



Northern Ireland
Assembly

Committee for Justice

OFFICIAL REPORT (Hansard)

OPONI Reforms Package:
Ministerial Briefing

13 June 2013

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 Stewart Dickson
Mr Alex Easton
Mr Tom Elliott
Mr Seán Lynch
Mr Alban Maginness
Ms Rosaleen McCorley
Mr Patsy McGlone

Witnesses:

Mr David Ford	Minister of Justice
Ms Mandy Morrison	Department of Justice
Ms Louise Warde-Hunter	Department of Justice

The Chairperson: I welcome David Ford, the Minister of Justice, to the meeting. He will take us through his paper. Also here is Louise Warde-Hunter, the head of the policing policy and strategy division (PPSD), and —

Ms Mandy Morrison (Department of Justice): It is Mandy. Louise is outside.

The Chairperson: Louise will be in shortly, I am sure. She will not abandon the Minister. I will hand over to the Minister, and I am sure that members will have comments or questions.

Mr David Ford (The Minister of Justice): Thank you very much, Chair. You have already done the introductions. I apologise for Louise, who has been detained slightly; she may come through the door at any time. Mandy is here as the head of the legacy branch in the PSPD. She has undertaken detailed work on the proposed reforms.

The Committee is well aware of my commitment to undertake the work in conjunction with the Police Ombudsman's office and in response to the McCusker and Criminal Justice Inspection Northern Ireland (CJINI) review reports, so I do not intend to rehearse the details of all that. I am pleased to be able to present to the Committee the package of reforms that I propose to take forward at this stage to further restore public and police confidence in the operation of the Police Ombudsman's office. The proposed package has been informed by the views of all the political parties represented on the Committee.

The Committee will, I hope, have had a chance to consider the targeted consultation paper and will note that the reforms fall into two distinct categories: those that require legislative change and those of an administrative nature. The legislative proposals comprise the following: the appointment of an interim ombudsman; reducing the ombudsman's term of office, with the option to reappoint the ombudsman; extending the Office of the Police Ombudsman's current remit to include all civilians working alongside police officers; extending the power to recommend disciplinary sanctions for police officers to all civilian staff who are subject to investigation by the Police Ombudsman; repealing the requirement to serve a notice on officers who are the subject of a complaint when the complaint is not substantiated, and there is no investigation; the introduction of a local resolution procedure; and, finally, an amendment to remove the compulsion for the Office of the Police Ombudsman for Northern Ireland (OPONI) to submit files to the Director of Public Prosecutions (DPP), even though the offence may be statute-barred. Full details of the proposals, together with a commentary on the effect of the changes, are included in annex A of the targeted consultation paper.

As the Committee will be aware from the consultation summary of responses report published by my Department on 12 October last year, and from my subsequent engagement with the political parties over the past few months, not all the recommendations in the Department's discussion paper or the Police Ombudsman's five-year review achieve full support and, crucially, some of those lack cross-community support. Those will require greater consideration, and I plan to engage further on those issues when there is a desire among the parties to do so.

As you are aware, I have been engaged in discussion with all the political parties on my immediate and future legislative programme. I also recently met the Chair and Deputy Chair of this Committee to discuss the draft programme. To implement the package of reforms, my plan is to bring forward the Bill in early 2014, incorporating the required legislative changes. February is the target month to introduce the Bill. That allows time to consult the Committee, finalise my plans, seek Executive approval and prepare the draft legislation. If everything goes to plan and if smooth passage through the Assembly is achieved, I expect to have the legislative changes in place by early 2015.

On the administrative side, the proposed changes, which are set out in full at annex B of the consultation paper, relate to the tracking and trending of officers who are the subject of multiple complaints; engaging with the Police Ombudsman on matters of relevant and necessary statutory change to his office; carrying out a review of the statutory guidance on police complaints; and introducing a 12-month time limit on the making of maladministration complaints against OPONI. There are four administrative changes in total, two of which are for OPONI to implement and the other two for my Department to take forward. Those are already in hand.

