



Northern Ireland
Assembly

COMMITTEE FOR JUSTICE

OFFICIAL REPORT (Hansard)

Departmental Briefing on Proposals for
Local Partnership working on Policing and
Community Safety

3 June 2010

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Lord Morrow (Chairperson)
Mr Raymond McCartney (Deputy Chairperson)
Mr Jeffrey Donaldson
Mr Tom Elliott
Mr Alban Maginness
Mr Conall McDevitt
Ms Carál Ní Chuilín
Mr John O'Dowd
Mr Alastair Ross

Witnesses:

Ms Nichola Creagh)
Mr David Hughes) Department of Justice
Mr Dan Mullholland)

The Chairperson (Lord Morrow):

I welcome David Hughes, the head of the Department's policing policy and strategy division, and Nichola Creagh and Dan Mulholland who are also from that division. Some of you have been here before, but I welcome you all to today's meeting.

Mr Hughes, I understand that you will be taking the Committee through the briefing. The floor is yours.

Mr David Hughes (Department of Justice):

Thank you. The Committee will be aware of my previous career history. I joined the Northern Ireland Office (NIO) in 2000, and I have been head of the policing policy and strategy division since January 2009. Before I begin the briefing, I will ask Nichola and Dan to say a few words about themselves.

Ms Nichola Creagh (Department of Justice):

I have worked in the policing side of the NIO for the past 10 years. Previous to that, I worked in Department of the Environment (DOE) and what is now the Department for Employment and Learning (DEL).

Mr Dan Mulholland (Department of Justice):

I worked for 20 years in the then Department of Health and Social Services and have worked in the NIO for the past 17 years. I spent half of my time in the NIO working in youth justice. I then worked for a few years in the Criminal Justice Inspection Northern Ireland before moving to the NIO's human resources division. For the past two years, I have worked in community safety dealing with community safety partnerships (CSPs).

Mr Hughes:

Committee members have a summary of the consultation paper on local partnership working that was issued prior to devolution. The consultation closes today, so the opportunity to make a presentation to the Committee is timely. I will ask Nichola to say more about the consultation later. I hope that we are able to provide useful background to the policy issues and to present some of our current thinking. However, I stress that the details of the policy are not settled. This is a genuine consultation, and we are seeking responses to the issues to inform advice to the Minister. We would be very pleased to hear the Committee's views, particularly on what it wants partnerships to achieve and what success would look like.

By way of background, there has been long-standing concern that having both district policing partnerships (DPPs) and community safety partnerships operating in essentially the same field and at the same level has the potential to cause confusion, duplication and frustration. It is not always clear to the public why there are two bodies, especially when neither seems to them to be completely equipped to deal with issues that matter to people in the way that they expect them to be dealt with. We occasionally hear the complaint that someone will bring a problem to a DPP

only to be told that either it is not a matter for the police, and, therefore, not a matter for the DPP or that the DPP does not have the resources needed to address the problem. NIO Ministers recognised the issue and initiated work to address it. The result was the consultation paper that was issued in March. The Minister of Justice is keen to progress that work and intends to introduce legislative provisions for new partnerships in the justice Bill, and that would allow for the establishment of new partnerships following the council elections in May 2011.

The ultimate policy objective is to support the delivery of safer communities. In working to achieve that, all the functions of the DPPs and the CSPs are considered relevant and important, but some degree of rationalisation makes sense because some of the partnerships' functions are similar and, therefore, overlapping. For instance, we find that both partnerships have a role in looking at local issues such as addressing crime and antisocial behaviour and in prioritising the issues that the community considers to be the most important. At the same time, some features of the CSPs and DPPs are such that we cannot simply create a single new partnership to perform all of the existing functions of both. In particular, DPPs are charged with monitoring the performance of local police, which could not sensibly be done by a partnership that included the police or other statutory agencies. That would be asking something of those agencies that would not be appropriate. Therefore, the form of a new partnership must be quite carefully crafted.

The Committee will have noticed that the consultation paper pays particular attention to the organisational arrangements for new partnerships, including their functions, membership, roles, accountability, and so on. I hope that that is not off-putting. Our programme of face-to-face engagement with key stakeholders and practitioners has focused much more on delivery and what can be delivered, but, in drafting the consultation document, it has been pretty much accepted as a given that local partnerships are a crucial element of work to deliver safer communities. Thus, that is not addressed head on in the paper. The Department does not intend to be prescriptive about how individual councils or agencies operate through the partnerships, so it is our responsibility to ensure that the Minister is able to deliver the outcomes that communities want and account properly for the use of public money. Therefore, we have focused on what we need to do to achieve that by setting up a new structure, identifying functions, responsibilities, and so on.

The consultation paper sets out three options based on differing degrees of integration of existing functions. The paper makes it clear that NIO Ministers prefer the second option. We

continue to recognise the weaknesses of the other options, but, in the devolved context, we are conscious that it will be necessary to achieve a degree of consensus that will allow legislative provision to be made.

