



**Northern Ireland
Assembly**

COMMITTEE FOR JUSTICE

**OFFICIAL REPORT
(Hansard)**

**Policing and Community Safety Directorate
and Related NDPBs**

2 June 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 Stewart Dickson
Mr Colum Eastwood
Mr Seán Lynch
Ms Jennifer McCann
Mr Alban Maginness
Mr Peter Weir
Mr Jim Wells

Witnesses:

Mr David Hughes)	
Mr Declan McGeown)	Department of Justice
Mr Peter May)	
Mr Simon Rogers)	

The Chairperson:

I welcome Mr Peter May, the director of policing and community safety in the Department of Justice (DOJ); Mr Simon Rogers, the deputy director of the protection and organised crime unit; Mr David Hughes, the deputy director of the policing policy and strategy division; and Mr Declan McGeown, the deputy director of the community safety unit. The evidence session will be recorded by Hansard.

I invite Peter to outline to the Committee the role and responsibilities of the policing and community safety directorate. After that, we will take questions.

Mr Peter May (Department of Justice):

I welcome the opportunity to brief the Committee on the work of the directorate. You have introduced my three colleagues. I should explain that one of my colleagues, Moira Doherty, is not with us. She heads our central co-ordination division. The division leads in supporting the Minister and the departmental board in their interface with the Assembly, the media, and so on.

In the next few minutes, I will build on the material sent in the first-day brief about the work of the directorate and explain the main functions for which we have responsibility. Before we take questions, my three colleagues will outline some of the issues that they will be bringing to the Committee in the coming months.

Last week, David Ford set out his strategic objectives to the Committee. The policing and community safety directorate has lead responsibility for the safer, shared communities theme, and it does that in a range of ways, to which I will turn in a minute. First, I will say something about the directorate's various roles, which can be summarised in four ways: first, to develop and implement the overall strategy, resourcing and legislation in community safety, policing and related areas; secondly, to co-ordinate the work of the range of organisations that deal with organised crime, community safety and other issues; thirdly, to deliver effective services or other functions in such areas as Access Northern Ireland, firearms and police pay; and, finally, as I mentioned, to provide support to the Minister, the Assembly and the departmental board.

I will deal with each of those in turn. We play a strategic role in developing and implementing the community safety strategy for Northern Ireland; co-ordinating the work of the Organised Crime Task Force (OCTF); and co-ordinating the Department's equality plan and its annual business planning cycle. In much of what we do, we have to work very closely with other agencies and Departments to deliver outcomes. For example, we work with the Department of Health, Social Services and Public Safety (DHSSPS) on such issues as drug and alcohol abuse and domestic and sexual violence. We are developing, together with the Department for Social

Development (DSD) and a range of other agencies, approaches to improve the way in which government operates in our most disadvantaged areas. We co-ordinate the overall response to organised crime, although, importantly, the PSNI, Revenue and Customs, the Serious Organised Crime Agency and the UK Border Agency remain operationally independent.

I know that you will get a fuller briefing from colleagues on the wider budgetary picture later, but our role in the directorate is specific to the resourcing needed by the PSNI and our other arm's-length bodies. We also manage our own budget. Last year, we took a leading role in negotiating additional funding to meet the security needs of the PSNI. We worked closely with the police, the Northern Ireland Office (NIO) and the Department of Finance and Personnel. In addition to the PSNI, we sponsor the Policing Board, the Police Ombudsman and a range of policing organisations, such as the Police Rehabilitation and Retraining Trust and the Northern Ireland Police Fund. We also finance community safety partnerships (CSPs) and, indirectly through the Policing Board's overall budget, the district policing partnerships (DPPs). David Hughes will say something shortly about the changes being implemented in that area.

Sponsorship of arm's-length bodies is an important function of the directorate, and the Committee will be aware of issues raised about the Department's role in the Ombudsman's office. We await the outcome of the McCusker report later this month.

We will be responsible for any changes to current policing legislation outside the national security field. That includes the overall policing architecture set out in various police Acts, any changes to the police and criminal evidence legislation and legislation that deals with police pay, terms and conditions, and disciplinary matters. We also have legislative responsibility for areas such as the operation of regulation for individuals seeking employment involving direct, unsupervised access to children or vulnerable adults and for the security industry, as well as for the non-national security aspects of firearms and explosives.

The Department provides a number of important services directly to the public. Simon's division has responsibility for AccessNI and employs around 60 people who, last year, delivered 126,000 certificates to those seeking employment involving direct access to children or vulnerable adults. We also advise the Minister on appeals that are received against decisions by

the Chief Constable not to grant a firearms licence where those decisions are not related to national security and on various approvals and appeals that relate to policing matters in areas such as chief officer appointments and overseas secondments. Finally, the directorate leads on the payment of the part-time gratuity.

Although the Department has no responsibility for national security matters, our directorate leads on maintaining the interface with the NIO, including co-sponsoring regular meetings that involve the Minister of Justice, the Secretary of State and the Chief Constable. Although the Department is not responsible for parading legislation or the Parades Commission, the Minister has recognised the risk that public disorder associated with the most contentious parades creates. He has sought to support those who seek ways in which to reduce tensions. In a similar vein, the Department is responsible for many of the interface barriers, or peace walls. The Minister has indicated that he wishes to create circumstances in which those barriers are no longer needed. However, he is clear that that can happen only when communities that are directly affected wish it to be so. We will seek to facilitate any communities that wish to go down that path.

