



Northern Ireland
Assembly

COMMITTEE FOR JUSTICE

OFFICIAL REPORT (Hansard)

Consultation on Code of Practice for Appointment of Independent Members to Policing and Community Safety Partnerships

16 June 2011

NORTHERN IRELAND ASSEMBLY

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**Consultation on Code of Practice for Appointment of Independent
Members to Policing and Community Safety Partnerships**

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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 Seán Lynch
Ms Jennifer McCann
Mr Basil McCrea
Mr Alban Maginness
Mr Peter Weir
Mr Jim Wells

Witnesses:

Ms Nichola Creagh)
Mr David Hughes) Department of Justice
Mr Declan McGeown)

Ms Amanda Stewart) Northern Ireland Policing Board

The Chairperson:

I welcome Nichola Creagh; Dan Mulholland, from the policing policy and strategy division; and Amanda Stewart, partnership manager of the Northern Ireland Policing Board. This session will be recorded by Hansard. David Hughes from the Department of Justice is staying with us. I invite Mr Hughes to speak.

Mr David Hughes (Department of Justice):

I should clarify that Declan McGeown is here as head of the community safety unit and is attending in place of Dan Mulholland.

The Chairperson:

I apologise for leaving you out, Declan. It was not intentional. I will hand over to you, David, to brief the Committee on the issues.

Mr Hughes:

I am grateful for the opportunity to brief the Committee on the progress towards implementation of the policing and community safety partnerships (PCSPs). Specifically, in advance of its launch, we bring a draft consultation paper to the Committee. That consultation is in two parts: a general consultation on the implementation of PCSPs and a specific consultation on a draft code of practice on the appointment of independent members of PCSPs.

Before I address specifics, I will put the consultation in context. Several strands of work are required to ensure that the new PCSPs are fully functioning by April 2012. We have identified the key features that we require to have in place. We need members appointed or nominated to partnerships. We require arrangements within councils to host the partnerships and support their work, and we need guidance from the centre, as appropriate, to ensure a degree of consistency and support. Proper governance arrangements are required to enable the partnerships to account to the Department and the Policing Board; and for the Department and board to be able to account to the Assembly for the delivery of community safety outcomes and their use of public funds. We need a clear understanding among the public, council staff and members of partnerships of what the partnerships can and shall do. Finally, we need the energy and excitement in partnerships to deliver for the community.

To deliver those effective partnerships, a project has been established to take forward the different strands of work. The project is governed by a board that includes representatives of the Department, the Policing Board and councils, through the Society of Local Authority Chief Executives and Senior Managers and the Northern Ireland Local Government Association. In

addition, a reference group is being set up to inform the project. It will look at the resulting product, the key documents, and so on. The reference group will include a number of district policing partnership (DPP) and community safety partnership (CSP) managers, line managers from councils and representatives of interested organisations from the statutory and community and voluntary sectors. Although decisions will need to be made by the responsible organisations, the reference group will ensure that decisions are informed by those with experience on the ground and an interest in the effectiveness of the partnerships.

The consultation paper contributes to that project in three ways. First, the appointment of independent members to the partnerships needs to be managed by the Policing Board, and the code of practice sets out what will be required. It draws on a similar code of practice that has been in use for the appointment of independent members of DPPs.

Secondly, the Justice Act (NI) 2011 gives the Department the power to issue a code of practice on the operation and functions of the partnerships. In order to prepare that code, we are consulting on what stakeholders believe it should contain to be of most use to partnerships. We are aware that experience of the previous code of practice for DPPs has been mixed, and this is an opportunity to learn lessons and put in place from the outset a code that supports effective and efficient accountability and delivery without hampering the innovation of individual partnerships.

Thirdly, the legislation requires the designation of a number of organisations to send representatives to a partnership. Additionally, it enables the Department to designate organisations across all partnerships. We are seeking views on how best that might be done and whom it might include. That will be taken forward in parallel with discussions, with a view to clarifying what designation would mean for the organisations. Those discussions will take place first with Departments and then among those organisations that might most usefully contribute.