The recent consultation has been very instructive. We know where different stakeholders have the greatest concerns, and certain issues arise repeatedly. I will mention four issues in particular. The first issue is the relationship with the proposed reorganisation of local government, particularly the creation of 11 councils and the introduction of community planning, subjects to which I will return. The second issue is the membership of a partnership — the number of members and the respective proportions of councillors, independent members and representatives of statutory agencies, community and voluntary organisations and wider civic society. The third issue is how partnerships will be financed, the sources and routes of money and, specifically, whether members should be paid or not. The fourth issue is the relationship with local partnerships, councils and regional bodies, including the Department, the Policing Board and other authorities. We are very keen to hear views on those final three points and gauge what stakeholders believe will work best. We identified those policy knots early on, and they need to be unpicked with some care.

We can, perhaps, be firmer about the relationship with local government reorganisation. It was felt that implementation of the review of public administration (RPA) and local government reorganisation was a good time to try to make changes. We can prepare for a smaller number of councils and for the introduction of community planning. Therefore, the work of an integrated partnership in a policing and community safety field would fit neatly into the community planning model. However, the decision to delay implementation of local government reorganisation does not put the progress of that work into question. The CSPs and DPPs can be brought together in the existing 26 council areas, too, and we have always been aware that the introduction of community planning would be gradual rather than immediate. Therefore, we have been working with the Department of the Environment (DOE) from the start to ensure that what we are doing will not sit uncomfortably with the wider application of community planning. In effect, we are giving it a go in our own field first.

The other three issues are membership, money and regional accountability. Those are, without doubt, the critical issues now. The Committee may want to give its views on those points specifically, but I will first invite Nichola to set out the general thrust of the consultation

responses, after which Dan may want to comment on the experience of the wider engagement exercise. Nichola will also comment on the equality impact assessment (EQIA).

Ms Creagh:

The consultation closes today after a period of 12 weeks. Therefore, I can give only a very brief overview of the consultation responses that we have received. We have received 48 responses to date; one is from a political party, nine are from councils, 25 are from DPPs and CSPs, eight are from the voluntary and community sector, four are from statutory organisations and one is from a member of the public. We expect to receive a few additional responses over the next few days.

In general, as David has pointed out, a number of issues have arisen time and again. The general response has been positive. I think that everybody has been in favour of the idea of a single partnership and of partnership working, but people have raised differing views on accountability. There is a strong feeling that the mechanisms for policing and the current accountability in that area through DPPs need to be maintained in the new partnership.

In general, people feel that the new partnerships should have a majority of elected representatives and that the number should not be too large. The consultation document mentions a membership of 30. Most people think that is too large; that may well be the case. Furthermore, people were asked for their views on the name of the partnership. The working title is crime reduction partnership. Most people do not really like that name and would prefer the word “safer” to be included in the title in some permutation.

As David said, one key issue that we will have to address is payment. There is some divergence of opinion as to whether payments should be made to members of the new partnership. DPP members are currently remunerated, but CSP members are not. There is a feeling that expenses rather than payment would perhaps be appropriate for members of the partnership.

As I said, the consultation closes today, and there has been a lot of face-to-face engagement, which Dan will probably tell the Committee more about. However, we are continuing that engagement. We have meetings planned with people to pick up on some outstanding areas, particularly with the voluntary and community sector under the umbrella of the Northern Ireland Council for Voluntary Action (NICVA). We hope to meet that body on Monday to cover a few

of its issues. Moreover, we will also follow up on meetings that are planned with other community groups. The fact that the consultation has closed does not mean that views will not be reflected. We are keen to reflect views as the policy develops, and the Committee's views are, obviously, key. That engagement will continue.

Equality is an important issue and one that we are alert to. Throughout the consultation, we have borne in mind equality issues. At present, we have no indication that any of the proposals will have a negative equality impact, and, to date, none of the consultees has raised the issue. However, as part of the Bill, a full EQIA will be carried out. If there are any particular issues, they will be brought to the fore at that point.

Dan will give you a flavour of the actual face-to-face engagement that has been carried out. That will put flesh on the bones of those views.

Mr Mulholland:

I have travelled about during the 12-week period of the consultation to meet people and discuss those issues. I joined in the debate and listened to the strength of feeling of the various groups. It is of real value to hear that at first hand. There is nothing in the responses that I have heard orally that differs in any way from the written responses. However, face-to-face discussion adds colour to our understanding of the strength of feeling about the existing partnerships, the value of the work that they do in the community and how they are regarded. I commend the good work of the partnerships; this review does not by any means condemn it.

One concern that has come across, particularly from the voluntary and community groups, is that there may be an element of confusion about some of the functions of the two partnerships or the potential for duplication of functions. When the man in the street raises an issue in his local area with a partnership, he wants to know that action will be taken, that he will hear what that action is and that the outcome will improve his quality of life. That is basically what it is about. There were different views. The majority of people seem to agree that, although there is potential for duplication — that was strongly felt in the community sector — there is separate planning for DPPs and CSPs and how they go about their work. There are different reporting structures, and there are separate administration teams in both partnerships, with some exceptions.

