperson:

You were looking for specific commentary on objective 4. Is that a policing issue? Is it the police's role to contribute to creating an inclusive and cohesive society? Should the police have that particular task? It seems to me that that is something for politicians to be working at. Do not get me wrong; the police have a role in all of that, but to have it as a specific objective seems to elevate them above a lot of other organisations that may have a more significant role to play in that transformational change.

Mr Hughes:

I would emphasise the word "contribute". I think that it is a contribution; it is certainly not a role solely for police. I think that that objective recognises that the police have a particular position from which they can contribute, not least because there are a lot of police officers and staff who are in a lot of places and who have an interest in the transformation of society generally. It certainly does not diminish the responsibility of others to contribute. I would not want to suggest that. It may well be that, among many other activities, policing contributes to the transformation. However, I think that it is fair to say that good policing has a transformative effect on society, wherever that is, and that a safe and peaceful society, which is really what the police are aiming to achieve, will be one that has transformed from a society that is less safe and less peaceful.

The Chairperson:

No other members have indicated that they have a question, so thank you very much gentlemen for coming along.