Members will be aware of the written paper on the draft subordinate legislation to reform the police discipline and unsatisfactory performance procedures, which sets out proposals to reform how the PSNI manages matters of misconduct and poor performance. That is the subject of a targeted consultation with policing stakeholders. Although that is a separate issue that relates in the main to the way in which the PSNI deals with internal discipline and performance matters, there are occasions when proceedings will follow as a result of a Police Ombudsman investigation. In that respect, although the draft legislation does not alter the independence or impartiality of the Police Ombudsman, the guidance that accompanies the police unsatisfactory performance, complaints and misconduct procedures will require substantial amendment. There is, therefore, an immediate opportunity to address the Police Ombudsman's five-year review recommendation in respect of the review of the associated guidance and of addressing specific concerns regarding maladministration complaints. It is my intention, therefore, to encompass those matters as part of the existing review exercise. In the longer term, there may be further potential for the package of reforms to impact on the police discipline and performance procedures. That has yet to be fully explored, but I will keep members informed of any future developments.

The Committee is already aware of the substantial work that OPONI has carried out in response to the McCusker and CJINI review reports. There have been significant changes in the senior personnel in the office. Following Dr Maguire's appointment in July 2012, a new framework was put in place to strengthen the corporate governance arrangements in the office. A new chief executive has also been appointed, and the post of senior director of investigations has been suppressed. The new corporate governance framework clarified that the Police Ombudsman is responsible for setting the direction of the corporate and business-planning processes, with the chief executive and the senior management team responsible for the office's day-to-day operations. These revised arrangements clearly helped to provide CJINI with the assurances that it needed as part of the follow-up review of the office, which also led to the lifting of the suspension on the investigation of historical cases by the Police Ombudsman in January this year.

I hope that the Committee will appreciate that much work has already been carried out towards restoring confidence in the office, although I accept that more needs to be done. I am grateful to Dr Maguire and his team for their input to date and the work of their office to restore confidence in its work. I look forward to continuing our work together to ensure that the best operating model for the Police Ombudsman's office will exist in the future.

Subject to the Committee's views, I intend to issue the targeted consultation paper, which you have today, to a number of key stakeholders, including the Northern Ireland Policing Board, the Superintendents' Association, the Police Federation for Northern Ireland, the Police Service of Northern Ireland, the Retired Police Officers Association and the political parties in the Assembly. All those proposed consultees responded to the public consultation and provided written responses. The aim of the targeted consultation is to inform consultees of the proposed legislative changes and to gain a closer understanding of any issues that they may have around their implementation. It is intended that this targeted consultation will last for eight weeks, the Department having already carried out a full 12-week public consultation last year.

That concludes my opening remarks, and I am happy to take any questions that the Committee has.

The Chairperson: Thank you very much, Minister. We await with interest the responses to the targeted consultation on those recommendations. What is the logic behind the proposals for the ombudsman to have a reduced five-year term and then face reappointment? Some people have indicated that it would be better to have one person in post for seven years without feeling that he or she has to face the reappointment process, and that introducing a five-year term with reappointment may create the perception that the ombudsman has to show some concern about being reappointed. What are your thoughts on that?

Mr Ford: I suspect that what you outline is some of the original thinking behind a single seven-year term. In reality, that is fairly inconsistent with the normal arrangements for public appointments, which would be for a shorter period with the possibility of an extension. A five-year term, with a potential second five-year term, allows more flexibility for applicants than does the current seven-year term. I entirely accept, however, that the existing arrangements say something different, and we will be interested in how people view that in the consultation.

The Chairperson: The recommendation to extend the reach of the ombudsman's office to those civilian staff not currently within its locus is being taken forward. I appreciate that some civilian staff are already within its reach, but some, such as receptionists, are not. Although I recognise that different training has gone into each type of post, what standards would the Police Ombudsman apply to assessing a complaint against a civilian as opposed to a police officer?