It was very good to listen to those views. People were at pains to point out that we must not lose the valuable work that is being carried out by both partnerships and that, whatever we construct together, it must be an improvement that makes for a more efficient service. At the end of the day, members of the public want an effective service. They are not worried about the structures. We must make sure that, whatever structure we put in place, it allows the good work to continue.

The Chairperson:

Thank you very much. No doubt you have consulted and taken the views of the Policing Board and the existing CSPs and DPPs. Are they all happy with the new arrangements that might one day be put in place?

Mr Hughes:

The engagement with CSPs and DPPs, both with members and, on a practical level, with managers, has been ongoing for some time as part of the review programme. We are also engaged with the Policing Board. Board officials have reflected the views of the board as part of the working group that has been looking at the issues in the lead up to the publication of the consultation paper and the process of taking the policy forward.

The Policing Board was briefed last week, and we anticipate further responses from it. On many points, the board was clear about what it needs to see coming out of the process, and it rightly flagged up the importance of DPPs in the democratic accountability structures that were set up around policing. It also made some practical points about membership numbers for new partnerships, and so on. It is fair to say that the Policing Board would not recognise any of the three models set out in the consultation document as its preferred model, so it has been important to get its views on what it would like to see.

The Chairperson:

I am not sure whether to deduce from that response that it supports the proposals or does not support them.

Mr Hughes:

It is fair to say that the board is supportive of the principle of having a single partnership and of taking the work forward, but there will always be debate about the detail and relative priority of

various elements of the partnerships and the way in which they are set up. That conversation has been ongoing. We cannot say that we would stand next to the board and present precisely the same model as the preferred option. That is partly because policy development in the Department is ongoing, so we have not settled on a final version.

Mr Mulholland:

Chairperson, I am not sure if you were asking whether individual CSPs and DPPs support the proposals, but one of the issues to emerge is that some partnerships work very closely together — there are some good examples of that — while others have a distance to travel on that journey. The ones that are further along feel that there is not much more to be gained. However, few, if any, would argue that there is no room for improvement, no matter how closely they work together.

There are different views, depending on where you go in the country and on how the partnerships currently work. Since last year, we have tried to bring partnerships together on key issues where there is a perceived overlap, so they have been working to try to align themselves. However, at the moment, community safety partnerships are not statutory, whereas DPPs are, and there is a strong feeling that, in order to work more effectively, the new partnership should be created on a statutory basis.

The Chairperson:

At this stage, however, there is no consensus on the model.

Mr Mulholland:

No.

The Chairperson:

Is that the case for the Policing Board, the DPPs and the CSPs?

Mr Hughes:

No. We have not had a formal response from the Policing Board, but, based on the meetings, briefings and engagements that we have had with the board, the indications are that what is being set out would not go down well with it. Therefore, dialogue is needed to find consensus on a model that suits everybody and that actually works.

Ms Creagh:

I do not want to put words in the Policing Board's mouth, because we have not yet received its response; however, the flavour of what we heard from its committee last week was that there are a number of areas on which there is consensus among the board, DPPs and CSPs. Nevertheless, there are also a number of areas of difference. Therefore, we cannot say that everybody is in full agreement about every aspect of the models that were in the consultation paper or about the questions that were asked. For each group, there are areas — in some cases, differing areas — of consensus. We are trying to reach a situation in which, as far as possible, most people are content with the model that goes forward, even though it may not reflect all of their initial views.

The Chairperson:

Your programme was no doubt geared to coincide with the RPA.

Ms Creagh:

Local government reorganisation was seen as a good opportunity to take the programme forward, but I do not think that we would ever say that it is dependent on it, because working in partnership can be achieved without local government reorganisation.

Mr Hughes:

A critical element is the date of council elections. The timing of that needs to tally with the formation of new councils, whether there are 26, 11 or, indeed, seven, as was proposed when the process started. Therefore, we have tried to aim for the critical deadline of council elections. We would not try to reform partnerships and subsequently recreate them into something new.

The Chairperson:

You got no response from the Policing Board. That tells us one of two things: that it does not have a view on it or that it is not at the stage at which it wants to respond. Did you say that the consultation closes today?

Ms Creagh:

It closes today. We expect the board's response either today or tomorrow. Its community engagement committee has met. As far as we know, it has prepared a paper. It has given us a verbal indication of the paper's contents. The paper will be presented to the full board. We

expect to receive it shortly. It is simply a matter of logistics rather than desire or lack of it to provide something.

Ms Ní Chuilín:

Therefore, the Policing Board is supportive of the proposal but it has not indicated which model it supports?