Chairman, I have kept my summary brief. My colleagues will now summarise issues that will come before the Committee in coming months.

Mr David Hughes (Department of Justice):

As the Committee will be aware, the Justice Act (Northern Ireland) 2011 contains provisions to establish policing and community safety partnerships (PCSPs). The implementation stages are now under way. That will lead to full implementation over the next year, with the partnerships up and running fully by April 2012. As part of that implementation programme, a number of codes of practice will need to be introduced. They will come to the Committee. The first will be on the appointment of independent members of partnerships, and another will be on the exercise of partnerships' functions. They are required by the 2011 Act. At present, they are being drafted. The legislation also provides for an Order that designates organisations to provide members to partnerships. The Order will need to be made under the affirmative resolution procedure, and, therefore, the Committee will have sight of the Order and an opportunity to consider what it contains.

In the autumn, new legislation that provides for a refreshed DNA retention framework will be brought forward. That is to ensure the compliance of our legislation with the judgement of the European Court of Human Rights. The previous Committee for Justice will have been aware of that from previous briefings. That legislation is now in a position to be introduced as a separate piece of Northern Ireland legislation, rather than having to go through Westminster.

The ministerial role in respect of the PSNI has a number of features. At the very highest level, the Minister is empowered to set the strategic direction of policing in Northern Ireland through the setting of long-term policing objectives. Consultation was going on that finished in the middle of April on a set of long-term objectives for policing. We will bring an analysis of consultation responses prior to producing a revised version of the objectives and the surrounding narrative.

My division also has responsibility for regulations that govern police terms and conditions. New regulations will be introduced on conduct and discipline and on the injury-on-duty regime. I am aware of the Committee's interest in the equal pay issue. From the perspective of the policing policy and strategy division, we have an interest in cases that are brought against the Chief Constable about police staff. Although those cases are not brought against the Department, it has a role in approving any business case to make any settlement that is required. The Department will brief the Committee separately on that basis.

Finally, as the Committee may be aware, Tom Winsor's report to the Home Secretary on police pay and conditions, although commissioned in the context of England and Wales, is being brought to the Police Negotiating Board. The Department of Justice is represented on the board, which is the UK-wide negotiating body. As and when those negotiations reach a conclusion, the issues around police pay and conditions will be of interest to the Committee. Further on the horizon are the necessary changes to police pensions following the Hutton report on public sector pensions generally.

Mr Declan McGeown (Department of Justice):

As the Committee will have noted from the directorate's briefing paper, one of the key issues for my unit and, indeed, the Department is the development of a new community safety strategy for

Northern Ireland. An extensive and inclusive public consultation process that lasted 12 weeks has recently taken place, concluding on 15 April. The consultation document, which helped inform discussions, was framed around four themes: safer communities; confident communities; shared communities; and delivery in partnership. During the consultation period, which began on 20 January, we hosted 47 consultation meetings with local groups, in addition to 12 public engagement events that attracted more than 300 attendees.

Members may be interested to hear that a total of 125 formal written responses have since been received, and we are in the process of working through those. Four key themes are starting to emerge: alcohol and drug abuse, and their links to antisocial behaviour and domestic violence; tackling antisocial behaviour; supporting early interventions; and tackling interface issues. In recent weeks, we have been holding thematic meetings with key stakeholders, including all the relevant Departments, to shape the overall priorities and explore those themes further. The clear view emerging from the discussions is that it is imperative that we work together across government to develop common narratives around the key issues and common results.

On drug and alcohol misuse, it was suggested that we needed to align our thinking with DHSSPS's 'New Strategic Direction for Alcohol and Drugs', a document that was recently consulted on. Although all acknowledged that there had been a 21% reduction in antisocial behaviour incidents since 2008, largely owing to the Department's three-pronged approach around prevention, intervention and enforcement, it was felt that more work was needed to identify clearly what we mean by "antisocial behaviour" and what solutions are necessary.

The issue of early interventions generated great discussion. Our sense was that we needed a two-pronged approach — early years and early stage interventions — to achieve greater community well-being and a reduction in the number of people entering the justice system. Essentially, we are trying to have the right interventions for the right people at the right time. We agreed that we needed to align our thinking on interfaces with the development of the Government's cohesion, sharing and integration strategy, and work towards creating safer, more confident communities through alternatives to barriers. I should add that other issues arose during the consultation period, and we are looking at those accordingly.

Committee members will be interested to know that we will publish a summary of our consultation responses before the summer, and we will share the information with you in advance. We will also work towards finalising the strategy over the coming months, and we will bring that to you in the autumn.