That is all in advance of preparing a new Order to be made under the Act to designate organisations, and it is also in advance of partnerships designating organisations themselves. The consultation document does not cover all elements of the project. We would be happy to answer wider questions of implementation.

One point worth drawing out was brought to our attention at yesterday's meeting of our project board. The consultation document is quiet on the subject of the community and voluntary sector, giving particular attention to the appointment of independent members. The Committee should be aware that we have identified various means to secure the role of the community and voluntary sector in those partnerships. The designation of organisations to send a representative to a PCSP is intended to include community and voluntary as well as statutory groups, if that is what the PCSP wants. All partnerships will be able to establish subgroups or working groups to address specific issues. Those may be local priorities or issues, or they may focus on a particular neighbourhood. There is no limit on the number of organisations that can be involved in those groups. We anticipate the community and voluntary sector's having a key role to play.

We will encourage applications from individuals to sit on PCSPs as independents. Those people may well have a background in the community and voluntary sector that gives them a particular insight into addressing the kinds of issues that will come to a PCSP. Although they would sit as individuals and not as organisational representatives, their skills and knowledge would make them strong candidates for membership. I imagine that, with an independent membership including people with a background in that sector, the inclusion of community and voluntary groups in the working or delivery groups as described is more likely.

Finally, the Committee may be interested in knowing more detail about the timescales for implementation. The schedule to which we are working means that the statutory joint committee, made up of the board and Department working together as sponsors of the PCSPs, should first meet in September. The political members will be nominated in September, and the independent members are to be appointed in early 2012. The PCSPs will designate organisations to join their partnerships by March 2012 at the latest.

Those are the key features to draw out from the documentation that we provided to the Committee.

The Chairperson:

Has the draft code of practice for the appointment of the independent members been costed? The indications were that one major concern was the cost of recruiting independent members to the

DPP and that the Policing Board would look at different methods in an effort to reduce that. Will you update us on that?

Ms Amanda Stewart (Northern Ireland Policing Board):

We have done so. Previously, we estimated that the cost for the project would be in the region of £750,000. When that was raised with the Justice Committee at the consultation on the establishment of PCSPs in December, we gave an undertaking to review it. Our review identified a number of savings that could be made by using different methods. Much of the savings come from the board's doing quite a lot of the work in-house. Based on 600 applicants, we project that the cost will be in the region of £500,000. So we have been able to identify £250,000 of savings. However, much of that is dependent on the number of applicants.

The Chairperson:

The cost still seems very high for the recruitment of independent members.

Ms Stewart:

We need to consider the cost in the context of the scale of the exercise, which is to appoint 237 candidates. We need to process about 600 applicants to appoint 237. That figure of 600 is the minimum number required for the exercise, and each applicant attracts a processing cost.

The Chairperson:

How did you achieve that drop of £250,000? What was changed to facilitate that?

Ms Stewart:

We looked at advertising, which has been a significant cost in the past, when we placed ads in all the regional papers in Northern Ireland. This time, we decided to put ads in the daily papers for three weeks and to do much of the work through engagement with community groups and consultation. We plan to do that over the next couple of months, rather than just placing ads in the paper. Obviously, as part of that, we will seek to use the networks that we have.

Mr Weir:

We are looking for independent members from the community. Why not make one big

announcement and do all the advertising via the Internet for free?

Ms Stewart:

We are using social media. There is very little cost now. There is no requirement for us to place an ad in the papers; we could put it online. When we reviewed the cost, we saw that we had reduced the cost of advertising from £175,000 to £30,000 simply by changing to the daily papers. However, if it is possible, we are certainly open to advertising online and through Facebook.

Mr Hughes:

It is essential to take a view on the most effective way of advertising because, as Amanda said, we need a lot of applicants because there are many places to fill. So the publicity drive must be the one that is most effective.

Mr Weir:

You said that you have driven down the advertising costs to £30,000. Therefore, of the other half of the £500,000, only £30,000 of that is advertising, and the rest is essentially the cost of processing 600 applications, which costs just shy of £500,000.

Mr Wells:

That is a grand each.

The Chairperson:

Are you still using an external recruitment company to score applicants and provide an assessment?

