



office of the oversight commissioner

Report 19 - May 2007

The proposed revisions for the policing services in Northern Ireland are the most complex and dramatic changes ever attempted in modern history.

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Oversight Commissioner
Al Hutchinson

This is the 19th and final report of the Oversight Commissioner for Policing Reform, a role recommended to support the implementation of the 175 recommendations made by the Independent Commission on Policing Reform for Northern Ireland, more commonly known as the Patten Commission. The role of a policing Oversight Commissioner was recommended for a 5-year term, with extensions as required. The terms of the governing legislation that established the office and role of an independent and external Oversight Commissioner expire on 31 May 2007. This is appropriate and timely given the progress demonstrated by the institutions of policing – the Police Service of Northern Ireland (PSNI), the Policing Board of Northern Ireland, and the Ombudsman. It is particularly significant that the Assembly of Northern Ireland has resumed its role, and they are scheduled to assume control of a devolved policing and justice responsibility next year. Linkages to the Independent Commission report and details of the oversight process, together with previous reports can be found on our website at www.oversightcommissioner.org

I have made this final report a comprehensive ‘stand-alone’ account, so that an interested reader can review in one document the recommendations of the Independent Commission, their purpose and history, the progress of those recommendations and any remaining areas of concern. I have also included appendices which identify by institution the recommendations remaining to be completed, as well as the usual ‘report card’ format identifying at-a-glance the state of completion for each recommendation. An overview of the methodology employed by the oversight process is also included as an appendix.

One change for this final report relates to my *Future Challenges* chapter. In the past I attempted to avoid any prescriptive observations, staying within the parameters of the Independent Commission’s recommendations, simply evaluating and reporting the factual progress, deficits or remissions. This allowed the artificially accelerated evolution of policing to occur, within the context of successful policing leadership and the governance and accountability responsibilities of the Policing Board, District Policing Partnerships and the Ombudsman. While this has been an effective strategy, it is important with my departure that I clearly identify and leave behind my concerns for the future of policing in Northern Ireland, as well as the risks, challenges and opportunities that exist.

I am doing this because it would be easy with the ending of the Oversight Commissioner’s mandate, and with the euphoria surrounding the commencement of the local Assembly, for some to assume that the policing change is accomplished and there can be a period of rest and respite from change. Such belief would be a mistake because continual change is now a reality and Northern Ireland no longer has an exemption from either local or global evolution. In the final chapter I address some of the strategic future challenges facing policing in Northern Ireland. These include future community engagement concerns, sustainability and capacity challenges, the impact on the future as a result of ‘policing the past’, and finally accountability challenges.



The role of the Oversight Commissioner would not have been successful without the assistance, or forbearance, of a number of organisations and people. While it is impossible to acknowledge everyone who has assisted this process, I do want to acknowledge a few people and groups. The first Oversight Commissioner, Tom Constantine, proved to be a wise choice by government. His years of law enforcement experience, unrelenting integrity, firm hand and vision enabled the independent oversight process to start with a solid foundation. The evaluation team contained extensive international policing and academic experience, as well as unremitting energy, enthusiasm and commitment. Their details can be found on our website and for ease of reference in an appendix to this report, but I would like to acknowledge the work of Dr. David Bayley, Charles Reynolds, Robert Lunney, Roy Berlinquette, Gil Kleinknecht, Mark Reber and Robert Warshaw. In the formative stages, the International Chiefs of Police (IACP) organisation generously supported our efforts through a gathering of world-class police leaders who assisted in providing their benchmarking standards for policing.

A number of Northern Ireland institutions and individuals have consistently supported the oversight process by being open, frank and critical when appropriate. While this list is not exhaustive, it does certainly include the leadership of the Police Service, the Policing Board and the Ombudsman who constantly demonstrated that they were open to examination and critique. The support and openness of Chief Constable Sir Hugh Orde (and his predecessor Sir Ronnie Flanagan), the Chair of the Policing Board Sir Desmond Rea, and the Ombudsman Nuala O'Loan are particularly significant. NGO's, and in particular the Committee for Administration of Justice (CAJ) served as 'critical friends' to the oversight process and did not hesitate to constructively critique for the betterment of policing and justice. The Church Leaders were collectively and individually supportive and their wise observations and counsel were always welcomed. There are countless others who cannot be named, but suffice it to say 'you know who you are' and your support has been appreciated by myself, my predecessor Tom Constantine and the evaluation team.

Finally, but importantly for this theme of acknowledgment, I must note the support of government in subjecting themselves to external independent scrutiny. It is fashionable for some to 'knock government', sometimes with reason, but I want to clearly record that this process of independent scrutiny of the policing change would not have occurred without the Government's decision to ultimately endorse the Independent Commission's recommendations and provide the ongoing commitment to see the process of independent review through to the end. While Northern Ireland's experience with the past certainly allows for ready cynicism, I believe that history will reflect the government's decision to undertake external independent policing and justice oversight marked a new threshold of openness and transparency. The government deserves credit for those steps taken some seven years ago, and for its continued support.

It would also be easy, following these accolades, to believe that the policing change process is complete, that stability and equilibrium have been achieved, and Northern Ireland will face a bright future in their relationship with policing. That will not be the case and these are simply the beginning footsteps of a long journey. While there has been substantial overall progress, and the institutions of policing are performing their respective roles of delivery, governance and accountability, there are Independent Commission recommendations that remain unfulfilled and

there are significant future challenges that place recommendations at risk. These are articulated in the following pages and from a more global perspective are reflected in the *Future Challenges* chapter.

Successful policing must be about effective results and outcomes that meet the expectations of the communities and residents of Northern Ireland. That goal has not yet been reached. As I noted in a previous report, progress on policing cannot be measured solely by structures, systems and processes developed or put in place over time, but on the relationship of the police with those being policed, and the relative views and perspectives of each group toward the other.

Can this goal be achieved? I remain optimistic that a balance can be achieved between the delivery of policing in Northern Ireland and the expectations of its people. This is because of the commitment of the Police Service, the leadership of the Policing Board, and the robust accountability mechanism of the Ombudsman. Equally, the apparent success of the political process should foreshadow the eventual devolution of policing and justice powers to Northern Ireland, where it should reside. In the midst of these positive accomplishments, it is equally important to continually remind ourselves how complex and fragile these relationships are, but also how great the prize is - a fair, representative, impartial and professionally competent policing service for all the people of Northern Ireland. It is within reach.

It has truly been a privilege, an honour and pleasure for me, the oversight team and supporting staff to be a part of this historic policing change.

A handwritten signature in black ink, consisting of the letters 'H' and 'A' followed by a stylized 'H' and a long horizontal line ending in an arrowhead pointing to the right.

H. Alan Hutchinson
Oversight Commissioner



ACC	Assistant Chief Constable
ACPO	Association of Chief Police Officers
AEP	Attenuating Energy Projectile
ALR	Armoured Landrover
ANIC	Association of NI Colleges
APR	Annual Performance Review
CAJ	Committee for the Administration of Justice
CALEA	Commission on Accreditation of Law Enforcement Agencies
CASE	Citizen and Safety Education
CCEA	Council for the Curriculum Examination and Assessment
CCTV	Closed Circuit Television
CIO	Chief Information Officer
CLDP	Core Leadership Development Programme
CMM	Conflict Management Model
CPLC	Community Policing Liaison Committees
CSP	Community Safety Partnerships
DCU	District Command Unit
DIP	Discriminating Irritant Projectile
DPP	District Policing Partnership
EFQM	European Foundation for Quality Management
FATS 4	Firearms Scenario Training System
FTR	Full Time Reserve
GAA	Gaelic Athletic Association
GB	Great Britain
HMIC	Her Majesty's Inspectorate of Constabulary
IACP	International Association of Chiefs of Police
ICS	Information and Communications Services
ICT	Information, Communication, Technology
IITT	Institute of IT Training
ILP	Intelligence-Led Policing
IS	Information Systems
IT	Information Technology
KPI	Key Performance Indicators
LAC	Learning Advisory Council
MI5	Security Service
NGO	Non Governmental Office
NICS	Northern Ireland Civil Service
NIM	National Intelligence Model
NIO	Northern Ireland Office
NIPB	Northern Ireland Policing Board

NPIA	National Policing Improvement Agency
NPT	Neighbourhood Policing Teams
NVQ	National Vocational Qualification
OCN	Open College Network
PBR	Plastic Baton Round
PCNI	Police College Northern Ireland
PCSO	Policing Community Support Officer
PDU	Professional Development Unit
PITO	Police Information Technology Organisation
PLAC	Police Learning Advisory Council
PONI	Police Ombudsman of Northern Ireland
POPT	Police Officer Part Time
PRRT	Police Retraining and Rehabilitation Trust
PSNI	Police Service of Northern Ireland
PTR	Part Time Reserve
RCMP	Royal Canadian Mounted Police
RPA	Review of Public Administration
SARA	Scanning, Assessing/Analysing, Response, Assessment
SCC	Senior Command Course
SDP	Senior Development Programme
SEA	Station Enquiry Assistant
SIO	Senior Investigation Officer
SLA	Service Level Agreement
TED	Training, Education and Development
TNA	Training Needs Analysis
TSG	Tactical Support Group
UK	United Kingdom
UMS	Ulster Market Surveys
VSSU	Voluntary Severance Support Unit

▶▶ **commissioner's overview**



The Independent Commission published its 175 recommendations in September of 1999. The Government indicated broad acceptance and followed with the release of a final implementation Plan in August of 2001. Our 772 performance indicators were published in September of 2001, which effectively signaled the beginning of the evaluation period. As I indicated in my report of December 2006, 46 recommendations and 103 performance indicators remained to be completed. This final concluding report leaves 35 remaining recommendations that can be monitored by the Policing Board and the NIO.

As in previous reports, this Commissioner's Overview section has two parts: Progress and Accomplishments and Remaining Areas of Concern. These are intended to provide highlights and a quick overview of some of the more notable achievements, or concerns in the ongoing effort to implement the Independent Commission's 175 recommendations. Greater detail can be found in each of the subject matter Chapters, and also a new 'Future Issues and Directions' section has been added to each of the Chapters. For a quick and visual assessment of progress on the 175 recommendations, readers can refer to the usual at-a-glance tables that can be found in Appendix A.

Progress and Accomplishments

The Independent Commission felt that the protection and vindication of human rights was an essential part of the foundation for their recommendations. To the credit of the police service, the human rights recommendations of the Independent Commission were actively accepted. A human rights lawyer was appointed in October 2001 and a subsequent replacement appointed in January of 2006. A Human Rights Plan and subsequent Programme of Action and its successor document were published, most recently in December of 2006; the recommended Police Oath has been institutionalised; a Code of Ethics is operating, including a duty to supervise, which is a best police practice; human rights training has been incorporated into training curricula; and, human rights assessment is considered as part of the revised appraisal system that commenced in April of 2007. The Policing Board in its human rights monitoring role, has engaged two prominent human rights advisors. They have established a monitoring framework (2004) that is a model for measurement of police practice, and they have also undertaken a series of reviews of policing actions, publishing several reports (www.policingboard.org.uk). The intent of the Independent Commission in establishing a human rights approach to policing has been largely accomplished by policy, process and structures. The Policing Board is equipped to and now should measure the outcomes expected to ensure that the human rights ethos and culture are indeed embedded in the Police Service.

The Independent Commission also noted the significance of proper policing accountability for a democratic society, setting out a series of recommendations that dealt with democratic, legal, financial and internal accountability. A key part of the accountability mechanism and a great success has been the new Northern Ireland Policing Board (NIPB) which came into being on 4 November 2001. This was followed in 2003 by the establishment of District Policing Partnerships (DPPs) who provide local monitoring and contribution to the annual policing planning process. Some have described this as a 'grassroots' accountability and both of these schemes have enjoyed continued success (for further detail access www.nipolicingboard.org.uk). The third reconstitution of the Policing Board will occur by the end of May of 2007 and it will include political

representation from Sinn Fein, who had previously not participated. Another accountability success factor is that the Policing Board also makes all Chief Officer appointments and assesses the Chief Constable on his yearly performance against the Policing Plans, which ensures a focus and commonality of purpose. Although there has not yet been a formal need for the Policing Board to hold inquiries, it does have the power to render this accountability as required. Legal and financial accountability are properly in place as recommended by the Independent Commission.

Another significant institution holding the Police Service to account is the Police Ombudsman of Northern Ireland (PONI). She has established a robust system that allows any member of the public who has a complaint concerning police actions to lodge this complaint, which will then be investigated independent of the police. This has the effect of building trust in policing and improving policing practices and behaviours. Each year the Police Ombudsman publishes a report describing the nature, number, background, and outcomes of complaints received. Finally, the Ombudsman has published research reports on specific topics such as police searches of residences, the use of CS spray and police relations with minority communities.