Mr Hughes:

It supports the principle that there should be a single partnership. However, although it has not given us a formal response on what it considers to be the ideal model or precisely how it envisages that partnership to be comprised or to be accountable to the board, the Department, and so on, it has made it clear that the three models that are set out in the consultation documents do not cut it.

Ms Ní Chuilín:

Therefore, you do not have an idea of which model, if any, the Policing Board, DPPs or community safety partnerships support?

Mr Hughes:

Individual DPPs and CSPs are coming back with their own responses. In some cases, a DPP and a CSP made joint responses. Therefore, they have taken a view locally on what they prefer. We await a formal response from the Policing Board.

Ms Ní Chuilín:

David, I would like clarification about something that you said earlier in a response to a question from the Chairperson. You said that the policy situation is fluid. Can you expand on that? It struck me that we are going out to consultation on a model and a single partnership even though policy is still fluid and there is said to be no need for an equality impact assessment. That does not seem to be a neat fit.

Mr Hughes:

There is a distinction with regard to, as it were, the high-level policy of having a single partnership that takes on the functions of DPPs and CSPs. That is the agreed starting point. More detailed issues, such as precisely how the relationship between those partnerships, councils, the

board and the Department is worked out; the number and composition of membership; and funding arrangements have not settled in one place. However, the starting point is that there should be a single partnership to fulfil the functions that are currently taken on by DPPs and CSPs.

Ms Ní Chuilín:

At what stage will that be settled? I know that the cut-off is the council elections in 2011. How do Committees such as this one and, indeed, the wider community feed into scrutiny of the proposed models?

Mr Hughes:

It will be a case of providing advice to the Minister on feedback that we get from the consultation. Advice to the Minister on what we recommend should be the policy in more detail then informs the preparation of legislative provisions. Therefore, what appears in the justice Bill is, once again, subject to scrutiny.

Ms Ní Chuilín:

Will it be brought forward as an add-on to the justice Bill?

Mr Hughes:

Yes. It is being presented as part of the justice Bill.

Ms Ní Chuilín:

People can then consult, contribute and add to it as part of that process?

Ms Creagh:

The justice Bill will come before the Committee and members will have an opportunity to express their views at that stage. However, as David said at the beginning, the Department welcomes any views before the Bill is drafted. It wants to know what people want to see in the Bill, which is what the consultation process has been about.

It is not about whether we have partnerships, because we already have two types of partnerships and we want to bring them together. The Department wants to know how those partnerships are working, how they could work better and what could be included in the Bill to

make them work better. There will be differences of opinion on what is needed, but there will also be areas of overlap in which everyone does or does not want something. That is the process the Department is undertaking and it wants to feed in as many views as possible.

As David said, after the consultation period, the Minister will be provided with a summary of what most of the consultation respondents are comfortable with and feel would improve the situation. He will then express a view on that. It will then come to the Committee in the form of a Bill, which will progress through its various stages. The Department is at only the beginning of that process.

Mr McDevitt:

Thanks for the presentation. Has a central theme emerged from the responses received from the CSPs and DPPs? Do those groups, particularly those that responded jointly, favour any particular model? Have they raised any consistent issues?

Ms Creagh:

The issues raised have been very similar. Views differ on the detail, but most groups are keen for there to be a majority of elected representatives on the partnerships. Another issue on which there has been agreement is the name, with most of the groups not wanting the partnerships to be retitled as crime reduction partnerships. There is a variety of names that people do want, but that is one that they do not want. Most people also want the accountability mechanism and the form in which policing is currently conducted maintained in a similar, if not the same, form.

There is also divergence on a number of issues, and the Department must examine where consensus does and does not exist and how that can be taken forward. As yet, it has not had the opportunity to do that in detail because the consultation closes only today.

Mr McDevitt:

From reading the submission, I see that the Department prefers model two as the working model. Schematically, it is the most complicated option with the most sets of relationships and the most complex set of relationships. The Committee does not have a great deal of information on the pros and cons of the different models, but it is not entirely obvious to me why the Department favours that model. Why specifically does the Department feel that that approach is the best way forward?

Mr Hughes:

The particular strength of that model is that it reflects the different functions of the two current partnerships in a way that gives each their place and ensures that they are effective, while creating a single partnership. That sounds rather simplistic, but there is a careful balance to be drawn between having two partnerships that are slightly closer to each other and creating a single unified whole. Model two will create a single crime reduction partnership with an overarching function of delivering safer communities, which would be effected through its delivery group. That model recognises the importance of a partnership being able to deliver through its own delivery group, while ensuring that a proportion of the overall partnership is able to carry out the police monitoring function, which is currently the responsibility of the DPPs. You are right: it leads to a spider's web of reporting lines, and I suggest that it could be an even more complicated arrangement than that. However, in a way, that complicated back-room stuff is for officials to worry about. I believe that model to be the most effective for the front end — what the public see.