The other area that I will talk about briefly, and which Peter has mentioned already, is the collaborative working in disadvantaged areas initiative. The initiative is being developed with the objective of improving quality of life in areas of multiple disadvantage through agencies working more collaboratively. Originally, it was ourselves and the rest of DOJ, DSD and the PSNI, but we have widened that discussion to include all other Departments and statutory partners. We are also looking at six pathfinder areas, which will be the focus of our initial efforts. The areas will be Ardoyne and Ballymacarrett in Belfast; the Diamond/Fountain area in Derry; the Dunclug area in Ballymena; and north Lurgan in the Craigavon area. There will also be a rural focus in Coalisland. Meetings are taking place in each of those areas to consider short- and longer-term actions. Again, I will bring any update on that as it develops over the coming months.

Mr Simon Rogers (Department of Justice):

I wish to highlight four significant issues that are scheduled to come before the Committee from my division. The first follows on from the review that the Department is to carry out on firearms licensing fees. Although fees were updated in 2004, a major review has not been carried out since 1997-98, so one is overdue. We plan to consult early in the autumn, with a view to having a new fee structure in place hopefully by early 2012. The Minister is also considering extending the consultation to include a review of provisions affecting young shooters.

The next area concerns AccessNI. It will be seeking to make a number of operational changes by way of subordinate legislation, which we plan to bring to the Committee by the end of this month. Those changes have been before the Committee as policy proposals and are mainly designed to improve the AccessNI process for customers; for example, by reducing the number of registered bodies.

A second aspect is that AccessNI is required to operate on a cost-recovery basis, the fees of which have been static since 2008 while costs have increased. Therefore, we are currently

examining the fee structure and will come back to the Committee about that.

Thirdly, since April 2010, all those working in designated sectors in the private security industry in Northern Ireland have needed to hold a Security Industry Authority (SIA) licence. In October 2010, the coalition Government announced that the SIA would eventually cease to be a non-departmental public body and that its removal from that status should be a phased transition. The Minister directed the Department to commence a project to consider the most appropriate way forward for regulation of the industry here, and, naturally, that will involve a public consultation on what the future policy direction should be. The Minister has asked us to engage with the Committee on the development of proposals for the future of the industry. In the first instance, we will provide a draft discussion paper to the Committee towards the end of September.

Finally, the OCTF annual report and threat assessment will be published at the end of June by the Minister and the Chief Constable. Its launch will provide the opportunity to raise awareness of the work of the work of the Organised Crime Task Force and its partner agencies during the past year. It will also serve to highlight the emerging threats from organised criminal activity. Committee members will be invited to attend the event. You will also be sent the report, and a briefing can be arranged if that would be helpful.

The Chairperson:

Thank you. That concludes your introduction, and your timing is pretty good. I am sure that the other officials will follow suit.

I want to pick up on a couple of points. On the community safety aspect and the alcohol connections to domestic violence, have you discussed with relevant Departments the possible minimum pricing of alcohol in our supermarkets? Has that featured anywhere?

Mr McGeown:

Yes. We are involved in discussions with DSD and other Departments. However, discussions about what we can do are primarily ongoing with DSD.

The Chairperson:

I am keen to get more information on that.

Mr Rogers:

Yes.

The Chairperson:

Nobody touched on the relationship between the Policing Board and your directorate. There have been questions about the cost of operating the Policing Board. What is the Department doing to address the board's operational costs?

Mr May:

As with all parts of government, the Policing Board is subject to the requirement to make efficiency savings over the period of the spending review. Therefore, we have set targets for the Policing Board. In addition, it commissioned a series of internal reports that led to some significant proposals, which may enable greater savings to be made than those required from the spending review. I think that the Policing Board is considering those proposals today. Therefore, we are working closely with the board to understand what its proposals are and what they will mean in budgetary terms. We will provide support where we can and challenge the findings if we feel that there is a need to do more.

The Chairperson:

I think that the challenge aspect will be pretty important, because if we compare our Policing Board with similar bodies in the UK, ours is disproportionately expensive. That is certainly what is alleged.

Mr May:

Certainly, if we compare it with police authorities in England and Wales, it is more expensive, but the Policing Board has some wider functions than authorities there. However, yes, I accept that there is an apparent imbalance, and that is one of the areas that I know the board is looking at very carefully.

The Chairperson:

I declare an interest because a family member has applied for the gratuity payment. Where is the gratuity payment to part-time officers at?

Mr Hughes:

The gratuity is being administered by the Police Fund as a separate scheme, and it is making preparations to make the payment as soon as possible in the next few weeks. A number of issues concerning administration of the scheme have arisen out of particular discussions with the tax office in Lisburn. Those need to be resolved to finalise the numbers and the administrative process.

The Chairperson:

What are the numbers? Do you have an approximate number of people who are going to receive the payment?

Mr Hughes:

The number of verified applications is around 6,200.

Mr Weir:

Chair, you covered one of the issues I was going to raise, but I want to ask about one or two other aspects. Preparation for the PCSPs is moving along and things are looking towards April. However, an issue has been raised around their implementation by a number of DPPs. As we are talking about setting up the PCSPs in roughly 12 months' time, it makes no sense to have a full reconstitution of DPPs at this stage. However, it has been said that the Department's attitude is to put a freeze on membership of the DPPs, to the extent of not allowing councils to fill even casual vacancies. A number of councillors have either left the council or lost their seats, and there are a number of vacancies on the DPPs. Those councils have been told that they are unable to fill those casual vacancies, even where they are replacing like with like. Is there an opportunity for a rethink? If there is not, it will, at least in the short term, create problems in some areas and it may not necessarily help towards the smooth implementation of the reform. That is the first issue that I want to raise.