Ms Stewart:

We plan to do that for stage 2 of the process, which is the council process. Previously, to provide consistency across each council area, we brought in recruitment consultants to assist in the process. The consultancy cost has reduced significantly because the Policing Board is undertaking quite a lot of the work that consultants had undertaken previously. We project those cost to be about £99,000 for the overall process.

Mr Weir:

Having had experience of being on the Policing Board, I know that there is a scoring exercise. At the council end, the whole point is to produce people who score above a certain threshold and are, therefore, acceptable candidates. However, that scoring is then retained; it is not given to the Policing Board when it is making its selection. To my mind, that is a gold-plated process for something that, at the end of the day, simply establishes whether somebody is of an acceptable standard. If, for example, Mr McCartney came top following an application process and Alban Maginness was second —

Mr Wells:

That is unlikely.

Mr Weir:

In the unlikely event of that happening —

Mr McCartney:

It is a foregone conclusion.

Mr Weir:

If, after that external process, Raymond McCartney's score was 32 points and Alban Maginness was in second place with 29 points, that fact would not be known to those making the selection. If a lot of money is to be spent on external scoring, the results should at least be available to the people who carry out the selection process. However, if you are simply saying that a person must be of an acceptable standard to sit on a local police board, the cost of using external consultants in the scoring process seems excessively high.

The Chairperson:

I did not sit on my local selection panel, but I know members who did. When I was on a DPP, some individuals scored very highly, and others' scores were significantly lower. However, the Policing Board had to meet section 75 obligations, balance the list proportionally, and so on, which meant that the individual appointed was not the best person, but the process had ticked a box. We need to be careful not to incur a huge amount of expenditure for a box-ticking exercise.

Mr Weir:

In one sense, it is even worse than that. I understand that there has to be some balance. However, when two individuals fit into a particular category, quite often, the one with a much lower score is appointed. When I sat on several Policing Board selection panels, we did not have a clue where anybody ranked or how they had scored. Therefore, with the best will in the world, we had to use educated guesswork on the basis of CVs, and some very good candidates were probably ignored. It was not simply about needing somebody of a particular gender from a particular tradition. Quite often, two or three people who fulfilled a particular criterion went for the position, but the person who scored the highest was not necessarily selected. To be perfectly honest, it seems that an awful lot of money is spent on scoring, without the results even going to the Policing Board. That leaves the whole process open to much criticism.

Ms Stewart:

Over the past number of years, that has been the single biggest issue raised by councillors involved in the process. The impartial assessors made a recommendation, which the board gave a commitment to consider at the end of the previous recruitment exercise in 2008. The recommendation was largely about trying to join up the process at council and board level, because it is a requirement under legislation for the board to appoint on the basis of representation. It is not allowed to look at the merit principle. In a sense, that is what carried over to the Justice Act as well, and it is reflected in the code. The impartial assessors believe that councillors' participation in the process is a risk because of the huge strength of feeling involved. It suggested that we engage with them in the first instance in advance of undertaking the task. We plan to do that next week, when we will have a briefing with DPP chairs to try to touch base on the process. We will set out the process and determine how we can minimise some of the anxiety that existed in the past.

The other options are to have the chair of the council panel sitting on the Policing Board panel as an observer or Policing Board officials briefing the council panels on the decisions that were taken. Councillors tell us that, ultimately, they are responsible to their constituents for the decisions, yet they are not aware of the detail of how the decisions are taken. We plan to review that situation and try to minimise its impact as much as possible.

Ms J McCann:

You are very welcome. West Belfast and the Colin area already have community safety partnerships, which comprise members of the community, political representatives, the PSNI, businesspeople, and so on. You are trying to get the best representation from the community because PCSPS will not work without it. On the back of what Peter said, everybody has the right to apply, but has there been any sort of consultation with the CSPs? They already work closely with the PSNI and the other community safety organisations daily, so they know the community safety problems that exist. That might be a way to link up with them, and perhaps they could suggest people who could come forward for the positions. In that way, you would get people who know what it is like to work in that field. Has any thought been given to that?