Mr McDevitt:

To be fair, Mr Hughes, if any system becomes overly complicated, it goes beyond giving officials a headache; the bureaucracy takes over. Unfortunately, experience tells us that such a system becomes weighed down by, or caught up in, its own bureaucracy, and we end up losing the very thing that we are trying to achieve, which is much greater responsiveness and accountability.

The diagram in members' papers lists councillors and independent members underneath the police monitoring group. Are you saying that the police monitoring group should be made up of councillors and independent members? May I presume that the crime reduction partnership will also need to have a majority of public representatives, as Ms Creagh said?

Mr Hughes:

My colleagues will correct me if I get this wrong, but the consultation document envisaged a partnership made up of four categories of members: councillors; independent members, who you would probably recognise from DPPs, for example; representatives of statutory organisations; and representatives of the wider community and voluntary sectors, and more. The feedback from the consultation has delivered the clear message that the mix that that creates does not give elected representatives their proper place and creates a partnership that is just too big. That message

comes through so loud and clear that we are heeding it by specifically looking at the composition and membership.

Mr O’Dowd:

To elaborate on Mr McDevitt’s comments: we can have reviews around how partnership models are formatted, but what does this cosy, warm word “partnership” really mean on the ground? I sometimes get a sense that the PSNI in particular has mastered public relations so well that it can charm any audience, including DPPs and me. I had a meeting with a senior police commander only last Friday and I am pretty sure that I had been spin-dried by the time I left.

Partnership must be about the reality of a statutory organisation — in this case the PSNI — working with community representatives in a genuine, collaborative organisation. Does your work in any way attempt to strengthen that role, rather than settle on a model to define “partnership”?

Mr Hughes:

That issue is not tackled head-on in this consultation document, but sits behind it, as it were. The fact is that one would have a mixture of differing interests and representatives on a single partnership: elected representatives who speak for a specific community, maybe a neighbourhood or a particular group in the community; statutory agencies, the members of which bring what they can do as well as their listening ears; and other bodies, which may not feel that they are criminal justice or community safety delivery agencies, but are critical to the effectiveness of improving community safety.

In that context and with that number of different interests coming together, there is not the same risk of it becoming a case of “this” group says this and “that” group says the other; rather, there are different sides to it. I hope that I am making myself clear. Everyone having something different to bring makes a partnership the most effective that it can be. If the partnership was to have a very simple function and was about only delivery, the focus would be only on delivery; therefore, delivery agencies would feel that they would have to take the lead or be given the opportunity to do so, which would block places for other voices, ways of doing things and ideas. Mixing and bringing together in one place the views of the public, interest groups, specific neighbourhoods and agencies, is the most effective way of making a partnership work.

I do not know how community planning will play out in Northern Ireland, but I understand that it will be the same principle but on a bigger scale. Where community planning has been very effective, it is for that reason. It proves effective because it brings all interests into the same place and considers the issues from the same perspective.

Mr O’Dowd:

How will the process work? The DPPs hold meetings in public, but they do not hold public meetings. Members of the public can watch a DPP meeting and, at the end of it, they can ask a few questions. I do not mean to criticise, but I observe that, like all these things, the partnership ensures that there are plenty of questions, especially when the public is watching. In the legislation it is framed as “a meeting in public”, rather than as “a public meeting”. There is an opportunity now for even greater public engagement with the DPP and senior police officers, rather than in the current format. That is an example of how things can be fine-tuned to ensure that it is a genuine interface between the community — community representatives or elected representatives certainly have a role — and the DPP or the partnership that emerges from this process. It is an opportunity to engage with the public rather than just have the public sitting watching.

Mr Hughes:

That is a valuable point. A local issues forum, which is part of model two, is where that interface with the public should take place. It is deliberately built in and it reflects a similar concern. The approach so far in developing this policy is that, if we get the core right, there is a strong argument for allowing individual councils to set up their partnerships in a way that most effectively serves their districts. There is strength in avoiding being too prescriptive about the precise outworking of the partnership in any area. If the need is for much greater interface between the public and statutory agencies in a certain district, it will be identified and addressed in that district.

Mr O’Dowd:

The equality impact assessment has been screened out at this stage. Given that policing, DPPs and CSPs interact with such a wide range of people, indeed with the entire community, how could you have screened it out at such an early stage?

Ms Creagh:

Two partnerships are currently working, and I do not think that any particular equality problems have arisen with them. In bringing together those two bits and working in greater partnership, it was not felt that there was any immediate issue apparent. However, that is not to say that equality is not important. A full EQIA will be carried out on this element of it. Indeed, the whole justice Bill will be subject to an EQIA. Rather than do all those disparate bits in isolation, we will do them together as a whole package for the justice Bill. If there are any issues, they will be addressed at that point.

Mr Donaldson:

In some of your responses, you referred to local government and said that local councils should have some flexibility in shaping the kind of local model they will have. What about the impact if the RPA is further delayed and the planned reduction from 26 to 11 local councils does not proceed? How will it affect the reforms?