Mr Hughes:

It is worth noting that, in the transitional arrangement, membership of a DPP is not renewed until a new DPP is created after a council election. Regardless of whether new PCSPs are coming into place, there would always have been that transitional period where gaps exist in the DPPs.

Admittedly, with the introduction of PCSPs, that transition period may be slightly longer than it would have been had we not been changing from DPPs and CSPs to PCSPs. At the same time, that transition period and those gaps would have existed. The position where there is no capacity to replace members is set out in the legislation that governs DPPs. It is not that the Department is making arbitrary rules about this; it is the way it is set out in statute. We appreciate that there will be quite a gap before the PCSPs are put together.

Let me emphasise that, though PCSPs will be implemented in full in April, they will have existed in some sense prior to that because political and independent members can be appointed prior to April. It is not as though there will be a gap in each council area until April; members of the PCSPs will be getting together before April.

Mr Weir:

I presume that, as the power is in primary legislation, it would not be something that can be fixed by regulations in the short term?

Mr Hughes:

The power is in primary legislation.

Mr May:

However, there may be opportunities to look at the administrative workings of the partnerships to see whether workarounds can be done at a local level. For example, a person might not be required formally to be a member of a DPP; it may be possible for councillors to attend DPP meetings and work in that way. We are looking at the potential in those areas.

Mr Hughes:

Yes, and it is worth saying that, as we are in the transitional phase of combining the functions of

DPPs and CSPs into separate PCSPs, there is an opportunity for the transitional DPPs and CSPs to work more closely. There is no statutory provision as to the memberships of the CSPs. It is a substantial transition period and there will, I am sure, be ways in which councils will want to work that to serve their own purposes.

Mr Weir:

You referred to another, separate issue that I want to comment on, which is about the AccessNI checks. Everyone appreciates that they are important to ensure that children are not put in vulnerable situations. There has been a lot of criticism levelled in the past that, for those taking teaching jobs or jobs involving contact with young people, there has been an undue level of delay. I appreciate that you referred to some improvement in that. Can you expand on what success you have had in improving the situation with AccessNI? There was a lot of frustration with it a while ago.

Mr May:

Simon has some detailed statistics. The problems you refer to go back to 2008, and a much-improved service has been delivered since 2009. Our current record is pretty good.

Mr Rogers:

The turnaround times for the enhanced disclosure, which is the most frequently sought kind, and is applied for in 80% of cases, is now 13.3 calendar days on average. The target is four weeks, so

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Mr Weir:

Those are calendar days rather than working days?

Mr Rogers:

Yes, calendar days.

Mr May:

As the target is four weeks, we are well within that.

Mr Weir:

OK. Thank you.

Mr Wells:

We are all representing the reservists who are applying for the gratuity, and it was a bit of a shock to discover that they were going to pay full whack in tax and National Insurance on the payments. You mentioned that you would deal with that. Is that an attempt to get by the system? It strikes me as being grossly unfair that someone who has put their life in danger and protected the community will get a gratuity, but the first person to benefit will be Revenue and Customs and the National Insurance fund. Is it implicit in what you are saying that you are trying to negotiate so that that does not happen?

Mr Hughes:

We are in discussions with HMRC to understand precisely how it categorises and understands the payment scheme and what the tax liability and National Insurance contribution liability will be. People who are still in employment will apply for the scheme along with people who are no longer in employment and are pensioners. Some people will receive it as a result of their own period of employment, and others will receive it because they are a surviving partner of a reservist. Therefore, there are different categories. We are ensuring that Revenue and Customs understand the scheme and that we understand how it will categorise those different groups in order to understand the tax liability and National Insurance liability for those groups. That work is ongoing.

Mr Wells:

Surely, we should treat it as though it is a redundancy payment, wherein the first £30,000 is not subject to tax or National Insurance. The vast majority of people felt that it would come as a lump sum as per the calculation. I saw one guy who will lose almost half the payment because he is still working, and he will pay 40% tax and 11% National Insurance on it. That seems grossly unfair given the fact that his service was a considerable time ago. Can you not negotiate with the tax guys so that it will be regarded as compensation rather than salary?

Mr May:

We have received a lot of representations on that point, and we have had discussions with Revenue and Customs, but it has given us no prospect of success in making it a non-taxable gratuity. We are continuing to work with them on the detail and the specifics, but the bottom line that it has given us consistently, despite different approaches to it, is that it will be seen as a taxable payment because it sees the payment as income rather than as something separate.

Mr Hughes:

The critical thing to remember about the payment scheme is that it was set up uniquely, and it does not fall into an existing arrangement, such as a redundancy payment, because it is not a redundancy payment. Likewise, it is not equivalent to the kind of payments that were received by the UDR because it is not that kind of payment. It was set up neatly so it can be treated only as what it is and not as if it were something else. I hope that I am not making that too complicated. It is a specific, unique scheme, and it has to be treated uniquely. That is the advice that we are getting back from Revenue and Customs because of how it is being paid and what it is being paid for. What it is being paid for falls into a certain category in tax law and has to be treated in a certain way, and there are obligations around tax and National Insurance liabilities.