Mr Ford: It is fair to say that the different standards to be applied are not yet established, although I will see whether Mandy has any specific detail on that. However, the key issue is recognising the difference between civilian employees and warranted officers. At the same time, recent changes in policing have seen civilians perform many more duties that, in the past, would have been performed by warranted officers. It is about trying to bridge that gap and to recognise that some civilians in front line contact with the public perform duties that would previously have been done by warranted officers. Such staff need to be regarded, in effect, as being somewhere between a back-room civil servant and a warranted officer.

Ms Morrison: Both groupings of staff have codes of ethics. The only difference is that, for civilian staff, there is the absence of issues around the use of firearms, because, obviously, they are not armed. So any standards are more or less equitable at this stage. As you suggest, that would extend to civilian receptionists. The same standards of investigation are applied.

Mr McCartney: Thanks for the presentation. We welcome the consultation. I want to make a couple of initial observations, and hopefully there will be a question in there somewhere.

This is the second five-year review. I hope that it is fair to say that there has been little or no legislative change as a result of the reviews to date. Indeed, if some of the issues in the first review had been addressed, the issue of a lack of confidence in the office may have been tackled. Sometimes, the pace of progress in making legislative change in this area has been slow, and the timeline of 2015 does not instil confidence that it will be any faster. We have some reservations about that.

I think that there is an acceptance that confidence needs to go back into the office, and your comment was that more needs to be done. There are a couple of important issues, and although there may not be cross-party support, I think that the Department should signal very clearly that it believes that steps can be taken, whether or not there is cross-party support in the future.

Do you feel that the pace of change is quick enough and that, in the past, the reviews have perhaps been ignored?

Mr Ford: I do not want to start a debate on what did or did not happen under the previous five-year review pre-devolution, or to regret that the second five-year review had to contain items that were in the first review and were not implemented. Some of those issues appear to me to have a reasonable prospect of gaining political consensus. I am concerned that we do the work, particularly on the basis of Tony's report and the CJINI report, to re-establish confidence in the office as quickly as possible and deal with issues as speedily as we can.

I can regret that it could be nearly two years before the legislation is in place, but the reality is that the Department has a fairly large legislative programme to fire at the Committee over the next while. There are issues around dealing with, for example, legal aid matters and legal services reform that are vital to get into action and under way. I hope that the timeline means that we will have time for a proper consultation and further discussions with the parties, if they are needed, to ensure that, when we produce the legislation, it has the chance of a reasonably smooth passage and does not present you with too many difficulties when it reaches the Committee.

Mr McCartney: There would be opportunities to bring in some aspects in the Faster, Fairer Justice Bill. It would align itself to faster, fairer justice.

Mr Ford: Part of the problem is that we intended to include a number of items in the Faster, Fairer Justice Bill, but because of the size of that Bill, we had to take the decision to remove them. At this stage, this issue is further back in position than many of the issues that we have had to remove from the Faster, Fairer Justice Bill. Some issues are all but drafted, but it now looks as if we will be unable to include them in the Bill because it has become so large.

Although I agree that there is some urgency on the issue, unfortunately, only three years into devolution, there is a lot of urgency about a lot of issues.

Mr McCartney: "Sense of urgency" and "2015" do not go in the same sentence.

Mr Ford: If we could find a way to reform our procedures so that Bills were put through more quickly, I would be very happy to agree with you.

Mr McCartney: Legislative progress to date does not necessarily mean that we do not have the capacity to do it. Some issues are unnecessarily put on the long finger. That is my broad point. If you are saying that the only reason why this issue cannot be taken forward is because we are not dealing with business quickly enough, we should examine that. However, I think —

Mr Ford: No. The Department needs to discuss some issues, but we also need to establish maximum political consensus on other issues. You and your colleagues would wish some issues to be taken forward that other members are not, at this stage, keen on. There is no point in my producing a Bill that includes many issues that I know would not attract agreement at this stage. Those kind of discussions need to continue with all five parties.