The importance of policing with the community, to both the functioning and acceptance of the new Police Service of Northern Ireland, was recognised by the Independent Commission. The concept and practices of Policing with the Community were enthusiastically accepted by the leadership of the Police Service at the beginning of the change process. DCU commanders in particular welcomed the promise of devolved authority and the responsibility for building partnerships with their local community. Early initiatives with problem solving techniques engaged the initiative and imagination of individual officers, and newly-formed neighbourhood policing teams enhanced community relationships while elevating their profile in public spaces, including disputed streets and estates. In the years following the introductory phase of policing with the community, DCU commanders developed strategic partnerships with their District Policing Partnerships (DPPs), while their managers and supervisors endeavoured to strengthen ties with existing Community Policing Liaison Committees (CPLCs) and other community forums. The PSNI has been recognised both in the United Kingdom and internationally for crime prevention and community problem solving projects. The recent Policing with the Community Awards 2007 demonstrates how the police, the Policing Board and community supporters celebrate their successes in this area. Those successes are notable. Our thematic Report No. 12, released in December of 2004, noted some remaining challenges for policing with the community. By late 2006 the Police Service had created the Policing with the Community Branch as a policy centre within the corporate structure, reporting to the ACC in charge of Criminal Justice. The Deputy Chief Constable continues to oversee the programme, in his role as programme champion. The new Branch is tasked with renewing the vision and strategy and developing new objectives and indicators of performance. The Policing Plan 2007-2010 re-commits the Policing Board to ensuring that policing with the community is the core method of service delivery by the Police Service, and they have hired in expertise to ensure this continues.

Efforts to achieve the normalisation of policing have been successful, with the exception of significant changes to the fortified estate. The Police Service has effectively implemented and managed a policy and procedure for recording all stops and searches taken under emergency



powers. The three holding centres, identified by the Independent Commission and used for detaining terrorist prisoners, have been officially closed and the new facilities are equipped to protect the rights of the prisoner, including CCTV, and designed to safeguard any evidence that may be collected. The Police Service has achieved considerable progress in replacing the large fleet of armoured Landrovers (ALRs) with regular police cars. Following an improved security situation in recent years, the army has reduced troop levels and patrols that previously supported the Police Service. Compared to a 1999 level of nearly 15,000 troops, there are now 5,000 army personnel assigned to Northern Ireland, with no troops rear-based. Numerous army bases and observation posts and towers have been closed or demolished, including those located along the border with the Republic of Ireland. The army has also withdrawn from police stations it shares with the Police Service. At the same time, as envisioned by the Independent Commission, there still remains the capacity during public order emergencies for the army to support the Police Service, including the investigation of bomb/explosive incidents.

With respect to policing public order situations, there are now successful mechanisms in place to reduce the use of force. Based on research conducted by the NIO and Steering Group, police commanders now have a broader range of less-than-lethal equipment and operational tactics available for responding to public order emergencies. The introduction of the Attenuating Energy Projectile (AEP) impact round (replacing the plastic baton round) and the vehicle-mounted water cannon have been successful, with appropriate policies and controls in place. The Police Service has also demonstrated the capacity to deal with public order incidents without relying on increased help from the army or other police services. At the same time, the Police Service has successfully worked with the community organisers in planning parades that might be contentious and facilitating the use of trained marshals to reduce the potential for disruption.

Internal management of change will be again tested with the April 2007 reorganisation in anticipation of the Review of Public Administration (RPA) District Council changes which are scheduled to occur in 2009. The changes to delegated authority recommended by the Independent Commission generally had the anticipated impact of bringing local police commands closer to their communities. Structural changes completed early in the process of the 2001 organisational realignment removed a layer of management and installed a slimmed down command structure for rural and urban regions. The Chief Constable's policy on devolved authority described the empowerment of commanders. Since the introduction of devolved budgets the Police Service has successively reported that its expenditures are within the limits of budget appropriations, something which had not occurred in the many prior years when spending was heavily impacted by the unpredictability of the security situation. Devolved decision-making over local deployment of personnel and local policing matters are effective to a degree¹. The oversight of delegation rests with the Deputy Chief Constable through twice yearly reviews.

An executive level operational review system for DCUs is now firmly in place and it is a best practice recognised as a driving force for performance improvement. The basic requirements for trending and tracking of complaints against police are fulfilled through cooperation with the Office of the Ombudsman. Complaint statistics by DCU, including complaint outcomes are available to the public on the web site of the Police Ombudsman (www.policeombudsman.org). A new Annual Performance Appraisal (APR) system was installed on 1 April 2007, generally meeting the requirements of the Policing Board for recognition of human rights.

The Independent Commission recommended a series of measures with respect to Information Technology. This demanding challenge has tested the capacity of the Police Service since the project initiation in 2000. Although an Information Systems (IS) strategy was approved in 2001, by early 2004 it was evident that the Police Service was unlikely to achieve fully integrated systems within the original five year estimate, due to a number of external and internal issues which are explained further in the Chapter on Information Technology (IT). It is estimated that the approved project lags two years behind the original target.

Despite the slow start on implementation of a new systems architecture, in the early years of the project the Police Service acquired and installed infrastructure that delivered improvements to internal communications and enabled users to acquire systems skills and experience. From 2001 to 2004, most of the deliverables focused on provision of IT infrastructure and improved access to legacy systems: some 6,500 new personal computers and 2,500 printers were installed within DCUs and Headquarter's departments; all staff were provided with an e-mail account; and introduction of a corporate intranet permitted easy access to duty briefings, policy directives, an electronic problem solving folder and financial management systems enhancements. A modern digital mobile radio and mobile communication system (Barracuda) was successfully launched in 2004, with the capacity to extend a fully encrypted service to Fire and Rescue and to the ambulance service at a later date. The Causeway project was completed in 2006, a system which allows police to share information electronically with criminal justice partners agencies and frees up police time for operational duties.

The Independent Commission noted that the structure of a police organisation should reflect the role that police are expected to perform, and accordingly advanced a number of recommendations in that regard. Twenty-nine District Command Units (DCUs) were created on 1 April 2001 with boundaries coterminous to district council areas. The exception was Belfast which was divided into four local district areas. District Command Units were ultimately divided into two regions, Urban and Rural, each with an Assistant Chief Constable (ACC) in charge. A number of initiatives were undertaken to promote effectiveness and efficiency. The Police Service adopted the HMIC definition of "front-line" positions for measuring operational resources compared to "back-office" allocations, establishing a front line policing target of 60% of total officer complement for 2006. As of April 2007 the actual was almost 69%. The Policing Plan 2006-2009 included a goal to take that figure to 72% by 2007-2008.

Efficiency measures applied to back office operations hold promise of other reductions, implementing measures identified by the Anti-Bureaucracy User Group. In addition, all major functional units of the Service are charged with contributing to the Gershon efficiency target of 7.5% savings over three years. A newly created Continuous Improvement Unit was directed to focus on improving the efficiency of the business processes of Headquarter's departments, and a workforce plan for police staff aimed at rationalising the total police staff complement, including Headquarters, was under development in April 2007, following a Value for Money review of police officer and staff numbers by the NIO.

Implementation of the Independent Commission's recommendations relating to national security matters have been successfully accomplished by the Police Service, although the primary



responsibility for national security will be transferred to the Security Service (MI5) in late 2007. With the creation of the Crime Operations Department, the legacy Special Branch and Crime Branch were brought together under a single assistant chief constable starting in 2001. The Special Branch was replaced with C-3 Intelligence and C-4 Crime Support units, with overall numbers reduced for the security function. Procedures have been adopted by the Crime Operations Department to keep district commanders well briefed on security activities, operations and criminal activity in their districts. The preconditions established by the Police Service for the transfer of national security responsibility are designed to ensure that district commanders continue to receive briefings by C-1 Intelligence on security activities in their respective districts, so that they can contribute to community impact assessments.

The Northern Ireland Office (NIO) and Police Service successfully implemented the recommendations with regard to offering voluntary early retirement or severance to eligible regular police officers and reserve members. The severance scheme accomplished its objective of reducing the size of the Police Service to 7,500 regular police officers, while creating vacancies that allowed for the recruitment of an equal number of Catholic and other than Catholic police officers. The Voluntary Severance Support Unit (VSSU) successfully implemented a comprehensive outplacement programme to provide retraining for police officers and reservists seeking other employment. The VSSU also provides outplacement services that included advice on pensions, financial advice, career counselling, job opportunities, and assistance with related matters. The Police Service and the Police Rehabilitation and Retraining Trust (PRRT) have initiated and effectively communicated the available retraining programme to all reservists including those separating under the voluntary severance scheme and those separating because of the reduction of the full-time reserve staffing.

Although the Full Time Reserve (FTR) has not yet been fully phased out, the Police Service has implemented a Government funded severance package and retraining programme for those reservists who are eligible for severance benefits. There have been discussions and some progress aimed at assisting reservists with training and obtaining employment with other police organisations.

The Independent Commission had a number of recommendations regarding the composition and recruitment of new police officers, including community support. From the outset, the Catholic Church and some leading public officials have publicly expressed support for the Police Service and have provided encouragement for young people to become a part of it. In 2001, the Gaelic Athletic Association repealed its Rule 21 so that now members of the Police Service can become members of the Association. This support clearly contributed to the success of the recruitment programme and overshadowed the lack of support by others and some open discouragement for Catholics interested in joining the Police Service. Most recently, the endorsement by Sinn Fein of policing arrangements is welcomed and should augment the existing levels of support.

While the Police Service has not fully implemented the entire array of recommendations relating to composition and recruitment, the accomplishments have been significant. Contracting with the Consensia Partnership for police officer recruitment and with Grafton Recruitment for civilian staff recruitment has been very successful. This is a credit to Consensia, Grafton, and to the Police Service itself for its professional support of these recruiting programmes.

Following approval of the contract for police officer recruitment in 2001, Consensia developed a comprehensive recruitment and selection programme that included imaginative and persistent advertising, a comprehensive, multi-faceted selection process involving lay observers and assessors, which provided for the appointment of an equal number of qualified Catholics and other than Catholics from established merit pools.¹ Eleven recruitments competitions have been completed and competition 12 is underway (April 2007). Consensia has received over 112,300 requests for applicant information packs, which resulted in over 72,900 actual applications being received. Nearly 36% have been from Catholics and just over 35% from women. The applicant rate has continually exceeded projections and has produced an abundance of qualified recruits, nearly 25% of which have college degrees. Through April of 2007 almost 2500 have been processed for training on a 50:50 basis. Of the selected candidate police officers, some 36% have been women. By April of 2007, the percentage of Catholic police officers stood at 21% and is expected to reach the goal of 30% by 2010/2011. Present recruitment projections indicate that there will continue to be a greater number of qualified recruits than the Police Service is able to accept into training.

Following approval of the contract for the recruitment of civilian staff in 2002, Grafton Recruitment developed a comprehensive recruitment programme for civilian support staff similar to the one for police officers.² The programme includes an innovative and imaginative, broadly based advertising strategy designed to reach groups currently under-represented in the Police Service. There is an established set of job-related competencies that each civilian support staff applicant must meet in order to be entered into a merit pool for selection to those positions. They have proportionally achieved similar success to that of the Consensia Partnership.

The Police Service has undertaken a number of youth and school contact initiatives in support of long-term recruitment goals, as well as to generally improve relationships with young people. The political situation up to the present time has made the delivery of school programmes difficult, particularly in underrepresented areas. The changing political climate should improve this capability in the future.

The Independent Commission noted that the training, education and development of police officers and civilian staff would be critical to the success of the Police Service's transformation, and future. The evolving training enterprise has had to meet major challenges including six Heads of Training in seven years as well as the displacement of police college personnel for a number of administrative reasons including promotions, transfers and retirements. Despite these impediments, the Police College and the Staff of the Training, Education and Development (TED) enterprise have worked hard and effectively in their attempt to meet the recommendations of the Independent Commission's report. Innovative learning and development skills sets have been introduced, along with the successful implementation of state-of-the-art information and communication technology, a challenge in and of itself. Encouraging news is that the Government announced support and a commitment to funding the new Cookstown area Police College in an innovative partnership with the Northern Ireland Fire/Rescue and Prison Services. Good oversight of the training regime is now in place, which includes a renewed Police Learning Advisory Council (PLAC). As well, the Policing Board established of a system of eight Key Performance Indicators

¹ The Police (Northern Ireland) Act 2000 authorises the appointment of an equal number of Protestant and Catholic police officers.

² Consistent with the Police (Northern Ireland) Act 2000, when recruiting for six or more civilian posts at the same level, an equal number of Catholics and those other than Catholic must be appointed. When recruiting for less than six posts at the same time, the 50:50 recruiting requirement does not apply.



which benchmark and measure training success. The Police College Northern Ireland (PCNI) currently has a number of academic and professional accreditations, and further details can be found in the Training Chapter.

The Police College has trained or has in process almost 2,500 new recruits and the programme continues to be progressive with the introduction of modifications to meet the ever increasing demands of a changing policing environment. The Police College has demonstrated its ability to adapt to emerging training needs such as developing the training modules for the Police Officer Part-Time (POPT), which included off-site training through community colleges as well as e-learning techniques. In response to the Police Service's restructuring ahead of the Review of Public Administration (RPA) changes, the Police College was proactive in developing a series of five modules to be delivered to the new DCU Commanders and management teams appointed to head the eight new DCUs.