Mr Hughes:

At the most fundamental level, it should not have a significant impact on the principle of bringing the two existing partnerships together. At present, there are 26 CSPs, 26 DPPs and the four subgroups in Belfast. To create 26 new partnerships — one per district — is a perfectly feasible way forward. It would make a difference had there been 11 new partnerships, as those would have existed at a relatively higher strategic level, as it were, and not been as local as the current partnerships, which operate in the current size of districts. If we have 26 rather than 11, the key issue is that there will be a challenge to the regional authorities to ensure that the strategic input is still being made most effectively, because those 26 partnerships will still operate on that relatively small scale and on a more local level. There is a point to make about how the Department, the Policing Board and the other agencies and regional authorities work together to set a strategic steer.

Mr Donaldson:

At the moment, one operational difficulty is the disconnect between the police districts and local government. Given that the police moved ahead of local government and created district commanders that sometimes cover four or five council areas, it is not often possible to have a district commander at a DPP meeting. There have been problems at a local level with communication and because district commanders have taken decisions on which DPPs were not

consulted in advance.

If there is a delay in moving to the 11-council model or another model in the future, is there value in considering, under your reconfiguration, whether to bring the new community policing partnerships together at district level to give them that strategic input? They may have a dual role to deal with matters on a local level in their local government district, but is there value in looking at, in advance of the full implementation of the RPA, whether the new partnership groupings should be brought together to mirror the existing district command units (DCUs)?

Mr Hughes:

That is a useful point that has not been brought to the fore previously. It is very valuable, and we will consider that. My initial reaction is that I do not see why not. However, at the same time, it has not specifically been drawn to our attention that it is a current problem in areas where DPPs map onto districts. However, if we are not taking that point on board, we need to hear it.

Mr Donaldson:

I made the point in the context of your remark that the new partnerships do not perhaps have the same strategic input as one might have had the RPA been implemented. I am just asking why we need to wait until the RPA is implemented. Strategic policing decisions in a DCU are taken at district command level, often without reference to the local DPP. Surely this is an opportunity to look at that disconnect and determine whether, during the reconfiguration of the district partnerships, you ought, based on the area commands, to create a further level whereby you bring together the district partnerships at a more strategic level to interface with the district commander on those more strategic issues.

Have you looked at the cost savings associated with the various models that are under consideration? Do you have any good news on that?

Mr Hughes:

This was never intended to be an exercise in finding savings and efficiencies.

Mr Donaldson:

Even in the current environment?

Mr Hughes:

If we started again, it could be from a different place. One would be surprised if the exercise did not find efficiencies, but that is not the intention of bringing partnerships together in that way.

Mr Donaldson:

I know that it is not part of your remit, but does that mean that you have not looked at any cost savings?

Mr Mulholland:

I will outline some of the points that I heard when speaking to different council areas. People are saying that, if we move from 52 partnerships to 11 partnerships, there will be significant savings. Our intention has been to move the 60% cost of administration of both partnerships towards front line delivery. People also ask where the savings are if 26 are retained. In reply, I say that I do not know exactly where. Certainly, having 26 rather than 11 will leave less scope to achieve savings. However, there are other questions in the consultation document that might elicit that sort of view. Some of them, as David said, concern remuneration, including fees and allowances. Assuming that 75% or 80% of DPP costs go towards administration and a sizeable proportion of that is for allowances, deciding whether to save money by not paying all members of the partnerships becomes a key decision, because a significant amount of that money could be directed towards front line delivery.

Mr Donaldson:

I can see the point of a reduction from 52 to 26. However, apropos my conversation with Mr Hughes, the police model does not assume that there will be 11 councils. It was based on the original proposal for seven new councils, although there may have been a separate arrangement for Belfast. The Executive may opt for interim, transitional arrangements that bring the 26 councils together in collaborative arrangements, similar to the ones that we have for environmental matters. In the current economic climate, surely there would be value in at least exploring the option of making the leap from 52 to a number that matches the number of district command units. Perhaps that could be done by looking at a model similar to the Belfast DPP, which incorporates subgroups for north, south, east and west Belfast.

I accept that that was not part of the original remit; however, two things have happened: there is a chance that the RPA will be delayed and the financial climate is very different. Therefore,

there is value in looking at those options — merely as options — and costing them. I would have thought that the Minister, the Committee and those involved in the Policing Board would want to see what savings could be made from each option, because that is sure to influence the final decision. That is merely a suggestion as opposed to a question.

The Chairperson:

On that point, your briefing paper states:

“The proposed new arrangements should facilitate a reduction in these overhead costs and enable more resources to be targeted at front line delivery.”

I note that the word “should” was used. It does not say “shall” or “will”. Mr Donaldson’s point prompts me to ask: given that policing and justice has been devolved and we have a local Minister for Justice, the councils and the Justice Committee, has the case been made for continuing to introduce the new arrangements at all? Do we really need them? How much bureaucracy do we need here, or are we merely in the game of building layer upon layer?