Mr McCartney: You will be aware that we made a submission to the consultation. Given the issues of confidence and what was set out in the previous reviews, does the Department have a view on the recommendation that the findings of a Police Ombudsman's report should be binding on the Chief Constable?

Mr Ford: Was that one of the specific recommendations?

Mr McCartney: Perhaps it is not one of the recommendations, but we certainly recommended that that should happen.

Mr Ford: I thought that you were stretching it a bit.

Our starting point has been the recommendations that were put to us. At this stage, the only suggestion that I would make is that if any of the consultees, including any of the parties, wish to make proposals such as that, we would certainly take them into consideration. The key issue has to be whether we can obtain full cross-party consent.

Mr McCartney: If you work from the assumption that there will not be cross-party consent, we will not have the debate. If the Department were to say that it believes that there is a good idea that should be discussed, the parties will discuss it. If it is not up for discussion, it will look as if it is not part of the public commentary. Part of the public commentary is that reports are not binding on the Chief Constable. That is why we had the spectacle over the McGurk's Bar bombing report, which everybody accepts led to confidence in the office being knocked. That is a thought-out position. An ombudsman will conduct investigations, and people can say that his decisions are not binding on them. I do not think that that is good for the process.

Mr Ford: On the issue of where we would be able to obtain cross-party consent, it would be fair to say that the Chair and his party colleagues have had a fairly robust conversation with us when we were seeking to move in some directions in which there was not complete cross-community confidence. We are seeking to establish the maximum possible level of consensus with everybody. It is not simply a matter of saying that we are not moving; we are seeking what is possible and realistic.

Mr McCartney: That brings me to another point. I want to highlight these points because we feel that they should form part of the public commentary. At present, the Police Ombudsman does not have the power to interview agents or informers as part of an investigation. In the past, that created issues around confidence. Does the Department have a view that it would seek cross-party support for that?

Mr Ford: Again, we have not looked at that issue in particular. It did not come forward in the recommendations.

Ms Morrison: I want to pick up on some outstanding matters. The September 2011 CJINI report dealt with the confidential unit and the protocol for the sharing of information. Those matters are still under discussion between the ombudsman, the PSNI and other interested parties. We are aware of those. Furthermore, the chief inspector of CJINI will be looking at those matters again in due course to give the final assurance. The Department is not necessarily engaged in those discussions because they are operational matters. However, it is aware that there are ongoing conversations and that those matters will need to be considered to address CJINI's recommendations fully.

Mr McCartney: That brings me on to another point — perhaps my final point. Should the Committee and the Policing Board have sight of the memorandums of understanding (MOUs) to scrutinise them? Does the Department have a view on that? Those memorandums of understanding are between the ombudsman's office and the PSNI. We would argue that they should be subject to scrutiny by the Policing Board and the Justice Committee.

Mr Ford: When you look at what is contained in an MOU, it is difficult to give good advice about exactly who it is applicable to, but I am certainly happy to look at the role of the Committee in that because we seek to ensure that the Committee is fully involved. However, if it is a matter that not even the Department is technically party to, it is difficult for me to say that the Committee should necessarily be involved. I am happy to say that we need the widest possible understanding of how MOUs operate in a general sense without being absolutely sure about the specifics.

Mr McCartney: It is understandable that you are not certain on that. That was put forward as a proposal because, in the past, how information was collated, who collated it and how it was or was not passed on to the ombudsman's office led to CJINI reports and to other people suggesting that it was not done properly or by due process. That relates to the confidence issue. You have told us today that more needs to be done. At present, what is on the table is not sufficient to enable us to say that confidence can be restored as quickly as possible.

Mr Ford: We have to look at that. You highlight the role of CJINI. We will all have to be guided to a certain extent by not only the immediate work of CJINI but its ongoing work as it carries out its function across the range of justice agencies.