Culture, ethos and symbols were considered by the Independent Commission to be important for how policing saw itself, and how others perceived it. There were a number of recommendations that covered the name of the Police Service, uniform and badge, memorials and the establishment of a neutral working environment. All of these have been accomplished and increasingly embedded in the organisational culture.

International and north/south cooperation was deemed important by the Independent Commission, as they were conscious of globalised crime and the need for networked policing to combat the phenomenon. Since then international terrorism has been added to the mix and the Independent Commission's recommendations assume even more importance today. Consistent progress has been made by the Police Service, with the two north/south governments facilitating a legislative base from which the PSNI and An Garda Síochána can exchange officers. Annual conferences, joint disaster planning, training exchanges and a joined up effort to combat organised crime are some of the initiatives. While more in the way of exchanges and international training can occur, thereby developing the next generation of police leaders, there has been good overall progress toward accomplishing the Independent Commission's intent.

Remaining Areas of Concern

As noted in this report, human rights policing performance monitoring by the Policing Board and its human rights advisors is very systematically and ably conducted. In addition, a variety of other agencies such as the Ombudsman, Northern Ireland Human Rights Commission, and NGO's such as the Committee for the Administration of Justice (CAJ) and others do monitor policing performance issues. There are just two issues to highlight and they deal more with eventual outcomes than specifics.

The first is with respect to human rights training (Recommendation 4) which was seen as essential to the Independent Commission's vision for a "new beginning" to policing in Northern Ireland. Serious efforts have been made to increase the knowledge of recruits in the importance and applicability of human rights to policing, and to incorporate these principles into advanced and specialised training. Nonetheless, effective training remains in our view the greatest challenge with respect to the implementation of the human rights recommendations. Specifically with reference to our performance indicators published in 2001, the Police Service needs to demonstrate that

human rights are being delivered as planned in all training; to increase the knowledge of recruited trainers in human rights; to systematically observe teaching activity by teams from inside and outside the police to confirm and ensure that human rights content is delivered as planned; and to evaluate the impact of human rights training on subsequent behaviour.

The second issue to highlight is the personnel appraisal system (Recommendation 5) which is concluded but needs to be evaluated over time to ensure that it is having the desired outcome. The Police Service adopted a personnel appraisal framework in April 2003 that included a human rights component. It has now been revised and includes human rights elements and behaviours as part of a UK-wide "integrated competency framework". This has been approved by the Policing Board's human rights advisors and the new appraisal system commenced on 1st April 2007¹. We agree with the advisors however, that further work needs to be done in training supervisors in its use so that it inspires greater confidence among members of the service. The Police Service has not incorporated an assessment of human rights performance as a direct part of the promotion process, although documented violations of human rights or failure to supervise adherence to human rights does prevent the nomination of candidates for promotion. What is lacking is a current assessment of a candidate's knowledge of and commitment to human rights. These are areas for the Policing Board to monitor and assess over time, recommending correction as required.

In 1999 the Independent Commission presumed that the devolution of Policing and Justice powers to the Northern Ireland Assembly would soon occur. However, political difficulties preempted this and it has not yet occurred. The next scheduled date for this to occur is in May of 2008. As recommended by the Independent Commission, it will be important that, when devolution of policing and justice powers does happen, the powers of the Policing Board are not diminished. This will provide a layer between policing and politics while respecting Ministerial responsibility.

With respect to the empowerment of local communities in providing public safety, the recommendations of the Independent Commission have not been fully implemented. Believing that local accountability entails the ability to make choices with respect to how policing is done, the Independent Commission recommended that District Councils be given the power to allocate tax money up to 3p in the pound "to purchase additional services from the police or other statutory agencies, or from the private sector" (Recommendation 32). This is the only recommendation of the Independent Commission that was rejected by the government and it is an area that could be revisited in conjunction with future decisions on the Review of Public Administration (RPA) and the devolution of policing and justice powers.

The relationships between DPPs and Community Safety Partnerships (CSPs) have yet to be fully worked out and as pointed out in previous reports, there is 'role confusion' and a lack of optimisation of community effort as a direct result of the structures. The DPPs have a mandate to organise and monitor local crime-prevention planning with the police while also holding the police to account for what they have done in this regard; the CSPs are authorised to undertake community-based crime prevention programmes and have funding to do so. Because all three groups (police, DPPs, and CSPs) are in the crime-prevention business, questions naturally arise about the division-of-labour with respect to planning and implementation. Currently there is a wide variation in practice across Northern Ireland. In one sense this is a good thing, as different

¹ See also Recommendation 77, Police Appraisal System



communities can sort out what works best for them. At the same time, the Policing Board, the Police Service and the Northern Ireland Office need to be alert to the effects that the well-intentioned creation of community groups and their overlapping mandates can have on community engagement, as well as the capacity of the Police Service to deal with the demands. With the 2009 Review of Public Administration implementation looming, it will be timely to review the structural issues and create structures appropriate to optimising the all important community engagement efforts and expenditure of resources.

Related to this, the DPPs face a new and very serious challenge as a result of the recommendations of the Review of Public Administration. Eight new District Command Units were established on 1 April 2007. They constitute a new tier of police organisation and management, overseeing the work of the previous 29 DCUs which will now be designated as "areas". Although this decision may be justified on grounds of efficiency, it creates challenges for community consultation and engagement with the police. In order to ensure the accountability of DCUs to local communities, the Independent Commission recommended that DPPs be co-located with them. In the new configuration of DCUs, this would imply the need to create new levels and processes for community consultation.

Because the Policing Board, the NIO, and the Police Service would all like to continue the existing DPPs, discussions are now underway about creating "partnerships" coincidental with the 8 new DCUs, and determining what their functions would be in relation to the existing DPPs. There will be no formalised community "partnership" at the new DCU level for at least a year and possibly longer if the Assembly decides to reconsider council boundaries. In the meantime, the Police Service has directed its new DCU commanders to work with existing DPPs during 2008 and 2009 in formulating local policing plans.

Policing with the Community continues to evolve in an overall positive manner. In 2004 the Police Service adopted the methods and techniques of Intelligence Led Policing (ILP) as the primary method for preventing offences and for managing crime and disorder hot spots, targeting serious offenders and investigating linkages between incidents and persons. The challenge of fusing the methods and techniques of ILP and community policing brings into question the means for measuring success. ILP relies primarily on indicators of efficiency based on quantitative measures, such as crime rates, clearance rates, traffic statistics, drug seizures, arrests and other activity reports. The community is concerned with perceptions such as the fear of crime, victimisation and public safety. More difficult to define and assess, however, are those indicators for overall effectiveness and outcomes, in other words, qualitative indicators more closely related to the objectives of policing with the community. A framework for measuring performance and accountability requires early attention by the Police Service and the Board.

One specific issue that impacts policing with the community is call management, the critical portal through which the community appeals for police assistance. The current call handling system is below standard in technology and efficiency, a weakness identified by HMIC in 2005¹. As matters stand, lack of an adequate call management system is a risk to public acceptance of effective policing throughout Northern Ireland.

The reorganisation of the new policing structures will be more efficient, however the installation of a longer chain of command and the potential diminishment of decision-making ability by

supervisors and front-line officers more distant from a commander, presents a challenge to sustaining the benefits of delegated decision-making, a key component for success in local policing. The Policing Board and DPPs will have to maintain a close scrutiny with respect to the outcomes of the new structures and the impact they have on policing with the local communities.

The major task of transforming police stations from a fortified appearance to ordinary stations, appropriate to a peaceful and supportive society, has been a slow process with moderate results compared to what could have been achieved. Based on an approved estate strategy and a major works programme, several new stations have been built and others have been renovated or scheduled for renovation, both the interiors and exteriors. Although the Police Service submitted a list of 61 obsolete stations eligible for decommissioning, the Policing Board has approved only 22 stations for sale as of April 2007. In some cases, as can be expected, communities resist police station closures, confusing the presence of a building for the presence of police. As a result of the current PSNI reorganisation, there will now be more delays in achieving a normalised policing estate. At this stage, this delay is not inappropriate given the large expenditures required and associated spends for such things as custody suites and supporting technology. The Policing Board will now need a resolute determination to achieve the appropriate estate configuration envisioned by the Independent Commission. Unfortunately, this will now be in the face of decreasing financial resources for that change.

The efforts devoted to civilianisation by Police Service throughout the seven years of oversight fell short of the rigorous programme and replacement of up to 1,000 police posts anticipated by the Independent Commission. Admittedly there is administrative complexity to be resolved including the difficulty of blending categories of existing police and civilian staff, observing the terms of contractual agreements protecting employee rights and benefits, and ensuring throughout the effective support for operations. Still, civilianisation of police posts not requiring police powers or police skills and experience is an inviting efficiency measure and an opportunity to return experienced officers to front-line policing. The Policing Board will need unrelenting perseverance, as will the police service, to overcome the organisational inertia on this issue.

The Independent Commission wanted to see the Police Service at the forefront of law enforcement technology within 3-5 years. For a variety of reasons that did not happen, and at best the Police Service will be able to keep abreast of the exponential advancements in police technology. The achievement of the IS strategy is estimated to be two years behind schedule. In February 2007 it became public knowledge that previously approved Treasury funding, amounting to £64.5m to finance the PSNI IS strategy, was in jeopardy. This had been regarded as ring-fenced and now placed the implementation of the strategy at risk. Among the projects under review are the mobile data and call management. Of major concern is a possible delay to call management, a key strand of the IS strategy and vital to delivering policing with the community. The current call management process of the Police Service is far below standard, both in systems efficiency and impact on the public, a weakness identified by HMIC in 2005. The necessary requirements for providing a successful customer-focused service include definitive call grading procedures, management of public expectations, and adequate training for staff in the consolidated call handling centres.

¹ This issue is dealt with in the Chapter on Information Technology



Following the transfer of national security responsibilities from the Police Service to the Security Service (MI5), it is anticipated that a further review of the operation of the new national security arrangements will be conducted each year by an independent reviewer. Experience in other jurisdictions¹, are a good indicator that eventual difficulties will occur in the overlap areas of policing and national security. The Police and Security Services have to their credit set out principles that are aimed at avoiding problems at their interface. It will be nonetheless important for the Policing Board, from the perspective of the accountability of policing in Northern Ireland, to monitor the area of overlap between the policing and national security remits for any emerging difficulties. While the Policing Board does not have oversight of National Security matters, there are other structures that do. The Policing Board, and the Ombudsman, do however have a remit over the policing delivered in Northern Ireland and it will be important that they take up this responsibility to the boundary of their remit.

Even though there has been a sustained improvement in the security situation, and the Police Service reached the goal of 7,500 regular police officers in 2004, a full phase out of the Full Time Reserve (FTR) has not occurred. One phased reduction has occurred and the current FTR establishment is approximately 759. The Police Service has continued to assign reservists to regular patrol, public order policing, and neighbourhood policing duties. While this is appropriate for now, a practical skill gap will occur in the future with the departure of the FTR. A review of the FTR is scheduled in the fall of 2007 to determine if they are needed beyond 2008.

There has been limited progress during the past six years towards enlarging the Part Time Reserve (PTR) up to the recommended 2,500 officers, and this is not expected to occur in the manner envisioned by the Independent Commission. The current number of Police Officers Part Time (POPT) stands at approximately 850. There are several reasons for the lack of growth: the scarcity of political and community support in some areas for the Police Service, reluctance of potential recruits to join the Police Service, and an alternative proposal to employ full-time Police Community Service Officers (PCSO) instead of expanding the size of the PTR. Although the PCSO concept emerged after the Independent Commission report, it has been enjoying some success in England and is a viable proposal. Nonetheless, the desire to establish a PCSO programme should not be seen as a reason for delaying an appropriate expansion of the PTR programme. Both schemes represent an opportunity to involve locally recruited people and involve them in local policing.

The Government, while supporting the principle of fair participation in the civilian workforce, did not adopt the Independent Commission's recommendation to achieve it; instead it set forth a package of measures designed to correct the imbalance, which stood at 12% Catholic in 1999. This percentage has now moved to 16.8% as of March 2007, an increase of 4.8%. In the similar period, the police officer representative figures moved from 8% Catholic to the current 21%, moving rapidly towards the 30% target in 2010. This is aided of course by the 50:50 recruitment legislation. According to the Fair Employment Monitoring Report of December 2006, the larger civilian public sector workforce is 43.5% Catholic.¹ A Tri-Partite Working Group established to implement the workforce suggests that the civilian compositional target of 30.6% Catholic will take until at least 2014/2015. This differential gap in community representative percentages will continue to grow between regular police officers and supporting civilian staff, and is a looming

¹ Fair Employment Monitoring Report (No. 16) published by the Equality Commission for Northern Ireland, December 2006.

problem pointed out in our previous reports. The Policing Board will need to closely monitor the civilian targets and certainly search for ways to expedite the civilian representation, including from other diverse groups.