Ms Stewart:

We hope to do that. This time round, there is a huge risk. Normally, we have a pool of independent candidates who are former members of DPPs. As we do not have such a pool this time, we will undertake a wide range of targeting and engagement. That will happen over the next couple of months and before we even place any adverts. We will go out to raise awareness of what PCSPs are about, because the vast majority of the public do not know. We will go into communities at local level to target people, groups and representatives and encourage them to put forward the right people. If partnerships are to be effective, it is critical that certain networks are represented.

Declan may be able to address your point about community safety.

Mr Declan McGeown (Department of Justice):

You may be talking about the West Belfast Community Safety Forum. As you know, the community safety unit is involved in that forum. The reason that we extended the facilitators' funding was so that we could determine the best partnership model post-2012. Over the past few years, there have been discussions and we have linked well, certainly during my time since 2009. There is an awareness of the importance of such links.

Mr Wells:

It never ceases to amaze me how common sense goes out the window when engaging consultants. It is daft to spend £900 per applicant. I am sure that other perfectly reputable consultants would do it for £400 per applicant. Consultants think of a number between £1 and £1,000, stick it down, and it is accepted. No one could convince me that it takes £900 worth of work per applicant to produce a pool of suitably qualified people for that job. I will do it for half of that. In the present economic conditions, anybody would jump at that sort of money, even at half the rate. You should go back, barter with them and tell those consultants that, although they are asking for £900, they must do it for £500.

Mr Hughes:

I can make the reassuring point that the consultancy will have to go out to competitive tender, and the Policing Board will be obliged to seek the most —

Mr Wells:

If consultants came in at £900 and you told them that they would get £500, they would run away rejoicing. It is a scandalous waste of public money. I know, having been through the process with my council and seeing what is produced, that £600,000 is daft. All sense of reality has departed. There is not £900 worth of expenditure in that process — there is not even half of it. I am just trying to look after taxpayers' money, which is rather eccentric behaviour. Do go back and have another look at those figures. I want to move on to something more constructive, confident that it will cost £600,000, which would pay for only a few dozen nurses, who are a bit more valuable.

I like the concept of bringing the two bodies together. That is fine, albeit expensive to achieve. However, the crucial indicator of success will be the interface between that group and the local divisional police commander. There has been disappointment, as I expressed at the previous Committee meeting, about the Castlereagh approach adopted by the police. That approach is to tell people nothing. It is certainly to tell people nothing unless a request has been received in triplicate, three weeks in advance, to enable them to prepare a written statement.

Will the code give directions to the police on how they interface with that group? In other

words, will they be told that the public have a right to come to public meetings, ask whatever they like about policing and expect an answer? Will that be part of the guidance? Will there be total openness from the policing point of view? If not, the public will get more frustrated, and you will get nil returns in public attendances, as I have seen regularly in south Down. A big leisure centre is booked, the DPP sits in the middle of the hall, but there is no one else there. We have to avoid that happening in the future.

Mr Hughes:

The code of practice for the operation of the partnerships will have to strike a balance between setting out a requirement for how different parts of the partnership operate, meet, publicise, and so on, and, on the other side, not being so prescriptive that partnerships cannot use their own systems or set up their own arrangements. The critical element is to make sure that the partnership works most effectively. That kind of observation, on whether or not the code needs to be prescriptive about how the divisional commander relates to the policing committee, is exactly what we are looking for to inform what the code should and should not include.

Mr Wells:

If you do not introduce into the code a stipulation that the police commander must answer questions, he will simply tell the policing committee, "Sorry, I want questions three weeks in advance." and people will get a written response. That is very deflating for the public. Issues emerge in a neighbourhood in which a DPP or PCSP meeting is being held. The residents all pile in and want to ask questions about some issue of violence, petty antisocial behaviour or whatever, but the divisional commander says that he would have required three weeks' notice of such questions. That will just not work.

You need to include in the code something that forces the divisional commander to come out from behind his defences and speak to the public about their concerns on a one-to-one basis. That is what will make the new body start to feel relevant. I have to say that the community safety partnerships have been a great success. They have been excellent and done great work. That is not the part that worries me. If we could translate the success of the community safety partnerships to the DPPs, it would be great.