Mr Hughes:

There is still a very strong argument for having local bodies to focus on and address issues that are pertinent to a particular area. Experience has shown what CSPs and DPPs have managed to do. The issues that partnerships address in one part of Northern Ireland are quite different to those that are addressed elsewhere, and even with the devolution of powers to the Assembly and the local Minister, further devolution to local areas is still valuable and relevant.

Mr Donaldson:

Housing, for example, is a major issue in local areas. There is no housing public partnership; rather the local council has a housing liaison committee, which is an integral part of the council. The council does not have a statutory function, but it has a liaison committee that meets the district manager to talk through newbuilds, maintenance projects and prioritisation of all of that. I take on board the Chairperson’s point about the proposed new arrangements for DPPs and CSPs. Is there not another model to consider? Why have a separate organisation? Why not incorporate the functions fully into local government and have some kind of committee that is part of local government and that liaises with the police? There may need to be the capacity to co-opt onto that committee independent members who are non-political. I mention that as another option, rather than having to meet the cost of establishing yet another organisation

structure.

The Chairperson:

Bodies such as the Housing Executive, Roads Service and Planning Service work with the councils in a consultative role. We are wondering why the same could not happen in this case.

Mr Elliott:

Thank you for the presentation. I can recall, as I am sure many others can, a time before DPPs were established when there were police liaison committees, which were run by the council. I think that councils operated committees differently in some areas, but, in my area, the committee comprised representatives from the statutory bodies and voluntary groups as well as councillors. As Mr Donaldson and the Chairperson have indicated, there may be another model that has not been considered. If that is the case, I suggest that some thought be given to it.

Has any person or group that you have spoken to indicated that the two partnerships should not come together? I served as chairperson on both a DPP and a CSP, and I always felt that they were wasted as separate organisations. In particular, I often questioned the usefulness of the DPP's role. Although I am amazed at how easily Mr O'Dowd was rolled over by his local commander, not everybody was as easily rolled over. It is questionable whether one ever got satisfaction from the organisation. I wonder what thought went into considering options other than the three outlined in the consultation document.

Ms Creagh:

You asked if anybody has not supported the idea of the two organisations coming together. The answer is yes, a few. I cannot recall who off the top of my head, and I would not like to name anyone, but there are a few who feel that everything seems to work perfectly fine as it is and who wonder why we would bother merging the two. It is a valid viewpoint, but those people are certainly in a minority. The vast majority of people say that there is probably merit in bringing both together.

Mr Hughes:

It is probably fair to say that, certainly in one or two instances that I can think of, there is a view that the DPPs and CSPs should not be brought together because they already work very effectively alongside one another as two distinct organisations. That may well be the case in

certain areas and districts, but one would not be able to say that that situation is widely replicated. Speaking for themselves and from their experience, some people say that the current arrangements work fine. We listen to that, but we also have to take into account views from across the whole of Northern Ireland, and, in a lot of places, the arrangements do not work fine.

You made the point about other forums in which the police, the community and others meet. Those other forums were discussed in the development of the issues, which led, ultimately, to the consultation document. There was a strong sense that there is not universal coverage; in other words, something that is effective everywhere. There will always be other places in which the agencies, the public and others meet. The proposed arrangements would not overtake or challenge those forums; rather they would be universal and widespread and would apply across the board.

Obviously, a lot of the preparatory work was done on the basis that there would be 11 councils. I think that I am right in saying that community police liaison committees and other groups tend to be much more local and operate more at ward and neighbourhood level. It is critical that any partnership at district level is able to make a connection with those more local neighbourhood forums. I think that that is right, and it is incumbent on partnerships to ensure that that works.

Mr Elliott:

To be fair, the councils ran police liaison committees, which, I think, were universal. Councillors and representatives of statutory bodies and the voluntary sector all sat on those committees.

Mr Hughes:

I may be thinking of something else.

Mr Elliott:

There are also localised community police liaison committees.

The Chairperson:

Mr Hughes, if you went to any street in any town and asked a passer-by, "Have you heard tell of DPPs or CSPs? Do you know what they do?", I suspect that, nine times out of 10, the person would give you a blank look and say, "Aye, right. Have a nice day."

Mr McCartney:

There were 21 responses to the consultation. Do you consider that to be a good or bad response?

Mr Hughes:

There were 48 responses.

Mr McCartney:

It says in the briefing paper that there were 21 responses.

Ms Creagh:

There was a sudden surge.

Mr Hughes:

The consultation finishes today, and we received most of the responses close to the end.

Mr McCartney:

Was that a good response? Did you expect more or fewer responses?

Mr Hughes:

I think that that is a pretty good response.

Ms Creagh:

I think that that was quite a good response, but there are more responses still to come. We would expect the majority of councils and all the DPPs and CSPs to contribute. We have yet to receive responses from the Policing Board and other major organisations, so, obviously, those are not included in the 48 responses that we have already received. We are expecting between 10 and 15 more responses in the next week or two from the bodies that I have just mentioned as well as from a few voluntary and community groups that have indicated that they wish to respond but have not done so yet.