The Police Service has provided no evidence demonstrating an effort to identify senior Northern Ireland Catholic officers serving in other police services as a means to address the community background imbalance in the senior ranks. While this appears to be, in part, based on the perceived difficulty in making such identification, it has made no sustained effort to action this potential source of Catholic officers. Catholics in the senior ranks stood at 16% in 1999 and now stands at 12%, in a large part due to the number of senior Catholic officers taking advantage of severance. In the long run the issue will be addressed by the increasing Catholic representation at the intake end; however, senior representation in the intervening years appears to be left to chance. The Policing Board may want to reflect on this gap and determine if they wish the Police Service to more assertively address this issue.

The Independent Commission made a number of recommendations relating to training, believing that training, learning and development would be a key part of changing policing in Northern Ireland. There are some recommendations that remain a concern for close monitoring by the Policing Board in their oversight role. The first and most obvious relates to the completion of the new Police College. The February 2007 announcement by the Secretary of State for Northern Ireland, relating to the approval for the new shared facility, is most welcomed. It does however remain subject to final Treasury approval. Even though the college will be delivered long after the 1999 recommendation and over 10 years after the Government's 2001 commitment to do so, it will be both symbolically and practically important to deliver on the promise. The physical deterioration or 'rust out' of current facilities is a concern in the meantime. The second recommendation deals with Service Level Agreements (SLAs) and the devolvement of training to the DCUs (Recommendation 132). The SLAs will be the vehicle for ensuring that the organisational structures of the eight new DCUs, are able to deliver the required training, learning and development needs for the present and future. The third recommendation to be closely monitored by the Policing Board deals with the ongoing roll-out of Information Technology and associated training needs that have a crossover effect on the whole of the organisation (Recommendation 44). This is an area of risk in view of the high cost associated with this type of specialised training (see also Recommendation 93). The Police College has a major responsibility to provide the necessary skill-sets to meet the introduction of state-of-the-art equipment and subsequently requires the capacity and resources to maintain its commitments.

The recommendations of the Independent Commission surrounding the Cooperation with Other Police Forces chapter are not so much an area of direct concern, as they are a reminder. In 1999 the Independent Commission recognised that the (then) Royal Ulster Constabulary was well known and respected internationally for its skills and experience in the security and public order domains. The Independent Commission felt however that they would need to do more as a new Police Service which would be increasingly focused on policing with the community efforts and dealing with 'ordinary crime'. The Police Service has accomplished a great deal with enhanced north/south partnerships, agreements and protocols in both training and operations. They have established and sustained training links with the UK, the Republic of Ireland and other countries.



More can be done on exchanges and secondments, for the simple strategic reason that the next generation of police officers requires development and experience in the increasingly global policing network. Northern Ireland will not be immune from the increasingly sophisticated international organised crime, nor international terrorist activities; having a cadre of police officers and civilian staff familiar with working and cooperating in an international venue will be important. The Policing Board should ensure such a culture is nurtured and supported.

▶▶ human rights



A. Chapter Summary

Background

Embedding human rights in the practice and culture of the police of Northern Ireland was an overarching goal of the Independent Commission. "It is the central proposition of this report that the fundamental purpose of policing should be, in the words of the Agreement, the protection and vindication of the human rights of all." (p. 18) The standards for human rights performance were both British and international, specifically, the Human Rights Act 1998, the U.N. Declaration of Human Rights (1948), and the European Human Rights Convention (1950). In order to achieve this goal, the Independent Commission recommended seven actions: (1) development by the police of a human rights action-plan, (2) administration of a new oath to all officers, (3) development of a code of ethics incorporating international standards, (4) training for civilian as well as sworn personnel in the human rights implications of all police activities, (5) inclusion of human rights in any appraisal made of individual performance, (6) appointment to the police service of a lawyer with human rights expertise, and (7) close and regular monitoring of the human rights performance of the police by the Policing Board.

In emphasising the importance of human rights for the future of policing in Northern Ireland, the Independent Commission made a particular point of highlighting that adherence by police to human rights was not harmful to their effectiveness in controlling crime and disorder.

We cannot emphasise too strongly that human rights are not an impediment to effective policing but are, on the contrary, vital to its achievement. Bad application and promiscuous use of powers to limit a person's human rights - by such means as arrest, stop and search, house searches - can lead to bad police relations with entire neighbourhoods, thereby rendering effective policing of those neighbourhoods impossible. (p. 18)

In these words, the Independent Commission provided a new rationale for incorporating human rights into policing. Human-rights based policing was not just good normatively, and therefore subject to being balanced against law-enforcement objectives, but it was also critical to achieving those very objectives. Human rights, in short, were not an additional benefit in policing; they were essential to achieving the fundamental purpose of the police, namely, public safety and order.

Progress and Accomplishments

To the credit of the police service, the human rights recommendations of the Independent Commission were accepted as articulated in the Governments Implementation Plan of August 2001. A human rights lawyer was appointed in October of 2001 and a replacement appointed in January of 2006. Formally appointed to the department of legal affairs which reports directly to the Chief Constable, she was also a member of the human rights team under the direction of the Police Service's designated "Human Rights Champion," the ACC Criminal Justice. The human rights lawyer immediately undertook a review of all policies for compliance with the UK Human Rights Act 1998. As the importance of protecting human rights in all aspects of policing gradually was accepted throughout the Police Service, the human rights lawyer was consulted increasingly about operational planning. It is not uncommon now for district command staff to consult the human rights lawyer about prospective operations, especially preparations for parades. The human rights

lawyer also provides advice to the training department and has created an internal website with current information about human rights.

A code of ethics incorporating the human rights principles of both the Human Rights Act 1998 and the European Convention on Human Rights came into force in March 2003. It consists of ten short articles and is the basis for disciplinary investigations and sanctions. It may be found on the website of the PSNI. It is particularly worth noting that the code imposes a duty to supervise (Article 10), meaning that supervisors can be held accountable for failing to maintain professional and ethical standards among their subordinates. This is rare, if not unique, among police services. By May 2003 all serving police personnel had attested that they had read and understood the new oath drafted by the Independent Commission. It is now administered to all police recruits upon graduation from the training academy.

Although the Police Service began implementing the human rights recommendations of the Independent Commission almost immediately, a programme of action for doing so, as called for by the Independent Commission, was not published until September 2004. It was criticised in the first annual human-rights report of the Policing Board as being a retrospective account of what had been accomplished rather than a forward-looking programme of action. As a result of this prodding, the police service agreed to publish an annual human-rights programme that addressed shortcomings in human rights practice. This is a development that goes beyond what the Independent Commission recommended, in effect making a human-rights implementation plan a continuing obligation of the police service. The first plan was published in September 2004 and the second in December 2006¹. The Policing Board recommended and the Police Service accepted that such annual plans will be formulated and adopted within three months of the publication of the Policing Board's annual human rights report.

Finally, the Independent Commission not only made recommendations for actions to be undertaken by the police service, but laid a specific obligation on the Policing Board to closely monitor the police service's human rights performance². The Policing Board responded in February 2003 by hiring two advisors with extensive human rights experience and asking them to develop an evaluation framework that would be the basis for annual appraisals of human rights performance. The monitoring framework was published in late 2004; the Policing Board's first annual human rights report followed in March 2005 and the second in September 2006³.

The monitoring process created by the Policing Board and its human rights advisors are a model for the evaluation of the human rights performance of a police service. Based on an explicit analytical framework, the Policing Board's reports assess information from internal documents, external reports, operational observations, informed testimony, and commissioned surveys covering every aspect of policing where human rights are involved. The reports make recommendations about matters that need attention as well as tracking the implementation of previous ones. At the request of the Policing Board, the human rights advisors have also published two special reports on the policing of parades⁴.

¹ Human Rights Programme of Action 2005-2006 and Human Rights Programme of Action 2006-2007.

² Monitoring PSNI Compliance with the Human Rights Act 1998.

³ Human Rights Annual Report 2005 (March 2005); and Human Rights Annual Report 2006 (September 2006).

⁴ A Report on the Policing of the Ardoyne Parades 12 July 2004 (2004) and Report on the Policing of the Ardoyne Parades 12th July 2005 and the Whiterock Parade 10th September 2005 (2005).



It should be noted that the quality of these reports reflects not only the intelligence of the authors and the commitment of the Policing Board to the monitoring enterprise, but the extraordinary openness of the Police Service to this evaluation. The Police Service also supported five studies of its human-rights training by the Northern Ireland Human Rights Commission, studies which did not shrink from making critical judgments¹.

Remaining Areas of Concern

One human rights recommendation of the Independent Commission remains to be completely fulfilled, the incorporation of human rights into training (Recommendation 4). The assessment of individual human rights awareness (Recommendation 5) was originally concluded in Report 13 by reference to Recommendation 77. A new appraisal system was instituted on 1 April 2007, including a human rights assessment. The only remaining issue is to flag for the Policing Board the specific need to monitor the outcomes from the human rights element of appraisal and promotion process, as well as the need to properly train supervisors in the assessment of human rights. The Human Rights advisors are certainly aware and capable of this.

With respect to training, the Independent Commission viewed training in human rights as essential to its vision for a "new beginning" to policing in Northern Ireland. Serious efforts have been made to increase the knowledge of recruits in the applicability of human rights to policing and to incorporate human rights into advanced and specialised training. Training materials have been audited for human rights content. The training of recruits now begins with a two-day seminar by a university expert in human rights. Nonetheless, effective training remains, in our view, the greatest challenge with respect to the implementation of the Independent Commission's human rights recommendations.

With reference to our performance indicators published in 2001 the Police Service needs to demonstrate that human rights are being delivered as planned in all training; to increase the knowledge of recruited trainers in human rights, which now relies on a one-day course in a five-week teacher-training program; to observe teaching activity systematically by teams from inside and outside the police to ensure that human rights content is delivered as planned; and to evaluate the impact of human rights training on subsequent behaviour.

Future Issues and Directions

1. The recommendations made by the Independent Commission with respect to human rights - programme, oath, ethics, training, performance assessment, lawyer, monitoring - are means to an end and not the end in themselves. They are presumptive accomplishments in the sense that their implementation should encourage police actions to comply with human rights, but they do not guarantee that they will. Although we can attest that implementation of these recommendations has been largely achieved, it remains for the people of Northern Ireland through their various monitoring institutions, political and legislated, to determine whether the

¹ "Report on the RUC's Training the Human Rights Act 1998," (2000); "An Evaluation of Human Rights training for Student Police Officers in the Police Service of Northern Ireland," 2002; "Probationer Constables and Student Officers," (2004); "Course for All," (2004); and "Tutor Constable Scheme," (2006).

institutions and practices recommended by the Independent Commission have achieved the desired outcomes. We note in particular that the assessments of the Policing Board's human rights advisors, whose methodology provides an on-going and fine-tuned examination of police behaviour, serves as a useful model.

It is our view after almost seven years of monitoring the Police Service's responses to the challenge of the Independent Commission that a consciousness of human rights has taken root in a way that is unique among police services. It informs thinking throughout the organisation, from planners to investigators, to beat officers, to public-order units, and to support personnel. This consciousness has been institutionalised in people with explicit responsibility for human rights and in operational procedures. This is a remarkable achievement which the Police Service and the people of Northern Ireland should be proud of.

2. The creation of a culture of human rights, which was the objective of the Independent Commission, is not something that is achieved once and then endures without further attention. It requires continued monitoring, assessment, adjustment, and reinvigoration. This will be the on-going responsibility of the PSNI, the Policing Board, and the devolved government.

We suggest that the following items will be particularly important for safeguarding the gains that have been made as well as expanding the domain of human rights in the policing of Northern Ireland.

- (i) All police personnel should periodically receive refresher training in human rights. The Policing Board's most recent human rights report observes that although officers have attested that they understand the Code of Ethics, "...most officers were vague about [its] contents and requirements." (2006, p. 30)
- (ii) Because training in human rights is most effectively done in operational contexts rather than in classroom settings, it is important that district trainers be encouraged and supported to take advantage of human rights issues that arise to provide reactive, on-the-spot training.
- (iii) Personnel appointed as trainers should be vetted to ensure that they have unblemished records with respect to human rights and a sincere appreciation of their importance in modern policing.
- (iv) The PSNI training establishment should develop mechanisms for soliciting advice from informed persons within the Northern Ireland community about the content of human rights training as well as the ways in which it can most effectively be delivered.
- (v) The Police Service's "Human Rights Champion" should act proactively as well as reactively. In addition to preparing and facilitating programmes of action addressing concerns brought to the attention of the PSNI, the Champion should monitor the quality of supervision with respect to human rights in order to suggest corrective action before problems develop. The Policing Board's second human rights report recommends, for example, that the Police Service review breaches of the code of ethics every six months, inform the Policing Board quarterly about them, and take appropriate remedial action.
- (vi) The monitoring of the performance of the Police Service with respect to human rights should



remain a first-order priority for the Policing Board. It is essential that the Policing Board continue to provide the resources necessary to maintain the high level of its current effort.