Mr Wells:

How many appeals are in the system that relate to the decision being made on the gratuity?

Mr Hughes:

I cannot put my finger on the exact number, but we can get that detail.

Mr Wells:

OK.

My experience of DPPs has been somewhat disappointing since their establishment. There was an initial flurry of interest, and, apart from the situation in Londonderry, the public interest died completely. There was very good attendance in Londonderry but not in the rest of the Province.

Mr Weir:

I am not sure whether that was genuine.

Mr Wells:

I think that that was for different reasons. There have been many occasions in my district when large recreation centres or sports halls have been booked and the DPPs have been sitting in the middle surrounded by 200 empty chairs. I know of several examples where nobody, not even a journalist, turned up. There are so many ways of scrutinising the police, including the establishment of this Committee, the Policing Board and the Police Ombudsman, that I felt that it was wasted in a way. A large bureaucracy has been established and public interest has died off. I know that you are combining the two bodies now, and the community safety partnerships have been very successful. They have done an excellent job and seem to have tackled all sorts of issues, including bonfires in my community. Is there a danger that the bureaucracy and expense of the DPPs will be carried over to the new model? Is that model really necessary?

Mr Hughes:

First, with the new partnerships, it makes more sense to bring all the functions together under a single partnership so that there is a proper circle of activity. A single partnership will assess the need and identify what can be done about it, set out a programme of work, monitor the role of the police in delivering, ensure the delivery of the partnership plan and evaluate the effectiveness of the interventions. By bringing that whole range of functions together under a single partnership, the function of monitoring the police will also be brought in. If, as you say, DPPs have struggled to attract public interest in the particular function of monitoring the police, the new partnerships will be able to identify what is required and to see that being done. I imagine that that should attract greater public attention.

Mr Wells:

I would hardly call the local divisional commander's insisting that every question be put in writing 12 days or whatever in advance, his reading out a set answer and then refusing to answer supplementaries holding someone to account. I think that there was public disappointment about the inability to come along, to get the police in the dock, as it were, and to ask them questions about antisocial behaviour, speeding, and so on. It did not really work. The public did not feel

that they were holding anyone to account. They felt that it was stage-managed.

I hope that the new model is more flexible and open as opposed to the tell-them-nothing approach where, at the end of the day, even the most active zealot stopped coming because he was getting absolutely nothing or nowhere. Those are examples from the only three DPPs that I am aware of. However, I hear from other colleagues that there have been difficulties throughout the Province, apart from in one area.

The Chairperson:

Is that more of a comment than a question?

Mr Wells:

I am just making the point that I hope that the new model is much more successful.

Mr May:

OK. We will certainly take that away and look at it in the context of the consultation paper that we will bring to the Committee in the coming weeks.

The Chairperson:

I know that there will be no allowances for members of the new bodies this time, so that will reduce the cost.

Ms J McCann:

You are very welcome. I just want to ask a few questions around the community safety aspect of this. Your paper mentioned and Declan spoke about the need to consult with groups on the community safety strategy. By “groups”, do you mean community organisations, residents’ organisations, safer neighbourhood projects and other groups that are actually involved in that type of work on the ground?

I also want to ask you about the budget. Your next paper states that the budget allocation is £21.3 million; although it starts off at £22.9 million. There is not really a big increase from 2011-12 right through to 2014-15. Community safety is one of the major issues facing

communities out there now, and it is about drugs, alcohol and antisocial activity. You mentioned disadvantaged communities in particular. I am just wondering how the community safety strategy will be rolled out. Do you think that — I am not sure where these figures come in — enough emphasis is being placed on the community safety side of policing? We sometimes hear a lot of criticism of how the police actually police the community. Mr Wells just spoke people not bothering to turn up to DPP meetings. A lot of people do not report crime because sometimes the police do not turn up. Even when people report crimes such as burglary or drug-related crime, they sometimes see those who have been charged with breaking into their homes and with drug-dealing back out on the streets again very quickly. Do you think there is enough emphasis on that side of policing and enough interfacing with people in those communities who are organising themselves to fight that type of crime?

Mr McGeown:

I will pick up your first point about consultation. We had 12 well-advertised public roadshows across Northern Ireland, and invited anybody who wanted to come. We also took a view that that is sometimes not enough and you want to get the right people in the room to talk about the right issues. So, through our CSPs and further afield, we made contact and asked whether there were groups and local residents who may not come to the consultation events but who want to come to talk to us about specific or more general issues. They took us up on that offer, and it is proven by the fact that we had 47 consultation events on top of the 12 public roadshows. The proof in that as well is that it is good to see that we had 125 responses. We had good, positive feedback generally in those responses, which said that it is a good direction of travel that we are going in.