Mr Hughes:

I will respond to the last point. If it is appropriate that a code be prescriptive about how the partnership works, the Department would also want — I am sure that the board would agree — partnerships to be effective in the sense that they do everything required of them, but also for there to be a real desire for them to be effective. If the challenge is to get divisional commanders to understand why it is of benefit to them for the policing committee to work and to inform the work of the partnership overall, we also have a task, in the transitional period of the new partnerships, to encourage a sense that those partnerships can deliver and be worthwhile. That approach will have to be alongside the more prescriptive, “This is how we must do it.”

Mr McCartney:

My observation is that, in the consultation document, the distinct features of the policing committee do not emerge as clearly as they should.

Mr Hughes:

In terms of what exactly?

Mr McCartney:

The role of the policing committee. On page 9, it states:

“the arrangements for the monitoring by the policing committee of the performance of the police in carrying out the policing plan ... the local policing plan applying to the district or any part of the district”.

My understanding, particularly from having gone through the Justice Bill, is that the policing committee will also have a role in shaping and forming the Policing Board. It is not simply a role in which the policing committee steps back and monitors a plan already in place.

I have to be honest and say that, throughout the document, until the diagram at annex A, the policing committee is treated almost like a non-entity. That is the wrong perception and the wrong basis on which to consult. The policing committee has a clear and distinctive role. It is not dissimilar to the former DPPs, but that does not come out when reading the consultation document. That is a big mistake, and it does not reflect the substance of the Justice Bill.

Mr Hughes:

That is very helpful. In the questions that form the consultation, we want to avoid giving the

impression that we are sidelining the policing committee, so thank you for that observation. We want to consult on the implementation of the partnership in all its parts, including the role of the policing committee and the operation of its functions. Therefore, we will certainly take that on board.

Mr McCartney:

Can you point to the pages in the document that set out clearly the functions of the policing committee as distinct from those of the PCSPs and DPCSPs, which are set out on page 7? Nowhere in the document is the role of the policing committee laid out in such clear and precise terms. If I read this document blind to the work carried out here on the Justice Bill, I would conclude that the policing committee was a small committee that merely monitored the performance of policing. I do not gather from the document that the committee has a role in formulation, consultation, engagement or collaboration. There is an attempt to make it look as though the policing committee is an annex, rather than an accountability mechanism. I do not see the word “accountability” anywhere in the document.

Mr Hughes:

I make the following observation about page 7, where it says:

“In summary, PCSPs must: consult and engage”.

The list is summary in nature. It refers to the PCSP both in its full sense and in its role as policing committee. It does not make a distinction between the PCSP and the policing committee.

Mr McCartney:

In fairness, however, that is your reading of it. If I were to read that document for the first time, I would not get that sense. Nowhere does it state specifically that the policing committee also has a role to consult and engage. The text on page 9 reduces the role of the policing committee to monitoring. In my opinion, that will not attract people who want to be part of an accountability mechanism. It does not suggest that the policing committee is the best committee for those who want to be part of such a mechanism. Why would people want to be on the policing committee, when they can do as much as members of the wider committee, which does not have that specific role?

Mr Hughes:

I understand your point. We may need to go back to the way in which the document is drafted to bring out more clearly that the PCSP includes the policing committee. They are not separate: members of the policing committee are members of the PCSP. It is, in fact, the policing committee of the PCSP. We need to talk about the PCSP as a whole, because the role of the policing committee must be part of the role of the PCSP as a whole. It is right that —

The Chairperson:

The point was well made that it must be made clear in the consultation document that the function and role of the policing element of that body are different from those of the wider community safety partnership element. Otherwise, when it comes to a wider meeting of that body, members who do not sit on the policing committee will feel that they can ask about all the various policing matters. Even at this stage of the document, a clear distinction must be made and a narrative provided of the areas for which the policing committee will be responsible.

Mr McCartney:

Even the fact that the document does not have policing committee in capital letters is significant. In the document, DPCSP and PCSP are given capital letters, but the policing committee is lower case.

Mr Hughes:

We will take those points on board. The consultation seeks views on a code of practice, particularly about its implementation and how a code of practice on the operation and functions can be drafted to be most effective. It has to be effective for the functions of the PCSP overall, but specifically for the functions of the policing committee. I am happy to take that away.