Mr McCartney:

In other consultations, public meetings are often held. Were any public meetings held as part of this consultation, or were all the contributions written and oral?

Ms Creagh:

There were no public meetings. However, the public could have gone to a local DPP meeting and tabled an issue for discussion. One member of the public has responded. The public were asked whether they wished to respond to the consultation document, but, obviously, most people did not take up that opportunity.

Mr Mulholland:

Most of the public's views were represented by independent members at the CSP or DPP meetings that I attended. Those meetings were open to all elected, voluntary and community representatives. We also met umbrella groups such as NICVA.

Mr McCartney:

Public meetings bring opportunities for engagement. Statutory bodies and agencies have a particular viewpoint. I am mindful of the Chairperson's comments about the public perception of DPPs and how that varies from district to district. I know that the DPP in Derry has a good track record of public engagement. Initially, questions for the meetings had to be submitted a week in advance, but, after engagement with the public, that rule was relaxed and the meetings became more vibrant as a result. If the public are not engaged, we may miss a vital cog in the process of working in partnership.

That brings me to another point, and it is one about which a member of the public contacted me. I am sure that you are aware that the website said that the consultation closed on 3 May 2010 and that that mistake was not corrected. Do you believe that that had any impact on the number of people who gave their views? People might have thought that they had missed the deadline.

Mr Hughes:

When that mistake was brought to our attention, we were quite concerned about it. A lot of policy consultation is open to the public via the website, and that is valuable. However, that opportunity to engage is not often taken up. The fact is that there were no responses from the public to meet the May deadline. There may well be some who wanted to respond after 3 May but felt that they did not have that opportunity to do so, and that would be a shame. I am not sure whether we necessarily expected particular public engagement on this issue. That sounds strange, because, as you say, the whole point of CSPs and DPPs is engagement with the public, but so

much of what we are consulting on is, I admit, off-puttingly technical and bureaucratic. We have already accepted and adopted the principle that engagement and partnership working locally are the way forward, so that issue is not being raised or questioned. The consultation is on reorganisation rather than on anything more, but, yes, I take the point entirely. We were quite concerned about the date on the website.

Mr McCartney:

There is a broader point, and it is one that I have made in other Committees. The public can sometimes perceive consultations to be a PR exercise that takes place after a decision has been made. Even in your opening remarks, you felt the need to say that this was a genuine consultation, as if to say that there can be consultation that is not genuine. Therefore, when the public, for whatever reason, do not engage in consultation exercises, a gap is created and it is left to people with a particular sectoral interest to provide their views. DPPs are serviced by elected representatives and independent members, but they were set up to introduce public accountability. We must ensure that the structure is one in which people can air concerns that will be listened to and addressed from the perspective of public rather than representative accountability. Therefore, the lack of public consultation might have been a gap in the process.

Mr O'Dowd:

I have a comment rather than a question, and it is about whether the new body should be like the old-style council liaison committees. Those groups were never envisaged as liaison committees under the Patten reforms, which focused on accountability and ownership of policing at a local level. That is the key. Anybody can set up a simple liaison committee. Whatever structure emerges from the consultation, we want to ensure that there is accountability and ownership of policing at that level.

On Mr Elliott's point about the local commander: I said he was good; I did not say he was that good. *[Laughter.]*

Ms Ní Chuilín:

I was waiting for that.

Mr Elliott:

You admitted it.

The Chairperson:

Mr Hughes, will the minutiae of all of this — the type of model and so on — be in the Bill?

Mr Hughes:

We would not tell legislative draftsmen how to go about putting into effect the policy that we decide on. We are conscious that, at present, there is legislation establishing the community safety partnerships, but it has never been commenced. That legislation is quite minimal; it is only a couple of clauses. On the other hand, a lot of legislation establishing the DPPs and their relationship to the boards and the Department is already in place. It is a matter for the draftsmen to decide how the policy is put into effect, but there is already a bedrock of legislation that establishes this kind of partnership.

Ms Creagh:

When the Bill comes before the Committee, it will be as the draftsman has drafted it. As it goes through Committee Stage, you will have the opportunity to look at the detail. The detail may not be set out in the Bill itself — it will not be that long or detailed — but there will be supporting papers to explain a particular clause and what it means in practice and to outline how many people will sit on the partnership and what they will do. Members will be able to look at and comment on all that detail at that point.

The Chairperson:

I want to pick up on Mr O'Dowd's point: yes, it is about accountability. That is why we have justice devolved, a Justice Committee, a Policing Board and local councils, which, it has been suggested, could be incorporated into the new arrangements. It is about accountability, but some of us are equally concerned about front line services and about getting the police to where they should be — on the streets, reassuring the community and dealing with crimes as they arise.

Thank you all for your presentation. Could we get for a copy of the consultation responses? Please forward a copy to the Committee so that members can have a look at them.