You talked about the budget. One thing that we were keen to say over the past few months, and certainly in the discussions that I shared with other Departments, is that, if this is successful, it is government's community safety strategy, not the Department of Justice's. What we have said to each government body around the table, and to the PSNI, is, "You have to contribute to this and make it successful." We are going to develop actions using the logic model. Essentially, what that is in laymen's terms is working back from the outcomes and developing actions.

We are saying to all the statutory bodies, including the PSNI, that we will write out and ask them how they will contribute to these actions and what they are going to do. Yes, there will be

money coming in from the Department of Justice to give this traction but we expect money to come from other Departments to work with us. The trick is that, if we develop a document that all other Departments and statutory bodies can buy into, it will be a successful document that other people can contribute to. As I outlined in my opening comments, we are trying to align our work with other work that is going on so that there is no duplication and the right resources are going into the right communities.

The other issue you talked about was policing. One thing that came through in the discussion, particularly the thematic discussion around antisocial behaviour, was that we needed to get more confident communities. We need communities that are confident that they would get things done and actions would be taken when necessary. We talked briefly about signal crimes, which is the community working with the police and saying, “Here are the local issues that keep us awake at night, now what are you doing about them?”

We are saying to the police that these are the types of issues that are coming forward and what they need to think about going forward, and we need to make sure that anything we do is aligned with the priorities in the policing plans. We want to make sure that the community has bought into this and recognises that everything is deliverable, and that there is someone to be held to account if it is not.

Ms J McCann:

I have one more related question, about community safety wardens. Belfast City Council has a considerable budget for community safety wardens whereas Lisburn City Council does not for its community safety unit. How does that work in a council area, or how is it rolled out?

Mr McGeown:

There is a bidding process. We asked community safety partnerships whether they needed community safety wardens in their areas, and, if so, to apply against the criteria. Those applications are being assessed in the unit as we speak, so we will be able to see more clearly going forward who will get what. It is done by a proper application process.

Ms J McCann:

But it is centrally done.

Mr McGeown:

It is a bidding process into the unit.

Mr May:

I think I am right when I say that councils offer part-funding for wardens in a range of areas, so it is not that government pays all the money.

Mr McGeown:

That is a good point. More generally, one of the successes of the CSPs is that they lever in funding. We make funding contributions to them on the understanding that they lever in other funding.

Ms J McCann:

So a council has to make up the rest of that funding for a warden?

Mr May:

There would normally be a match-funding arrangement. I am not sure whether we have a specific percentage.

Mr McGeown:

We normally ask for 20%, but I am not sure about the specific percentage for wardens.

Mr McCartney:

I have a couple of observations, and there will, hopefully, be questions in and around them. I think you said in your presentation that it is now the Government's position in Westminster that they are going to change the regulation of the private security industry, which will have an implication for here. When this was introduced here, there was an Ad Hoc Committee at the Assembly, and the observation was made by members of the Committee, the entertainment industry and the vintners' association that it was not necessary, there was already regulation

through the councils and it was forced upon them. So, you have this double regulation, and now we are being told that it is not working in England, which has implications for here.

I am hoping that, whatever we do in the future, and it is the same with the changes around AccessNI, the changes will take cognisance of here. At the Ad Hoc Committee, most people were saying that the SIA was not necessary in the North. However, it was forced through and there were all the additional costs for people in the entertainment industry and people had to apply for new licences, despite the fact that they had received one from Belfast City Council or the various other councils across the North. When you are framing this, will you have devolution and transfer in mind?

Mr Rogers:

In both those areas — AccessNI and the private security industry — the Minister has made it clear that he wants to look at local arrangements. Reviews are ongoing. The results of the one on AccessNI, for example, by Sunita Mason, will come to the Committee in due course. When we get those recommendations, we will be looking at how they should operate in Northern Ireland rather than lifting and applying recommendations from a similar review that she did in England and Wales.

Likewise, with the private security industry, the Minister has told us to do a local consultation, which we will be doing. We use the Security Industry Authority, so that is where we have to start from. However, that does not mean that we will not have a Northern Ireland solution.

Mr McCartney:

Would it be in your thinking to have some sort of straight transfer? You have all the licences and the regulations in place. Will you be thinking about having an SIA based here rather than this becoming a whole rewrite and you finding out that all the people have been regulated twice, which would lead to the accusation that it is just another way of getting money out of people?

Mr May:

In England and Wales, the direction of travel appears to be to look to a more self-regulated system and to do away with the SIA altogether. One of the options would be to try to create some

form of SIA in Northern Ireland, but we need to look at the logistical implications, because it could be very expensive for us to do that. Those are the sorts of things that we will be working through and bringing forward in the consultation. There will be a range of alternatives for how we can best do that but there will not be any presumption that we should follow the system in England and Wales.

Mr McCartney:

If a person changes job or position, they must be rechecked by AccessNI. Do we have a timeline for the legislation to examine that situation and change it? One of the criticisms is that people who move from one education and library board to another and from one school to another sometimes have to be rechecked.

Mr Rogers:

The new regime that is being brought in in England and Wales will contain continuous monitoring, which means that a person can register and that their certificate will probably live with them for 12 months, although that has not been finalised yet. Again, we are waiting for Sunita Mason to comment on that approach for Northern Ireland in her report, after which we will be coming back with proposals for Northern Ireland.