Mr McCartney:

Is the document to be issued on 21 June?

Mr Hughes:

We want to issue it as quickly as possible. We should not have a difficulty with that kind of

redrafting.

Mr McCartney:

Will we see the redrafted document? As you know, the Justice Committee put a lot of time and effort into it. You followed the debate, and there was much discussion. People felt that the role of the DPPs was being minimised. We were assured that it was not, but I have to say that, as written at present, the document tries to reduce the role of the policing committee. That is my reading of it. As it does not define the committee's role, I have good grounds for saying that. I am not reassured that we will get a copy of the redrafted document by next Thursday, given that it is to be published the next day.

Mr Hughes:

We are happy to take on board your points in order to ensure that the document is drafted in such a way that there should be no perception that the role of the policing committee is not defined.

The Chairperson:

If it is OK, Raymond, we will pick up on that point later.

Mr S Anderson:

Will you clarify the composition of the membership? The political membership comes at little cost; the internal membership comes at a very high cost. I want to touch on the four, at least, representatives from designated organisations. Is a space being left for the organisation or specifically for a named person? My experience of sitting on DPPs or CSPs is that different organisations were members. Sometimes, they did not bother turning up or sent different people, which does not provide much consistency. The political and independent members are named, but how do we envisage the designated organisations coming forward? Will a particular individual sit on the committee or will a space be left open for, say, a Housing Executive nominee? Will people know who is due to attend? Members of DPPs were held to account by an attendance sheet. I am concerned that the structure is a wee bit loose and that those organisations may have too much flexibility in their membership of the new PCSPs. Maybe we should tie them down to being more specific by naming representatives.

Mr Hughes:

The first point is that the legislation does not state that an organisation must send a specific individual. Rather, the organisation is designated and somebody from that organisation will be sent. Part of the reason for that flexibility is that the same person may not be in post for the lifetime of the partnership.

Mr S Anderson:

That could happen with an elected or independent member. Councillors may not always be councillors; they may step down and have to be replaced. That comes down through the whole system. Anyone from an organisation could come to a meeting, from someone in a very high position down to, with no disrespect, a clerical officer. Whom do they send? I have concerns about the level of attendance and the seniority of the people who will sit on what, we hope, will be an organisation of PCSPs that will deliver. What level of people will occupy those positions? After all, we place great responsibility on the political and independent members. We go through all the criteria and an interview process. How will those organisations' representatives be selected? It all seems too loose to me; an organisation may not have anyone with the appropriate expertise to send. Should the organisation so decide, anyone could come through the door.

Ms Nichola Creagh (Department of Justice):

I will pick up on your point about organisations not attending meetings. One of the strengths of the new PCSP legislation is that, if an organisation is designated, either formally through the process that will go through the Assembly or by the PCSP itself, it must attend. Organisations will be required by the legislation to attend.

You may have a good point about named individuals. We will produce guidance on the functions and operations of the PCSP, and we may want to pick up on that point in discussion with the organisations that may be designated, and we will reflect any views that come forward. For example, they may say that it would be good practice to provide a named individual who should be of a sufficiently senior level to make decisions, or something along those lines. That could be reflected in the guidance. I am not saying that we will definitely include that in the guidance because that is the point of the consultation process. However, it is a valid point and one, I am sure, that may be reflected by other consultees who may have had similar experiences

on DPPs or CSPs.

Mr S Anderson:

It needs serious consideration.

The Chairperson:

It is a valid point.

Mr Dickson:

I want to go back to the recruitment of independent members. As someone who, as some may know, has, from day one, been recruiting for a district policing partnership, I am well versed in the experience. There would be considerable value in having the chair of the DPP present, at least as an observer, at the Policing Board's deliberations on recruitment.

I understand the issue of creating a balance. If a council, for example, produces mainly male elected representatives, realistically, all, or at least the vast majority of independent members, are likely to be female. The chair should at least be present to assist in the consultation.