Mr Lynch: I want to follow up on the issue that the Chair touched on. You talked about including civilian staff. I am not clear about what you mean by civilian staff. Will you explain?

Mr Ford: Mandy, you have a list of the roles. I will let the "detail person" give you the detail.

Ms Morrison: At this stage, under the legislation, investigating officers, detention officers, escort officers and contracted staff whom the Chief Constable can choose to designate are all subject to the powers of OPONI and its investigation. We were saying that we may extend that to civilian receptionists. In the future, if there is an issue of parity because more civilians come into the role and are not subject to OPONI, they would also be captured by that legislation.

Mr Lynch: Do you accept that there is a gap in accountability because people are called agency staff rather than police officers?

Mr Ford: That depends on the exact role of agency staff and whether they have been designated by the Chief Constable.

Mr Lynch: The CJI recently said that approximately 1,000 posts had been filled through an agency. Do you not accept that such a large number of agency staff means that there is a major gap in accountability?

Mr Ford: I am not sure exactly what posts the 1,000 people whom you cite filled and how many were designated. So I cannot say whether there is a gap.

Mr Lynch: The PSNI claims that its contract with Resource, a company that you are well aware of:

"compensates for the lack of accountability to the Police Ombudsman."

Do you agree with that?

Mr Ford: You quote only one sentence, but many different staff are employed through Resource. My understanding is that some of them do jobs such as basic cleaning, so we need to be careful about exactly how many people we are talking about and exactly what they do.

The Chairperson: Members, we should stick to the recommendations. I do not see how that falls under today's discussion.

I will pick up on the issue of civilians that Mr Lynch talked about. Minister, you are not talking about capturing — maybe that is the wrong word to use in the context of policing and the Police Ombudsman — or including every civilian member of staff who works for the police?

Mr Ford: We are talking about front line civilian staff performing roles analogous to those performed by police officers.

Ms McCorley: Thank you, Minister, for the presentation. I want to bring up the subject of rehired former police officers, which is important when it comes to the accountability and role of the ombudsman's office. We know that some retired and rehired officers have refused to co-operate, including in some high-profile cases, with the Police Ombudsman. What is your opinion on that? Is that right?

Mr Ford: I am not sure of any specific cases in which what you describe as "rehired officers" — agency staff — are involved, but the position in legislation is that a retired officer is currently entitled not to co-operate with the ombudsman. There is not yet sufficient political agreement on the issue for us to look at how we might change that.

Ms McCorley: Do you not think that this goes to the very core of accountability? If a section of people who may well have useful and valuable information on the killing of citizens from, for example, Coroners' Court cases, are not compelled to give that evidence, is there not a huge gap in the ability of the Police Ombudsman to carry out the function of the office?

Mr Ford: The blunt reality is the gulf between those who believe that retired officers should be made accountable to investigations by the ombudsman and those who oppose that view. It can be argued that they were once officers so should be included, and it can also be argued that they are no longer officers so should not. Frankly, I have seen no consensus on that in this Committee or in the Assembly, and I do not see how change can be made in its absence.

Ms McCorley: Your briefing paper refers to certain recommendations enjoying majority support, and, on the basis of that, the Department advocates change. Then, when it comes to the question of whether retired officers are compellable, there is a different view. The Department says that there are "mixed views" despite the fact that the majority of consultees who commented were in favour of the change. So why is the Department's position slanted?

Mr Ford: That is because it is absolutely clear that there is no political consensus. The simple reality is that, whatever you may quote the majority of respondents as saying, it is clear that, as yet, there is no agreement in the Committee or in the Assembly to make a change in that direction. There is no point in my introducing legislation proposing change if there is no prospect of it going through.

Ms McCorley: To me, it seems very sad. As far as my party is concerned, the vast majority of fair-minded people will think that this runs contrary to a new beginning in policing and to what the role of the ombudsman's office and function are supposed to be.