- (vii) The fundamental test for whether a police service has developed a human rights culture is the quality of the interactions between police and public. Important indications of this come through the formal complaint process, which is supervised by the Police Ombudsman, and internal disciplinary mechanisms within the Police Service. While critically important, these are bureaucratic procedures that reflect more serious infractions against discipline. What is needed, in addition, are studies that evaluate the daily, routine contacts between police and public. This can be done in various ways, such as locally focused surveys, call-backs to people who have had contact with the police, representative focus groups, and systematic observation by qualified civilians or law-enforcement professionals. In the end, the quality of police interactions with the public will determine whether the people of Northern Ireland believe that the vision of the Independent Commission with respect to human rights has been achieved.

B. Recommendation Summary

Recommendation 1: Human Rights Based Approach to Policing

Patten Recommendation:

1. There should be a comprehensive programme of action to focus policing in Northern Ireland on a human rights-based approach.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

Although the development and publication of a human rights action plan was the Independent Commission's first recommendation, such a plan was not published until September of 2004, four years after the publication of its report. There were several reasons for this, notably the painstaking attention to other human rights recommendations, such as the new Police Oath and the Code of Ethics, and delay in publication of an approved plan until it had been reviewed by the Policing Board's newly-hired human rights advisors. The 2004 action plan was a retrospective account of the progress that the Police Service had made across the broad front of human rights recommendations since the Independent Commission. That plan was criticised by the Policing Board in its first annual Human Rights Monitoring Report (2005) for not being a forward-looking programme, in essence for not being a real programme of action.

The Police Service accepted this criticism and its "Human Rights Programme of Action 2005-2006" set forth its intended response to and completion date for each recommendation made by the Policing Board in its first annual report. It has done so again in its 2006-2007 programme of action in response to the Policing Board's second annual report.

Recommendation 2: New Police Oath

Patten Recommendation:

2. There should be a new oath, taken individually by all new and existing police officers, expressing an explicit commitment to upholding human rights.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

All recruits now attest to the new oath during graduation exercises at the end of their initial twenty weeks of training. All personnel recruited before September of 2002 have signed a statement that they understand the new oath and accept the new Code of Ethics. Police officers recruited laterally from other police services attest to the new oath at the end of their five-week induction course. The new oath follows the wording suggested by the Independent Commission, with the addition of the phrase “and that while I continue to hold the said office I will to the best of my skill and knowledge discharge all the duties thereof according to law”.

Recommendation 3: Code of Ethics

Patten Recommendation:

3. A new Code of Ethics should replace the existing, largely procedural code, integrating the European Convention on Human Rights into police practice. Codes of practice on all aspects of policing, including covert law enforcement techniques, should be strictly in accordance with the European Convention on Human Rights.

Lead Responsibility: Chief Constable/Policing Board/NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

A new Code of Ethics was approved by the Policing Board and published by the Police Service on 13 February 2003. It explicitly cites international conventions, notably the European Convention on Human Rights, the United Nations Code of Conduct for Law Enforcement Officials, the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, and the European Police Code of Ethics. Covert policing is made compliant with the European Convention on Human rights through the passage of the Regulation of Investigatory Powers Act 2000 (RIPA), which in turn was required to be compliant with the Human Rights Act 1998 that incorporated the European Convention into UK law.

The new Code of Ethics became the conduct regulations for all police officers when the Police (Northern Ireland) Act 2003 came into force in March of 2003. In their first annual review of human rights, the Policing Board’s human rights advisors noted that these regulations make the Police Service of Northern Ireland the first police service anywhere in Europe with such an



overtly human rights-based approach to conduct and discipline. The Code is currently being revised, as is required periodically by statute.

Recommendation 4: Training in Human Rights

Patten Recommendation:

4. All police officers, and police civilians, should be trained (and updated as required) in the fundamental principles and standards of human rights and the practical implications for policing. The human rights dimensions should be integrated into every module of police training.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Full compliance with this recommendation has not yet been achieved (substantial progress)

History

Despite the commitment of successive Heads of College to the implementation of this recommendation, progress has been slow. It does however show some evidence of substantial progress recently. New human-rights material has been added to the curriculum, including a two-day opening presentation by Professor Ivan Topping, and two audits have been made for the inclusion of human rights in all lesson plans. We have accepted this as evidence that human-rights training has been integrated into all modules as well as into the general orientation of the training establishment. The Policing Board, however, in its second annual human rights report (2006), questioned whether human-rights training is actually being delivered as planned across the curriculum. The report recommends that the integration of human rights material into all elements of the curriculum be re-assessed immediately and continually on a bi-annual basis. The Policing Board's human-rights advisors insist that the delivery of this training be systemically observed by Police Service staff as well as by external human rights experts. We agree with that point.

Remaining Issues

As of 1 April 2007, three of our eleven performance indicators have not been fully met. These three are the training of newly selected trainers in human rights, systematic evaluation of training delivery, and evaluation of the impact of human rights training on police behaviour and culture.

Recommendation 5: Appraisal of Human Rights Performance in Individuals

Patten Recommendation:

5. Awareness of human rights issues and respect for human rights in the performance of duty should be an important element in the appraisal of individuals in the police service.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved. (see caveat noted below)

History

A revised personnel appraisal system was introduced by General Order 8/2003 on 9 April 2003. A human rights component was included in the annual performance evaluation of every serving police officer. Responding to criticism by the Policing Board (2005) that the annual performance appraisal was superficial with respect to human rights - a "tick-box exercise" - the Police Service has revised its appraisal forms, incorporating the relevant behaviours in the United Kingdom's 12-point "integrated competency framework". The new system was introduced on 1 April 2007. With respect to promotion, however, we agree with the Policing Board that human rights appraisals "currently play no formal part." (Human Rights Annual Report 2006, p. 129)

Remaining Issues

It will be important for the Policing Board and its human rights advisors to assess over time the results flowing from the new appraisal system to determine if it is accomplishing the outcomes sought by the Independent Commission recommendations.

Recommendation 6: Appointment of Human Rights Lawyer

Patten Recommendation:

6. A lawyer with specific expertise in the field of human rights should be appointed to the staff of the police legal services.

Lead Responsibility: Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

A properly qualified lawyer with human rights expertise was appointed by the Police Service in October of 2001 and a replacement appointed in January of 2006. The human rights lawyer has reviewed policies for human rights compliance, established an internal human rights website, provided training as needed throughout the Police Service, and responded to requests for advice about specific issues and events. The human rights lawyer is consulted about operational planning and serves on the committee which considers recommendations for administrative changes made by the Police Ombudsman about police human rights performance.

Recommendation 7: Monitoring Human Rights Performance

Patten Recommendation:

7. The performance of the police service as a whole in respect of human rights, as in other respects, should be monitored closely by the Policing Board.

Lead Responsibility: Policing Board/Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.



History

The Policing Board appointed two human-rights advisors, Keir Starmer QC, and Jane Gordon, in February of 2003 with responsibility for developing and conducting a programme to monitor the human rights performance of the Police Service. They did so in a report entitled *Monitoring PSNI Compliance with the Human Rights Act 1998* (December 2003). Following its exhaustive methodology, the Policing Board has published two human-rights annual reports (April 2005 and September 2006). These reports constitute the most complete, substantive, on-going monitoring of human rights in a police service that has ever been done. They represent the gold standard in human-rights evaluation of police. At the request of the Policing Board, Starmer and Gordon have also published two reports on the policing of three controversial parades (2005, 2006). The Policing Board has provided all necessary support for these annual reviews, including a survey of police officers and civilian staff. The Police Service, to its great credit, has permitted the human rights advisors unrestricted access to documentary material as well as to police operations.

▶▶ **accountability**



A. Chapter Summary

Background

In order to ensure that its normative vision for policing in Northern Ireland was achieved in practice, namely, that it became attentive to human rights and responsive to the community, the Independent Commission recommended that policing be made accountable to three independent external institutions.

First: the Policing Board composed of nineteen members - ten elected representatives chosen from the Assembly and nine independent members chosen from the community.¹ Its functions were to develop strategic plans with the police for crime prevention, crime control, and public order; to hold the police to account for achieving specified goals, to formulate budgets for supporting the police establishment and its operation, and to link the police and community in both the formulation of plans and the oversight of their implementation. To achieve these objectives, the Policing Board was given the power to inquire into any aspect of policing or to direct others to do so on its behalf. The Independent Commission insisted, however, that the police should make operational decisions without direction from government or the Policing Board, but at the same time should be required to explain the basis for these decisions once they were made. "It is important to be clear that a chief constable, like any other public official, must be both free to exercise his or her responsibilities but also capable of being held to account afterwards for the manner in which he/she exercises them." (p. 33) The Independent Commission called this "operational responsibility," a phrase coined to replace the older, contested formulation of "operational independence."

Second: District Policing Partnerships, constructed like the Policing Board but located at the level of District Councils. The Independent Commission said that DPPs should be "advisory, explanatory, and consultative." They should "represent the consumer, voice the concerns of citizens and monitor the performance of the police." (6.29) In practice, their functions have been to consult with the public, prioritise with the police, monitor police performance, engage with the community, and act as a general forum for discussion.

Third: the Police Ombudsman of Northern Ireland, initially created in 1998. As amended by the Police (Northern Ireland) Act 2000 following the recommendations of the Independent Commission, its role was to receive and investigate complaints against the police, to initiate inquiries into police behaviour even when no complaint has been received, to share information about patterns of complaints with the police, to advise the police about measures needed to minimise the misuse of powers, and to keep the Policing Board and the public informed about discipline within the police.

In recommending the Policing Board, its subordinate DPPs, and the Police Ombudsman, the Independent Commission explicitly recognised two kinds of accountability over the police - oversight of the statutory duties of the police organisation and oversight of the discipline of

¹ The Police (Northern Ireland) Act 2000 amended the Patten recommendation by allowing a different composition when governing authority was in abeyance and not devolved to the Northern Ireland Assembly. During those periods the Secretary could reduce the size of the Policing Board to as few as fourteen and change the balance between elected and independent members. Accordingly on 1 April 2006, the Secretary of State appointed a Policing Board with 8 elected members and 11 independents.

individual officers. In the first case, the Policing Board was authorised to approve plans, including budgets, and to appoint senior personnel, but not to direct particular operations; in the second case, the Police Ombudsman was authorised to investigate, recommend, and publicise the misuse of power by individuals within the police but not to impose discipline on them. In both cases, then, the Independent Commission wanted to create powerful institutions of accountability without infringing the authority of the Chief Constable to conduct operations and manage personnel.

In order to facilitate the activities of these primary oversight agencies, the Independent Commission made several additional recommendations. It recommended that the police create a network of consultative bodies in neighbourhoods throughout Northern Ireland (Recommendation 33). Because accountability requires openness on the part of the police, the Independent Commission also recommended that the police make all information about its activities available to the public unless there is a compelling reason in the public interest not to do so (Recommendation 37). In its chapter on "Management and Personnel" the Independent Commission recommended that the police strengthen its own internal disciplinary system (Recommendation 81), develop an automated trend identification system for complaints against the police (Recommendation 79), and use this information to guide disciplinary supervision (Recommendation 80). Recognising that accountability requires expert management of financial resources, the Independent Commission recommended that the police improve its staffing, auditing, and best-value assessments (Recommendations 42-43).

Finally, in order to ensure that covert police operations in Northern Ireland were made accountable, the Independent Commission recommended that such operations comply with regulations in force in the rest of the UK as well as the European Convention on Human Rights (Recommendation 39), that a commissioner for covert operations be appointed (Recommendation 40), and that an expert panel be appointed to investigate complaints involving covert law enforcement activities (Recommendation 41).

Progress and Accomplishments

The Northern Ireland Policing Board came into being on 4 November 2001 along with the renamed Police Service of Northern Ireland (PSNI). There is nothing like the Policing Board elsewhere among developed, democratic countries in terms of its independence and the scope of its oversight and directive authority.

Beginning in 2002, the Policing Board began issuing "Policing Plans" that look ahead four years and specify objectives, targets, and performance indicators for the next one year. The plans include the actions required to achieve the specified goals and the costs involved. The annual policing plans are based in part on an annual survey of public opinion conducted by the Policing Board about crime, the police, the Policing Board, and the District Policing Partnerships. The policing plans also contain information about police organisation, staffing, finances, and special programmes. In addition, the Policing Board publishes reports each year that assess police performance against the targets of the annual policing plan and that describe its own work.

In the last six years the Policing Board has appointed several senior police officers, among them the Chief Constable, Deputy Chief Constable, and six Assistant Chief Constables.



Co-operation between the Policing Board and the Police Service has been excellent. No disputes have arisen over the operational responsibility of the Chief Constable.