Members are right that reaching the acceptable mark is OK, but there is a vast range of experience within that category of acceptable applicants. It is important to encourage the Policing Board to think about who the candidates are, as well as the fact that they have crossed that line. Therefore, consideration should be given to the chairperson of the panel attending the Policing Board, at least in an observational role. The chairperson should not vote but could have a role as observer and consultee.

I want to go back to the role and nature of meetings, and the role of the district commander in attending them. A convoluted statement about answering questions must be read at meetings. Surely, the presumption should be that every question will be answered unless it is on an issue of national security or a live, ongoing investigation. The commander should, therefore, be prepared.

In my experience — and I understand that Mr Wells's experience differs from mine — a series of commanders at Carrickfergus district policing partnership has always been willing to

answer questions from members of the public or the DPP. Only in a most unusual circumstance would they have said that they were not in a position to answer. Our problem was that we had more commanders than most people have had hot dinners, but that is another story.

The Chairperson:

OK. Is it possible for the consultation document to be more specific about answering questions?

Ms Stewart:

A code went out to DPPs originally, which is probably part of what Mr Wells referred to. DPPs were established 10 years ago, when the community context and political environment were markedly different. There was huge anxiety about how public meetings of DPPs would be handled. There is an opportunity to review that. Neither the DPPs nor anyone else has a desire to reintroduce that formality.

In fact, most DPPs no longer operate like that. Most commanders are quite willing to answer any questions. I have not known a commander not to answer a question, unless he or she did not have the information there and then. Certainly, the police are willing to engage in a way that they were not previously. Most commanders are prepared to be open, and most meetings are much more themed. The meetings that work are those that are opened up to the public, as opposed to commanders simply reading out reports, which can stifle public participation.

So we will consider that. In fact, we are doing so now in conjunction with current DPP members as we hear of their experiences over recent years. We are ensuring that we carry forward in DPPs what has been good, but not the unnecessary bureaucracy that existed, albeit for very good reasons, previously.

The Chairperson:

On the DPP on which I sat, every police commander always took questions on the night. Indeed, I had submitted my question weeks in advance of my first meeting, the only member to do so, but I was the last to be called. Everyone else asked their question, my question was quite good, but they got the publicity in the local paper — not that I submitted the question for PR purposes, obviously.

However, I have come across other police officers who were very difficult and operated to the letter by saying that they were not required to answer because of non-compliance with procedures. It is a matter of ensuring that, although a minority may wish to do that, they are unable to do so. We want to make sure that that can be enshrined in the code.

Councils and DPPs raised the issue of a more streamlined and cost-effective process for recruitment. Can you include that in the consultation and allow people to feed into that and make suggestions?

Ms Stewart:

I am happy for anyone to come and give us their ideas. We have had a good look at the document to try to streamline it as much as we could. However, we encourage those involved in the consultation process to make suggestions. We are open to doing things differently. There was a system in place, this is the third or fourth time that we have reviewed it, and it is time to have a good look and learn from experience. That is what the consultation is about. Our costs are merely projected and will not necessarily be the final costs. We hope that they will not be.

The Chairperson:

If you include that in the consultation and invite the organisations, particularly those that have been most critical, to have their say, they will feel that they have been part of the process. If, ultimately, you change the system in a way that follows people's recommendations and ensure that what is contained in the Justice Act remains in place, those people cannot criticise because they were invited to put forward ideas. If they do not come forward with ideas, they would not be in a position to be critical.

No other members have indicated that they wish to ask any further questions. Members have raised a number of points, and they should get a redrafted version of the document, particularly on the comments about the distinction between the role of the policing committee, before it goes out to consultation. David, I ask that you provide the Committee with a redrafted copy for us to consider next week. If we can sign off on it next week, we will do so without needing a further oral briefing. Is that possible?

Mr Hughes:

I would like to take that request away with me, because we will need to consider the incredibly tight timing involved in the 12-week consultation prior to things that need to be done in the autumn. You are talking about coming back to you in only one week. Rather than state categorically that I can do so, I will come back to the Committee as quickly as I can.

The Chairperson:

That would be worthwhile, just to make sure that you have the buy-in of everyone around the table, which would be better than having a consultation that does not have support. Thank you very much.