It is extremely likely that we will want to go with that arrangement because everyone who we speak to says that it is much better to have that than have people applying for each individual case of employment or voluntary work.

Mr McCartney:

If she reports by 30 July, when do you expect the legislation to be framed?

Mr Rogers:

There is likely to be a justice compliance Bill towards the end of the year. It will not be possible to make that, but there are plans for a further justice Bill in March 2012, and we will want the provisions on this issue to be in that Bill.

The Chairperson:

So, you do not think that this could be part of the compliance-type Bill that is being talked about for the autumn session?

Mr Rogers:

I do not think that we have the time. We are going to get the recommendations from Sunita Mason only at the end of July, and we will not have time to do a proper consultation on that and to turn that around to include it the compliance Bill.

The Chairperson:

The need for multiple applications, even for people who do voluntary work for charities, has been a complaint that I have had, because it is putting people off even doing voluntary work. We would be keen to try to resolve that if we can. If there was any way that that could be dealt with, this Committee would accommodate it. However, I recognise that you have to go through your due process.

Mr Dickson:

I do not need to declare an interest, because I am now an ex-member of a district policing partnership. The transition arrangements for local government are not very helpful at this point in time. It is difficult to understand why, with an election to local government, an appropriate change in the personnel of a district policing partnership simply could not have happened. For example, in the case of Carrickfergus Borough Council, where I have resigned my membership of a district policing partnership, I cannot be replaced as a councillor representing a particular political viewpoint, yet a person who was elected to that council who happened to be an independent member can retain their membership of that district policing partnership. There seems to be some unfairness and inequity in those arrangements, and perhaps it requires some further advice or guidance to local government.

I appreciate that shadow arrangements can now come into place fairly quickly, and perhaps the way to deal with this would be to encourage councils to put those shadow arrangements in place as quickly as possible. Have you any comment on that?

Mr May:

I and the Policing Board jointly wrote to the chief executives in the past few days to bring them up to speed with where we are on the implementation of the new partnerships and to encourage them to look at ways of shadowing and of creating the new arrangements in advance, not least because of some of the problems that have been brought to our attention.

Mr Dickson:

My second point, which Mr Wells referred to and which relates to the operation of district policing partnerships, is about the regular lack of attendance by members of the public or specific interested parties at public meetings. My experience is somewhat different, in that, where a partnership can be innovative and clever in the business that it tries to create for a meeting, it can actually be quite successful in sometimes attracting a special interest group and sometimes a wider group to come along if there has been a particular set of issues in an area.

I do not recognise the issue with regard to questions. The district commander for Larne, Carrickfergus and Newtownabbey has been very accommodating, and, basically, any question asked will be answered if humanly possible, and where there is a particular policing aspect to it or where the information is just physically unavailable —

Mr Wells:

You transfer him.

Mr McCartney:

Weak members of the DPP.

Mr Dickson:

— or there is some specific reason for not being able to answer the question publicly, that is not done. However, my experience is that, 99·9% of the time, if you ask a question, you will get an answer straight from the horse's mouth, on the spot, on the ground.

Mr May:

There is a tension between the extent to which we try to stipulate how partnerships will operate

on a central basis and apply that to every partnership and the extent to which we allow local freedoms to say that those are the problems that matter most to that community and they will address them in certain ways. As you described, we have certainly heard that thematic-type discussions can, at times, generate bigger audiences. That will be one of the things that we seek views on as part of the code. There is that tension, and we do not want to overprescribe and say that there is only one way of doing it. We understand the point.

Mr A Maginness:

I endorse what Mr Dickson said. If there is imagination and flexibility in the way DPPs work, and in the way the new policing and community safety partnerships will work, you will get better attendances and better public participation. The central point I want to make is that, arising as it does from Patten, the purpose of the DPPs was to engage with local communities, and it is a valuable instrument for doing that. It may vary from area to area, but it is important that we do not lose sight of that in the implementation of the new bodies.

I was interested in the point raised about interfaces. Do you envisage there being a specific task force for interfaces, which would inform and shape the way in which policing and community safety partnerships deal with interface issues?

Mr Rogers:

One of the issues that falls within my division's remit is to look at interfaces, not just at maintaining them, which we would rather not have to do, but at trying to find ways in which to work with communities to reach a situation in which some gates might be opened or walls might be softened in some way.

A lot of that work is done through the Community Relations Council (CRC), which has assisted us a great deal and with which we have worked closely. In the light of that work, we have been trying to develop templates on how we might go about engaging. That sounds very bureaucratic, but what I mean is that we recognise that we need the community — in certain situations, both sides of it — to drive change and to want it. The difficulty for us lies in finding ways for that to happen. There are a couple of areas that the Minister has been looking at and pressing us on to try to get some progress, because he feels that, if we can get one or two to

change, we might have success elsewhere. Achieving that requires working not just with the community but with the police, the CRC and, in some instances, Roads Service, because traffic calming measures might be required. Therefore, although we are working on that, it is a slow, gentle process. We try to work with communities to foster change, rather than imposing change on them.