One of the major accomplishments of the Policing Board has been the creation of 26 District Police Partnerships. They were initially formed in March 2003 and reconstituted in December 2005 after district council elections. They have performed admirably and have more than met our performance expectations. The Board has developed a code of practice for them and provided extensive training for their members. In January 2006 it completed a systematic evaluation of the performance of each DPP for 2004-2005 covering crime prevention, consultation and input into strategic planning, public meetings, community representation of members, holding the police to account, budgets, and communications with the police and the Policing Board.¹

The DPPs have worked closely with the senior staff of the district commands to formulate local strategic plans as part of the province-wide planning process of the Policing Board. Because of their diverse composition, both elected and independent, the DPPs have articulated the law-enforcement needs of different sectors of the local community and have encouraged them to work cooperatively with the police.

Engaging with the public is an especially complex job for DPPs as well as for the police because of the number and variety of grassroots organisations interested in public safety. In addition to the DPPs themselves, there are Community Police Liaison Committees (CPLCs), Community Safety Partnerships (CSPs), and a host of neighbourhood and council-estate safety and watch committees. The police themselves, responding to recommendation 33 of the Independent Commission, created several hundred Consultative Forums at beat levels. The differences among these groups are not always clear and memberships overlap. There are also groups based on functional interests (minorities, the elderly, and the disabled) and service providers (hospitals, shelters for battered women). Altogether, Northern Ireland is rich in the institutions of civil society that can promote public safety as well as hold the police to account.

The operation of the Police Ombudsman of Northern Ireland was amended by the Police (Northern Ireland) Act 2000 to accommodate changes made in part as a result of the recommendations of the Independent Commission. Since then, the Police Ombudsman has been functioning as the Independent Commission envisioned (Recommendation 38). Although there was mistrust of the Ombudsman on the part of the police at the outset, a professional working relationship has now developed between them². Information about complaints is shared with the police and the Ombudsman reports patterns and trends to the Chief Constable and other command officers. Each year the Police Ombudsman publishes a report describing the nature, number, background, and outcomes of complaints received. The Ombudsman has commissioned surveys about the public's knowledge of her office and satisfaction with it. Finally, the Ombudsman has published research reports on specific topics such as police searches of residences, the use of CS spray, problems of identifying police officers, and police relations with minority communities.

With respect to transparency, the Police Service is publicly committed to full disclosure except when this is not in the public interest. After extensive consultations with the Policing Board, the Police published its "Transparency Policy" in April 2003 and a "Communications Strategy" in September 2003. As part of these efforts, the Police Service publishes an informative annual

¹ The report was submitted to the Policing Board's Community Involvement Committee 12 January 2006.

² Although the Police Federation and a retired officer's group has recently expressed non-confidence.

report describing current strategies and challenges, as well as presenting basic information about the Police Service. The original 29 District Command Units also published annual policing plans and information about local police organisation and activities. In October 2004 the Police Service adopted a freedom of information policy, as required by the Freedom of Information Act 2000, based on the ACPO-approved model which had been approved by the Information Commissioner.

As remarked elsewhere in this report, the Police Service has provided full access to the Oversight Commissioner, the Policing Board's human rights advisors, and the Northern Ireland Human Rights Commission. Its cooperation with these oversight agencies has been exemplary. All requirements respecting covert policing have been regularised in line with UK-wide legislation that provides the institutions of oversight (Recommendations 39-41). Financial accountability systems are robust and functioning as intended (Recommendations 42-43).

Remaining Areas of Concern

In constructing the Policing Board and its system of District Policing Partnerships, the Independent Commission assumed that the authority to govern would be devolved upon the Northern Ireland Assembly as set out in the Tripartite Agreement. These provisions are covered by the Northern Ireland Act 1998 as amended by the Northern Ireland (Miscellaneous Provisions) Act 2006. In order for authority over policing and justice to be devolved, the First Minister and deputy First Minister must jointly table an implementing resolution in the Northern Ireland Assembly, it must be passed with cross-community support, the Secretary of State must concur, and Parliament must approve such an Order. To date that has not occurred. Thus recommendation 20 of the Independent Commission has not been implemented.

The Policing Board has been hampered in its role by the unwillingness of all political parties to participate in it as called for by the Independent Commission. From time to time, indeed, members of the Board and DPPs have been subjected to threats and intimidation from different quarters of the community. Until recently, Sinn Féin had declined to join the board or participate in the community level District Policing Partnerships. In the first Policing Board there were nineteen members - ten elected (four SDLP, three DUP, four UUP) and nine independents. In the second there were also nineteen members - eight elected (two SDLP, four DUP, two UUP) and 11 independents. Following the 8 May 2007 devolution and commencement of the Northern Ireland Assembly, Sinn Féin joined both the Policing Board and the District Policing Partnerships. This is a welcomed step.

With respect to the empowerment of local communities in providing public safety, the recommendations of the Independent Commission have not been fully implemented despite the admirable work of the District Policing Partnerships. Believing that local accountability entails the ability to make choices with respect to how policing is done, the Independent Commission recommended that District Councils be given the power to allocate tax money up to 3p in the pound "to purchase additional services from the police or other statutory agencies, or from the private sector". (Recommendation 32) This is the only recommendation of the Independent Commission that was rejected by government and not supported with legislation.

DPP members have expressed concern about their ability to inject local priorities into the annual policing plans. They attribute this in part to what they perceive as the rigidity of priorities set by



the Policing Board and the Police Service for the province as a whole. DPP members also recognise that they lack the expertise to suggest ways in which local police resources might be better employed to achieve local goals. The professional authority of local police commanders is difficult to challenge. Moreover, DPP members are often reluctant to do so for fear that this might jeopardise their own standing with the police, changing a cooperative relationship into an adversarial one.

The relationships between DPPs and Community Safety Partnerships have yet to be fully worked out. The DPPs have a mandate to organise local crime-prevention planning with the police while also holding the police to account for what they have done in this regard; the CSPs are authorised to undertake community-based crime prevention programmes. Because all three groups are in the crime-prevention business, questions naturally arise about the division-of-labour with respect to planning and implementation. Currently there is wide variation in practice across Northern Ireland. This is probably a good thing, as different communities sort out what works best for them. At the same time, the Policing Board, the Police Service, and the Northern Ireland Office need to be alert to the effects that the well-intentioned creation of community groups with overlapping mandates can have on community collaboration as well as on the capacity of the PSNI to consult with all of them.

The DPPs face a new and very serious challenge at the moment. The Police Service, anticipating enactment of the recommendations of the Review of Public Administration, created eight new District Command Units on 1 April 2007. They constitute a new tier of police organisation and management, overseeing the work of the existing 29 DCUs which will now be designated as "areas". Although this decision may be justified on grounds of efficiency, it creates problems for community consultation and collaboration with the police. In order to ensure accountability of District Command Units to local communities, the Independent Commission recommended that DPPs be co-located with them, except in the case of the four DCUs in Belfast. In the new configuration of DCUs, this would imply the need to create a new level of community consultation.

Because the Policing Board, the NIO, and the Police Service would all like to continue the existing DPPs, discussions are now underway about creating "partnerships" coincidental with the new DCUs and determining what their functions would be in relation to the existing DPPs. The situation is further confused by the fact that the RPA's reorganisation for the police will not be enacted into legislation until after the devolution of justice and policing to the Assembly in April 2009. As a result, there will be no community "partnership" at the new DCU level for at least a year and possibly longer if the Assembly decides to reconsider council boundaries. In the meantime, the Police Service has directed its new DCU commanders to work with existing DPPs during 2008 and 2009 in formulating local policing plans.

The new DCUs create a particular problem of community collaboration for Belfast. The Independent Commission recommended one DPP for Belfast, with four constituent sub-groups. The Police (Northern Ireland) Act 2003 changed this, calling for the creation of four independent DPPs. They have never been created, although the conditions required for commencing the act have now been met. So Belfast is currently operating with a single DPP, with four authorised in its place, and with two DCUs now created by the police restructuring.

Future Issues and Directions

1. Community Engagement: District Policing Partnerships are a crucial element in Northern Ireland's accountability system. They have been asked to monitor police performance, assist in developing local policing priorities and strategies, represent community opinion to the police, and assist the police in obtaining the goodwill and assistance of the public. In order to maintain their vitality, whether as currently organised or supplemented by "partnerships" at the new DCU level, we believe that particular attention should be given to two issues.

First, the expertise of DPP members (and any succeeding organisational structures) needs to be developed in the science of policing and crime-prevention. It is difficult for members, both elected and independent, to challenge the police with respect to operational strategies. They can too easily be fobbed off with excuses that nothing can be done without additional resources. Although it would be unrealistic to expect DPP members to become experts, there are lessons that have been learned in the UK and elsewhere about the strategies of effective policing that should be made available to them.

Second: the relations of the DPPs with other grassroots organisations, such as Community Safety Partnerships, Consultative Forums, Community-Police Liaison Committees, and other neighbourhood crime-prevention groups need to be clarified and coordinated. This is particularly important with respect to the planning and implementing community-based crime-prevention programs. Coordination will become even more complex if a new structure for community involvement is created for the new DCUs. There will be an excellent opportunity, in the lead-up to the reconfiguration of the council boundaries, to consult widely on the best combined structures for delivering on local policing community engagement models. Certainly structures and processes that harmonise the existing multiple levels, while maintaining the critical local engagement, needs to be done.

2. Accountability Process: The effectiveness of any system of accountability depends on the quality of information provided to it by the institution being monitored. People outside an institution never have as much information as people inside. Nor can information be reliably compelled if an institution chooses to resist. It is imperative, therefore, that the Policing Board, the Northern Ireland Human Rights Commission, the Equality Commission, and other concerned NGOs continually evaluate the extent, quality, and timeliness of the information provided by the Police Service. The Police Service has developed a commendable publication policy. We agree with the Policing Board's human rights advisors, however, that it must be continually re-evaluated both inside and outside of the Police Service¹. In this regard, the Policing Board has a clear responsibility to 'operate at a distance' from the Police Service and render advice and counsel on behalf of the community of interest, while not diminishing the Chief Constable's responsibility to operationally manage the Police Service to deliver the service that the community desires.

¹ Human Rights Annual Report 2006, p. 147.



B. Recommendation Summary

Recommendation 8: Creation and Responsibilities of the Policing Board

Patten Recommendation:

8. An entirely new Policing Board should be created, to replace the present Police Authority.

Lead Responsibility: NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Policing Board was created in November 2001 under Parts II and IV of the Police (Northern Ireland) Act 2000, incorporating all the requirements of the Independent Commission on Policing for Northern Ireland. The Policing Board was reconstituted in March, 2006, after the District Council elections. The Policing Board is being reconstituted again after the 8 May 2007 devolution.

Recommendation 9: Primary Function of Policing Board

Patten Recommendation:

9. The statutory primary function of the Policing Board should be to hold the Chief Constable and the police service publicly to account.

Lead Responsibility: NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

The recommendation of the Independent Commission that the Policing Board be empowered to hold the Chief Constable and the Police Service to account was incorporated into the Police (Northern Ireland) Act 2000. The Policing Board monitors all aspects of police performance, most importantly its effectiveness in crime prevention and control, its efficiency in terms of obtaining value for money, and the lawfulness and propriety of its actions. In this connection, the Northern Ireland Affairs Committee of the House of Commons reported in March of 2005 that the Policing Board "has made solid progress in establishing its role and putting in place mechanisms for holding the Chief Constable and the Police Service of Northern Ireland (PSNI) to account."

Recommendation 10: Policing Board to Set Objectives

Patten Recommendation:

10. The Policing Board should set objectives and priorities for policing over a 3 to 5 year period, taking account of any longer term objectives or principles set by the Secretary of State or successor. It should then be responsible for adopting a 3 to 5 year strategy, prepared by the Chief Constable through a process of discussion with the Board, which should reflect the objectives and priorities set by the Board.

Lead Responsibility: Policing Board/Chief Constable/NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

Beginning in 2002 the Policing Board has published annual “Policing Plans” that set objectives, establish targets by which to measure performance, and specify budgetary resources for the ensuing three years. Six plans have been published, the latest being for 2007-2010.

Recommendation 11: Annual Policing Plan

Patten Recommendation:

11. The Board should be responsible for adopting an Annual Policing Plan, developed by the Chief Constable, through a process of discussion with the Board, on the basis of objectives and priorities set by the Board, and within the agreed 3 to 5 year strategy.

Lead Responsibility: Policing Board/Chief Constable/NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

As described in Recommendation 10.

Recommendation 12: Annual Policing Budget

Patten Recommendation:

12. The Board should be responsible for negotiating the annual policing budget with the Northern Ireland Office, or with the appropriate successor body after devolution of policing. It should then allocate the police service budget to the Chief Constable and monitor police performance against the budget.

Lead Responsibility: Policing Board/Chief Constable/NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

As described in Recommendation 10.



Recommendation 13: Monitoring Strategic Trends

Patten Recommendation:

13. The Board should monitor police performance against the Annual Policing Plan and the 3 to 5 year strategy. It should watch crime trends and patterns, and police performance in public order situations. It should also follow such things as recruitment patterns and trends, including fair employment and equal opportunities performance, and training needs. It should assess public satisfaction with the police service and, in liaison with the Police Ombudsman, patterns and trends in complaints against the police.