Mr Ford: I have heard the point that you and your colleagues made, and I suspect that others in this room think that fair-minded people think differently.

Ms McCorley: I have heard what you have to say, so that is OK.

I note that the Department's preference is for an interim ombudsman. Previously, the Committee asked for legal opinion, but that was refused. If an interim ombudsman is to be introduced, will the Committee then be able to see the legal opinion on which that was based?

Mr Ford: No, the standard basis, I am afraid, is that the Department seeks its legal opinion, and, if the Committee wants a legal opinion, it must seek that from Assembly resources. That is the standard way in which we operate.

Ms McCorley: The ombudsman is appointed by the Office of the First Minister and deputy First Minister. So if there were an operational reason for the appointment of an interim ombudsman, should that not follow the same course and come from the Office of the First Minister and deputy First Minister?

Mr Ford: The issue, as highlighted when the previous ombudsman indicated his intention to retire, was that filling the post permanently takes a significant period. That was why Al Hutchinson remained formally in the post, allowing work to continue in the office under the direction of the chief executive. At that stage, that was the only way in which it was possible for work continue.

Ms McCorley: Are you saying that that was Al Hutchinson's recommendation?

Mr Ford: No, I am saying that that was the practical reality of Al Hutchinson's intention to resign — making such an appointment takes a minimum of six months, and we cannot leave the office vacant for six months. Indeed, the same thing could happen if an ombudsman were to become permanently disabled or die in office. How we ensure continuity in the office is a real issue. The proposal for the deputy is designed around the fact that it is simply not possible to make that level of public appointment in anything less than six months.

The Chairperson: May I ask you, Minister, what functions you think the office would need to have to command confidence? How do you define somebody's confidence in the Police Ombudsman's office?

Mr Ford: The confidence of an individual or groups of people in the office is very difficult for me to define. The office must be clearly seen to be acting fairly, impartially and carrying out its duties thoroughly in accordance with its legal responsibilities. There is no doubt that there are variations in how many people regard the historical work as opposed to the day-to-day work. If the office is to be seen as fair and functioning properly, it needs to have people's confidence across the whole range of

its work. That is why so much work has been done by CJINI and Dr Maguire to ensure that procedures are correct and that full confidence can be re-established.

The Chairperson: Thank you.

Mr Elliott: Thank you, Minister. Sorry for this, but I want to press you slightly more on civilian staff. The phrase, "designated by the Chief Constable" was used. Will you explain what that means, in case I did not pick it up properly?

Mr Ford: Hansard will note that Mr Elliott is looking at Mandy and not at me.

Mr Elliott: I do not mind who answers.

Ms Morrison: There is provision in the Police (Northern Ireland) Act 2003 for the Chief Constable to designate. He can designate certain civilian staff to perform roles equivalent to those of a police officer. In 2003, the Chief Constable designated investigating officers, detention officers and escorting officers. That came from a recommendation in the Patten report that people fulfilling roles as civilians be designated in that manner.

Mr Elliott: That is helpful.

You then said that enquiry desk staff would, at some later stage, be designated. How soon is that expected to happen?

Mr Ford: I do not know that we have any specific timetable, but it is noted that the desk staff also perform a front line role in which they interface with the public. So consideration can be given to their designation, as applies to the groups that Mandy outlined, which includes custody officers.

Mr Elliott: So there is no time frame. I am pressing this because I am aware of some civilian staff, particularly contracted staff, who have had complaints made against them, and there is no mechanism, other than the internal police process, to deal with them. Some senior officers have made a direction against these staff, but they would prefer their case to be heard by someone independent.

I have another query. You talk about the future operating model, and in paragraph 1.9, you state:

"The package of proposals is intended to further enhance the Office's effectiveness and contribute to public confidence in the operation of the Ombudsman's Office and policing more widely."

I just wondered what the package of proposals was.