Mr A Maginness:

The important point that you are making is that the policing and community safety partnerships must be proactive, not reactive, on interfaces.

Mr Rogers:

Yes. We certainly have that on our shopping list. When the PCSPs are created, we will want to work with them, because they will be better plugged in on the ground to exactly whom we need to speak to about some of those things, which can be quite difficult to ascertain.

Mr May:

An interface working group, of which we are members and which the Community Relations Council convenes, is in existence, and it draws together a range of interested bodies to look at those sorts of issues. You mentioned a task force, and I think that that is closest to what is already in existence.

Mr S Anderson:

Antisocial behaviour has been talked about, and I think that the issue raises its head at every council meeting. As a member from the start until recently of Craigavon DPP and Craigavon CSP, I have watched the development of work down there. Jim Wells rightly asked about DPPs and CSPs. I have concerns about resourcing as well. I know about the good work that the CSP did down there, although perhaps not so much came from the DPP — I know that they are slightly different.

Declan, perhaps you will tell me about resourcing when the two come together, because I want to see a lot of those resources going into the community side of things. We can look at figures and talk about reducing antisocial behaviour over three or four years, but that is recorded

antisocial behaviour and crimes committed. You and I know that a lot of antisocial behaviour is not recorded. For example, out of fear, elderly citizens sit behind closed doors and do not report crime. Therefore, a lot of work has to be done in that area. I just hope that the new partnerships will focus on the good work of the community safety partnerships. I am speaking from personal experience. Others may have different views, but that is my position.

On the present membership of DPPs and CSPs, is it in order for an elected member from one council area to sit as an independent member in another? I will leave that question with you.

Mr May:

Are you taking about a CSP or a DPP?

Mr S Anderson:

A DPP.

Mr May:

That is something that we can look into.

Mr S Anderson:

Can an elected member from one council area sit as an independent member of a DPP in another council area? I do not mean that the elected member is sitting on two DPPs. One is an elected council member in one area —

Mr May:

But not a member of that area's DPP.

Mr S Anderson:

Not a member of that area's DPP or CSP but a member of the DPP in another council area. Is that in order? Does that happen, and is it allowed?

Mr May:

I am not clear that that is prohibited, but we will look into it.

Mr Hughes:

We will need to check that. That is the kind of thing that we need to look at.

Mr May:

I will say something more general about resourcing, and then Declan or David will add something more. At the heart of the arrangements for the new partnerships will be the production of an annual plan by each partnership, which it will then put to a joint committee comprising the Department and the Policing Board. That plan will define what the partnership is trying to achieve and will be the basis on which it secures funding. Therefore, each partnership will have the opportunity to define its own priorities, and, in addition, some guidance may well be given to the sorts of areas that need to be covered. That planning process will be the basis on which it works. It will be clear from the start what a partnership is trying to achieve in the coming year, and that is, therefore, what they are being funded to deliver.

Mr McGeown:

As you can appreciate, we cannot be specific on the quantum at this point, but we are having discussions about how it can be resourced. I am confident that whatever is put into the action plans will be resourced. Indeed, we have included the CSPs and are talking to them tomorrow, together with the DPPs, to try to get them more engaged in the process of how our community safety strategy will be delivered at grass-roots level. One of the things that we have been saying to CSP managers at the regular local area network meetings that I chair is that we see whatever model that is developed under the umbrella of PCSPs as the key operational deliverer at grass-roots level. We see PCSPs as being key to delivering the strategy. Whatever is in our strategy and whatever comes forward at a local level, we see the PCSPs as the key deliverers of that at a local level, and if not delivering it themselves, signposting people to where they can get help.

The point that you made about people not reporting crime is valid and is recognised in the strategy. We want to build more confident communities so that they have a greater say and come forward. We have started that process through our consultation, whereby we started to go out and engage and to find people who do not normally come forward. However, there is more to be done, and we will be focused on how we ensure that people feel confident enough, be they old

people or people from another community, to report crimes in their area. We are working on that, and I see the PCSPs as being vital in the delivery of that at grass-roots level. Accordingly, I think that they will be properly funded.

Mr S Anderson;

Perhaps we are ahead of the game in Craigavon, because the DPP manager and the CSP office are all in the one office and have been from day one. Perhaps you know that, but we had a great arrangement there, so that might be a way forward.

The Chairperson:

Set the trend and the rest will follow.

I have a final point. Earlier, you said that the Committee briefing on the issue of equal pay will happen in due course. We have written formally to request an update on that. When do you anticipate that the issue will get resolved? It has been going on for a considerable time.

Mr Hughes:

I do not want to put a deadline on when we anticipate its being resolved. As work is being done on the legal liabilities, greater clarity is being achieved on whether there is a legal liability. I can refer only to the issue around police staff, and, even then, I am reporting what the PSNI is having to do to address the issues that have been brought to its attention. I do not want to draw a line and give a deadline, but the greater clarity that we have achieved is helpful.

Mr May:

We see it as an important area on which to try to make progress and on which to try to get a resolution one way or another as quickly as possible.

The Chairperson:

Thank you, gentlemen, for coming to the Committee. I am sure that we will see you all in due course.