Lead Responsibility: Policing Board/Police Ombudsman

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Policing Board evaluates the performance of the Police Service against the specific targets of the policing plan in its annual report. These plans and reports are available on the Policing Board's website at www.nipolicingboard.org.uk. The Policing Board is organised into standing committees to facilitate its oversight work. As part of its assessments the Board receives quarterly reports about police performance from the Chief Constable and undertakes annual surveys of the public about crime and safety concerns, opinions about the police, and knowledge of Policing Board activities. The Policing Board has also engaged various experts to scrutinise and monitor specific areas of police activity, including human rights, information technology and human resources.

Recommendation 14: Powers of Appointment

Patten Recommendation:

14. The Board should have the responsibility for appointing all chief officers and civilian equivalents and for determining the length of their contracts. All appointments should be subject to approval by the Secretary of State (and successor after devolution) and the Chief Constable should be consulted in relation to the appointment of subordinate chief officers and civilian equivalents. The Board should have the power to call upon the Chief Constable to retire in the interests of efficiency and effectiveness subject to the approval of the Secretary of State (and successor) and to the right to make representations as at present. Similarly, the Board should have the same power in relation to other chief officers and civilian equivalents exercisable subject to the approval of the Secretary of State (and successor) and the same right to make representations and after consultation with the Chief Constable. The Secretary of State should have the power to require the Policing Board to call upon the Chief Constable to retire on the same grounds but this power should be exercisable only after consultation with the Board and subject to the same right to make representations already referred to. Additionally, after devolution the relevant Northern Ireland minister should have power to call for the retirement of the Chief Constable on the same grounds but this should be subject to the agreement of the Policing Board and the approval of the Secretary of State with an equivalent right to make representations. The Board should be the disciplinary authority for chief officers and civilian equivalents.

Lead Responsibility: Policing Board/NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

All provisions called for in this recommendation have been enacted in the Police (Northern Ireland) Act 2000. Since its inception the Policing Board has appointed a Chief Constable, a Deputy Chief Constable, and six Assistant Chief Constables.

Recommendation 15: Board to Coordinate Work with Other Agencies

Patten Recommendation:

15. The Policing Board should co-ordinate its work closely with other agencies whose work touches on public safety, including education, environment, economic development, housing and health authorities, as well as social services, youth services and the probation service, and with appropriate non-governmental organisations.

Lead Responsibility: Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

Authority to implement this recommendation was provided in the Police (Northern Ireland) Act 2000, although the Act does not explicitly mention non-governmental organisations as the Independent Commission did. Coordination with other government agencies and NGOs has been routine and wide-ranging, and includes Community Safety, the Northern Ireland Human Rights Commission, the Police Ombudsman, and the British Association for Women in Policing. The Policing Board also launched the Northern Ireland Neighbourhood Watch Scheme in 2004 jointly with the Police Service and the Northern Ireland Community Safety Centre.

Recommendation 16: Number of Members

Patten Recommendation:

16. The Policing Board should have 19 members, 10 of whom should be Assembly members drawn from the parties that comprise the new Northern Ireland Executive, selected on the d'Hondt system, who should not at the same time hold ministerial office in the Executive.

Lead Responsibility: NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Policing Board was established in November of 2001 in accordance with this recommendation as provided for in the Police (Northern Ireland) Act 2000 - 19 members, ten appointed from the Assembly and nine independents. In March, 2006, the Secretary of State for Northern Ireland in forming the new Policing Board after the District Council elections changed its composition by appointing eight elected and 11 independent members. Although contrary to



the recommendation of the Independent Commission, his action conformed to provisions of the Police (Northern Ireland) Act 2000. The Act had provided that if devolved government occurred, the composition of the Policing Board should be as recommended. If devolution did not occur, however, then the Secretary of State could appoint a Policing Board composed of from 14 to 19 members with no requirement for political representation, only that "as far as practicable the membership of the Board is representative of the community in Northern Ireland."

With devolution occurring on 8 May 2007, the Policing Board will be reconstituted again, reverting to ten elected and nine independent members.

Recommendation 17: Appointment of Members

Patten Recommendation:

17. The nine independent members of the Board should be selected from a range of different fields - including business, trade unions, voluntary organisations, community groups and the legal profession - with the aim of finding a group of individuals representative of the community as a whole, with the expertise both to set policing priorities and to probe and scrutinise different areas of police performance, from management of resources to the safeguarding of human rights. Their appointments should be for four years; but if it were necessary for the purpose of continuity to ensure that not all Board positions fell vacant at the same time as elections to the Assembly, some of these appointments could be for an initial period of two years.

Lead Responsibility: NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

The backgrounds and interests of all members of the Policing Board are published in the Policing Board's annual reports. Independent members represent a wide diversity of backgrounds and abilities. Although the Independent Commission did not mention gender as a criterion to consider in the appointment of independent members, seven members of the Board in place before devolution, 8 May 2007, are women and four of them are independents.

Recommendation 18: Independent Members

Patten Recommendation:

18. The independent members should be appointed by the Secretary of State, in consultation with the First Minister and the Deputy First Minister, until such time as responsibility for policing is devolved, at which point the appointments should be made by the First Minister and the Deputy First Minister acting together. Until devolution, the Secretary of State should also determine the remuneration and expenses of Board members, in consultation with the First Minister and the Deputy First Minister.

Lead Responsibility: NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

The procedure recommended by the Independent Commission has been followed in choosing and appointing independent members. This is expected to be the case for the newly reconstituted Board post 8 May 2007.

Recommendation 19: Appointment of Chairman

Patten Recommendation:

19. A Board member of high quality and standing in the community should be appointed by the Secretary of State to be the first chairman of the Board, with the agreement of the First Minister and the Deputy First Minister, for an initial term of four years.

Lead Responsibility: NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

This recommendation was fulfilled with the appointment of Professor Emeritus Sir Desmond Rea as Chairman of the first Policing Board. He was also confirmed for the second Board. A Chairman will be elected on 31 May for the newly appointed Board.

Recommendation 20: Devolution of Responsibility for Policing

Patten Recommendation

20. Responsibility for policing should be devolved to the Northern Ireland Executive as soon as possible, except for matters of national security.

Lead Responsibility: NIO/Northern Ireland Executive

Recommendation Status

Full compliance with this recommendation has not been achieved. (Limited progress).

History

Devolution of power over police and justice is covered by the Northern Ireland Act 1998, as amended by the Northern Ireland (Miscellaneous Provisions) Act 2006 and the Northern Ireland (St Andrews Agreement) Act 2006. The latter calls for devolution of police and justice in May 2008, provided that the Assembly is re-established as called for by the St. Andrews Agreement. In line with the Independent Commission recommendation, national security will not be devolved.

Remaining Issue

Devolution will be a topic of discussion over the life of the current assembly, with an expectation that policing and justice powers will be devolved to the Assembly. The target date is currently May of 2008.



Recommendation 21: The Powers of the Board

Patten Recommendation:

21. The powers of the Policing Board proposed in this report, in relation to both government (as now represented by the Secretary of State) and the Chief Constable, should in no way be diminished when the government role in the tripartite arrangement passes to the Northern Ireland Executive.

Lead Responsibility: NIO/Northern Ireland Executive

Recommendation Status

Compliance with this recommendation has not been achieved. (Limited Progress).

History

Provided by the Police (Northern Ireland) Act 2000 and 2003.

Remaining Issue

This will be linked to ongoing political discussions respecting the devolution of policing and justice, however it is important to recall that the Independent Commission recommended no diminishment of the Policing Board's powers with the devolution of policing and justice powers.

Recommendation 22: Simplification of Roles in Tripartite Arrangements

Patten Recommendation:

22. The provisions of the Police (Northern Ireland) Act 1998 should be simplified so that the respective roles of the Secretary of State (or successor), the Policing Board and the Chief Constable are clear.

Lead Responsibility: NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

Provided by sections 24-26 of the Police (Northern Ireland) Act 2000. The Secretary of State then issued the necessary regulation.

Recommendation 23: Repeal of Power to Issue Guidance to the Police

Patten Recommendation:

23. The provision, in Section 39 of the Police (Northern Ireland) Act 1998, that the Secretary of State may issue guidance to the police as to the exercise of their functions, should be repealed.

Lead Responsibility: NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

This provision was repealed when Schedule 8 of the Police (Northern Ireland) Act 2000 commenced by order on 4 November 2001.

Recommendation 24: Operational Responsibility

Patten Recommendation:

24. The Chief Constable should be deemed to have operational responsibility for the exercise of his or her functions and the activities of the police officers and civilian staff under his or her direction and control.

Lead Responsibility: NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

Responsibility for developing policy with respect to operational responsibility rests with the Northern Ireland Office, the Policing Board, and the Police Service of Northern Ireland. The Northern Ireland Office (NIO) responsibility has been discharged with the enactment of Section 33 of the Police Act (2000). In previous reports, the Oversight Commissioner asked that a written framework with respect to "operational responsibility" be drafted by the Policing Board and the Police Service. They have decided not to do so. Their failure to meet our requirement does not mean, however, that they are unaware of the importance of the issue. Both groups assure us that they continue to discuss the issues between them so as to avoid misunderstandings. To date, any issues have been resolved. According to the Policing Board's human rights advisors, there are no written agreements between police authorities and police services in the rest of the United Kingdom. In our experience, written agreements also do not constitute "best practice" in Canada or the United States.

The Oversight Commissioner is now satisfied with the evolutionary approach adopted by the Policing Board and the Police Service and believes that these actions satisfy the intent of the Independent Commission.

Recommendation 25: Powers of Policing Board to Require Reports

Patten Recommendation:

25. The Policing Board should have the power to require the Chief Constable to report on any issue pertaining to the performance of his functions or those of the police service. The obligation to report should extend to explaining operational decisions. If there is a disagreement between the Board and the Chief Constable over whether it is appropriate for a report to be provided on a particular matter, it should be for the Chief Constable to refer the question to the Secretary of State for a decision as to whether the Board's requirement should stand.

Lead Responsibility: Policing Board/Chief Constable/NIO



Recommendation Status

Compliance with this recommendation has been achieved.

History

A Code of Practice on Reports and Inquiries, which implemented sections 59 and 60 of the Police (Northern Ireland) Act 2000, was published by the Secretary of State for Northern Ireland in July of 2004. To date the Policing Board has received all necessary information and reports from the Police Service and has not had to invoke its formal inquiry powers. Through the use of special advisors, hired when necessary, it has acquired necessary information. It can also refer appropriate matters to other agencies, such as the Ombudsman.

Recommendation 26: Board to Follow-up Reports

Patten Recommendations:

26. The Policing Board should have the power, subject only to the same limitation set out in paragraph 6.22, to follow up any report from the Chief Constable by initiating an inquiry into any aspect of the police service or police conduct. Depending on the circumstances, the Board should have the option to request the Police Ombudsman, the Inspectorate of Constabulary or the Audit Office to conduct or contribute to such an inquiry, or to use the Board's own staff, or even private consultants for such a purpose.

Lead Responsibility: Policing Board/Chief Constable/NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

See recommendation 25.

Recommendation 27: Establishment of District Police Partnerships

Patten Recommendation:

27. Each District Council should establish a District Policing Partnership (DPP), as a committee of the Council, with a majority elected membership, the remaining independent members to be selected by the Council with the agreement of the Policing Board. The chair of the DPP should be held by an elected member, with rotation between parties from year to year.

Lead Responsibility: NIO/Policing Board/District Councils

Recommendation Status

Compliance with this recommendation has been achieved.

History

District Policing Partnerships (DPPs) were created in the spring of 2003 in accordance with the recommendations of the Independent Commission in all electoral districts except Dungannon and South Tyrone. A DPP was later established in Dungannon and South Tyrone in the autumn of

2004. Membership in the DPPs was reconstituted after the council elections. It is expected that they will be again after devolution in of May 2007.

A Code of Practice for DPPs was published in August of 2002. It has been revised by the Policing Board but the revision has not yet been approved by the Northern Ireland Office.

Recommendation 28: Arrangements for Belfast

Patten Recommendation:

28. The District Policing Partnership in Belfast should have four sub-groups, covering North, South, East and West Belfast.

Lead Responsibility: Policing Board/Belfast District Policing Partnership/Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

Sections 20-21 of the Police (Northern Ireland) Act 2000 created a District Policing Partnership for Belfast with four sub-groups as called for by the Independent Commission.

It should be noted that the Northern Ireland (Police Act) 2003 called for the creation of four independent DPPs in Belfast if certain conditions were met. This would have been contrary to the Independent Commission's recommendations. Even though the commencing conditions have occurred, the Secretary of State has not authorised the provisions for Belfast to come into effect pending the reconstitution of the Northern Ireland Assembly.