Mr Ford: In a sense, it is the package linked to the potential legislative and administrative change, which is outlined in the annexes to the paper.

Mr Elliott: That is fine.

Mr Easton: On the issue of multiple complaints against officers, you use the words "tracking" and "trending". What do you mean by "trending"?

Mr Ford: Again, I look to Mandy for the detail.

Ms Morrison: Trending identifies whether a pattern for individual officers is emerging, so someone who has been the subject of a complaint would be monitored.

Mr Easton: Some people complain about police officers all day long for the sake of it. How will you distinguish between that and a genuine pattern? You cannot keep investigating police officers on the basis of a pile of silly complaints.

Mr Ford: Yes, but part of the function is to establish whether there is any validity to the complaints. As constituency MLAs, we all know serial complainers. If it turns out that somebody has lodged a string of unjustified complaints, there is clearly an issue of how those situations are dealt with.

Ms Morrison: In the local resolution procedures that you may seek to introduce, the police would have a more direct role in trying to resolve matters with the public. So they would have a better understanding of the nature and detail of complaints. Trending would be informed by the outworkings of local resolution complaints because they would be dealt with directly by officers' supervisors.

Mr Easton: Another suggested measure is:

"Time limiting the making of maladministration complaints about the OPONI".

What time limit are you thinking of?

Ms Morrison: A 12-month time limit aligned to the making of other complaints, so it would just make that consistent.

Mr Easton: Will that speed up the process?

Ms Morrison: Yes.

Mr Dickson: I want to return to the inclusion of civilian and contracted staff and the area of responsibility of the ombudsman. The staff proposed to be included are those designated by the Chief Constable as taking on all or part of a warranted role. Does that mean that any civilian staff may not be covered at a certain point in time? If so, would they, as public servants, be subject to the general ombudsman, the Ombudsman for Northern Ireland?

Mr Ford: My understanding is that anyone not covered by the Police Ombudsman would continue to be covered by the Ombudsman for Northern Ireland.

Mr Dickson: That is fine because somebody may have a complaint about a person not carrying out a particular element of the policing role designated to them.

Mr Ford: Those performing normal administrative functions are covered by the general ombudsman and will continue to be.

Mr Dickson: That is very helpful. Thank you.

The Chairperson: Minister, I will conclude by articulating my party's view a little better. Quite a lot of recommendations are not in the draft consultation document. Rather than my going through all those that we were opposed to, it is clear that we have fundamental problems with a number of them. I do not see you being able to achieve consensus on a number of recommendations, particularly the one compelling retired officers to be subject to the Police Ombudsman.

I acknowledge that you have recognised how to take forward something that can command at least the broadest agreement. However, you acknowledged that there are other areas on which there will not be consensus. It is better that you pursue that approach rather than just flagging up an issue and proposal that would not succeed. In that respect, I am happy for the consultation document to be issued. There are still issues with some of the recommendations going out to consultation that my party will want to test further. However, we are content for the document to be issued, and thank you for coming to the Committee.

Mr Ford: Thank you for those remarks, and thanks to the other members. I repeat that we are happy to engage with any party at individual party level as well as with the other consultees.

I will go slightly off message, Chair. As you just talked about consensus, we appreciated your attendance, even if you were late, at the launch of the victim and witness strategy this morning, which I believe was a genuinely positive example of good engagement between the Department and the Committee. Working arrangements in a number of agencies are already building on that. I appreciate the positive way in which the Committee engaged with the Department on that and trust that that will be a good example for the future. Thanks very much.

The Chairperson: I was going to touch on that later under Chairman's business. I agree that it was an example of good work by the Committee. You allowed us the space to do that and then ran with a lot of the recommendations that we put forward. That was a good example of a Committee and Minister working effectively together. Just before this meeting, a number of us were at the victim and witness care unit, where we saw how the fruits of that inquiry and the strategy are impacting positively on victims. That is a good example of constructively working together where we can, so I appreciate your comments. Thank you.