Recommendation 29: Meetings between DPPS and District Commanders

Patten Recommendation:

29. There should be monthly meetings between the DPP and the police District Commander, at which the police should present reports and answer questions and the Board should reflect community concerns and priorities to the police. The views expressed by DPPs should be taken fully into account by the police and by the Policing Board in the formulation of policing plans and strategies at the central level.

Lead Responsibility: Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

Minutes of meetings as well as our own interviews with DPP members and Police Service district officers show that meetings are being regularly held with DCU Commanders. DPP members and DCU Commanders agree that consultation is frank and generally satisfactory. DPP members report that their views are considered by district police officers in the formulation of the local



policing plans. At the same time, many DPP members say that their ability to amend strategic plans is limited because the parameters set by the Police Board and senior Police Service management leave little latitude for local adaptation. There is a general feeling among DPP members that they would like more interaction with the Policing Board in shaping strategic objectives.

Recommendation 30: Annual Report of District Police Partnerships

Patten Recommendation:

30. The DPP should submit an annual report to the District Council and publish it.

Lead Responsibility: Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

Annual reports from the DPPs are available through District Councils or through the Policing Board at www.nipolicingboard.org.uk.

Recommendation 31: Administration Costs of District Police Partnerships

Patten Recommendation:

31. The approved administration costs of the DPP should attract a 75% grant from the Policing Board, the remaining 25% to be funded by the District Council.

Lead Responsibility: Policing Board/District Councils

Recommendation Status

Compliance with this recommendation has been achieved.

History

This recommendation was enacted by paragraph 11, schedule 3, of the Police (Northern Ireland) Act 2000. The requirement has been elaborated in section 8 of the Code of Practice. Financial reports are audited by District Councils and the Policing Board.

Recommendation 32: Expenditures by District Police Partnerships

Patten Recommendation:

32. District Councils should have the power to contribute an amount initially up to the equivalent of a rate of 3p in the pound towards the improved policing of the district, which could enable the DPP to purchase additional services from the police and other statutory agencies, or from the private sector.

Lead Responsibility: NIO/Executive Committee

Recommendation Status

Full compliance with this recommendation has not been achieved. (Minimal progress).

History

This recommendation was rejected by government and was not enacted into legislation.

Remaining Issue

With the advent of the Review of Public Administration and the announced reduction to 7 councils, the government of the day may want to revisit this recommendation in conjunction with the devolution of policing and justice and the harmonisation of the DPP and Community Safety Partnership schemes. The Policing Board should keep this on their agenda for review.

Recommendation 33: Consultative Forums at Local Level

Patten Recommendation:

33. It should be the aim of every police beat manager to have a consultative forum in his or her patrol area.

Lead Responsibility: Policing Board/DPPs/Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

In November of 2003 the Police Service established a procedure for keeping track of the number of consultative forums as well as the number of Neighbourhood Policing Teams and Community Beat Officers. At that time, the Police Service listed 600 consultative forums. This figure included Community Police Liaison Committees (CPLCs) and other neighbourhood crime prevention groups, such as residents' associations and neighbourhood-watch groups performing in the manner intended by the Independent Commission for consultative forums.

Recommendation 34: Contacts between Policing Board and DPPs

Patten Recommendation:

34. The Policing Board should maintain regular contact with the DPPs, through periodic meetings of chairpersons, annual conferences, seminars, training courses and by including them in the circulation of information.

Lead Responsibility: Policing Board /DPPs

Recommendation Status

Compliance with this recommendation has been achieved.

History

During the first two years of the District Policing Partnerships (2003-2004), DPP members questioned the support they were receiving from the Policing Board. A survey of DPP members, managers, district council executives, and DCU Commanders, conducted by the Policing Board



(2004) showed that only 39% of respondents thought the degree of support DPPs received was adequate.

Since then the Policing Board has undertaken a number of initiatives to address this problem. These include detailed training made available to DPP members and streamlining the processes for requesting and receiving funds for DPP initiatives. The Policing Board has also hosted meetings, receptions, and seminars for DPP members as well as creating the DPP News which is published on a quarterly basis. As a result, a second survey of the same group of respondents carried out in the autumn of 2005 showed that 70% viewed the support received from the Policing Board as very good.

On the basis of DPP minutes, Policing Board reports, and testimony from members during our visits to DPPs, we conclude that the requirement for full and regular contact between DPPs and the Policing Board has now been met.

Recommendation 35: Meetings of the Policing Board

Patten Recommendation:

35. The Policing Board should meet in public once a month, to receive a report from the Chief Constable.

Lead Responsibility: Policing Board/Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

Policing Board meetings are occurring as recommended. Copies of the minutes of its public meetings are available on its website at www.nipolicingboard.org.uk

Recommendation 36: Meetings of the District Policing Partnerships

Patten Recommendation:

36. District Policing Partnerships should meet in public once a month, and procedures should allow for members of the public to address questions to the Board and, through the chair, to the police.

Lead Responsibility: Policing Board/DPPs/NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

The original DPP Code of Practice called for six public meetings a year rather than monthly as recommended by the Independent Commission. In the view of many DPPs, public meetings have been less useful than anticipated. Attendance has often been sparse, questions formulaic, and interaction limited by procedural rules. The revised Code of Practice, which has not yet come into effect, requires DPPs to meet in public sessions only twice a year. DPPs meet privately much more

often, often with the DCU Commander or other senior officers, either in full committee or in various sub-committees.

Recommendation 37: Openness of the Police Service

Patten Recommendation:

37. The police service should take steps to improve its transparency. The presumption should be that everything should be available for public scrutiny unless it is in the public interest - not the police interest - to hold it back.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

The PSNI's Transparency Policy with respect to the publication of information was approved by the Chief Constable on 11 April 2003 following consultation with the Policing Board. This was followed in September 2003 by the publication of the Police Service's Communications Strategy 2003-2007. This specified the sorts of public relations activities police would undertake. Later that year the Police Service issued a Media Guide which authorised any officer to speak to the media when approved by the Media and Public Relations Office. The guide gives advice on managing media relations, as well as providing explanations of police policy for a long list of topics.

The Police Service's freedom of information policy was published in October 2004. According to the Policing Board's second annual human rights report, it is based on the ACPO Manual of Guidance on the Freedom of Information Act which had been approved by the Information Commissioner. (pp. 146-147) The Police Service reports that it has a two-person Freedom of Information Team which reviews all publications to ensure on-going compliance with the UK Freedom of Information Act.

These activities compare well with "best practices" in the UK, Canada, and the United States. Taken together, they meet the performance indicators for transparency that we specified at the outset of our oversight process.

At the same time, the police have not been as forthcoming with respect to the publication of policies as have other UK police forces. The Human Rights Programme of Action 2005-2006 commits the Police Service to placing "all new instructions on the Internet" unless not publishing is "justified in terms of the sensitive nature of the content or other strong public interest." (p. 22) The Police Service's website currently provides an extensive list of information that is available to the public. The Policing Board's second annual human rights report observes, however, that "the number of policies made available to the public is small and does not compare favourably with some police forces, for example Greater Manchester Police." (p. 21) It recommends that "The PSNI should speed up the process of making more of its policies available to the public." (p. 21) And it recommends more generally that "The PSNI should review its publication scheme within three months of the publication of this Human Rights Annual Report." (p. 147)



We conclude, therefore, that although the Police Service has made significant improvements in the openness of its communication with the public, the implementation of this recommendation should continue to be monitored. Although the Police Service has met policy and process intent, it is fair to observe that segments of the community would not perceive the Police Service to be open and transparent. We therefore recommend that the Policing Board continue to take an active monitoring and public education role to ensure the best possible culture of openness is present.

Recommendation 38: Police Ombudsman

Patten Recommendation:

38. The Police Ombudsman should be, and be seen to be, an important institution in the governance of Northern Ireland, and should be staffed and resourced accordingly. The Ombudsman should take initiatives, not merely react to specific complaints received. He/she should exercise the power to initiate inquiries or investigations even if no specific complaint has been received. The Ombudsman should be responsible for compiling data on trends and patterns in complaints against the police, or accumulations of complaints against individual officers, and should work with the police to address emerging issues from this data. He/she should have a dynamic co-operative relationship with both the police and the Policing Board, as well as other bodies involved in community safety issues. He/she should exercise the right to investigate and comment on police policies and practices, where these are perceived to give rise to difficulties, even if the conduct of individual officers may not itself be culpable, and should draw any such observations to the attention of the Chief Constable and the Policing Board. The Ombudsman should have access to all past reports of the RUC.

Lead Responsibility: Police Ombudsman

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Office of the Police Ombudsman for Northern Ireland was formally established on 6 November 2000 under the Police (Northern Ireland) Act 1998. Its main function is to ensure an efficient, effective and independent police complaints process. As we have noted in past reports, the Ombudsman is performing her critical duties with intelligence, dispatch, and professionalism. Her office provides the independent and impartial police complaints system called for in legislation and has built increased trust in policing, as well as influencing policies for better policing in Northern Ireland.

The Ombudsman provides the police with information about the location, as well as trends, with respect to complaints, thereby assisting the Police Service in meeting its own internal accountability responsibilities. It also provides to the police, on request, summaries of individual complaints.

Recommendation 39: Covert Law Enforcement

Patten Recommendation:

39. New legislation on covert policing should be fully compliant with the European Convention on Human Rights and should have the same application in Northern Ireland as in the rest of the United Kingdom.

Lead Responsibility: Home Office/NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Regulation of Investigatory Powers Act (2000) (RIPA) has the same application throughout the United Kingdom, and is compliant with the European Convention on Human Rights. Various Codes of Practice have been issued under this Act¹

Recommendation 40: Commissioner for Covert Law Enforcement

Patten Recommendation:

40. There should be a commissioner for covert law enforcement in Northern Ireland.

Lead Responsibility: Home Office/NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

The RIPA (2000) provides for a surveillance commissioner for Northern Ireland. The Chief Surveillance Commissioner for the United Kingdom released annual reports which cover 2001 to 2006 indicating that the process of oversight of covert law enforcement practices is functioning. More information on these reports can be found at www.surveillancecommissioners.gov.uk

Recommendation 41: Covert Law Enforcement - Complaints Tribunal

Patten Recommendation:

41. There should be a complaints tribunal, comprising senior members of the legal profession, with full powers to investigate cases referred to it (either directly or through the Police Ombudsman) involving covert law enforcement operations.

Lead Responsibility: Home Office/NIO

Recommendation Status

Compliance with this recommendation has been achieved.

¹ See www.surveillancecommissioner.gov.uk



History

The RIPA (2000) provides for a complaints tribunal, via the authority contained in Sections 65 to 70. There is a UK-wide investigatory powers tribunal.

Recommendation 42: Strengthening of Financial Accountability

Patten Recommendation:

42. There should be a substantial strengthening of financial accountability, including a fully costed Annual Policing Plan; a strong audit department within the Policing Board, staffed by experts in budgeting, financial management and value for money programmes; and more systematic use of the Audit Office to study police resource management, either at the behest of the Policing Board or on its own initiative.

Lead Responsibility: NIO/Policing Board/Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Policing Board was established in November of 2001 and carried forward the existing planning and budgetary process of the former Police Authority. Since that time the Police Service and Policing Board have continued to produce successive annual costed policing plans and good value for money policing controls. The latest details can be found in the 2007-2010 Annual Policing Plan www.nipolicingboard.org.uk

Recommendation 43: Designation of Chief Constable as Sub-Accounting Officer

Patten Recommendation:

43. The Chief Constable should be designated a sub-accounting officer, in addition to the Chief Executive of the Policing Board, so that either or both may be called, together with the Permanent Under Secretary as principal accounting officer, to give evidence to the Public Accounts Committee.

Lead Responsibility: NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Chief Constable was appointed as Accounting Officer for the Police Service in November of 2001. Appropriate policies are in place with capable management led by an experienced Senior Director of Finance, as well as adequate monitoring by the Policing Board. It is expected that, when the devolution of policing and justice occurs, the Chief Constable will systematically appear before the Assembly Public Accounts Committee.

▶▶ **policing with the community**



A. Chapter Summary

Background

The Independent Commission called this chapter “Policing with the Community” because they believed this phrase best encapsulated what people want to see – the police participating in the community and responding to the needs of that community, and the community participating in a constructive way in its own policing and support of the police. The Police Service was challenged to deliver, with courage and determination, truly effective locally-based policing in a way that would put Northern Ireland at the leading edge of such developments in the United Kingdom, Republic of Ireland and internationally.

Progress and Accomplishments

The concept and practices of Policing with the Community were enthusiastically accepted by the leadership of the Police Service during the early years following adoption of the recommendations of the Independent Commission. DCU commanders in particular welcomed the promise of devolved authority and the responsibility for building partnerships with their local community. Early initiatives with problem solving techniques engaged the initiative and imagination of individual officers, and newly-formed neighbourhood policing teams enhanced community relationships while elevating their profile in public spaces, including disputed streets and estates.

There were early obstacles to progress due to security alerts, instances of serious public disorder and staff shortages. The abstraction of neighbourhood police resources to other priorities was disruptive to plans and programmes and disappointing to local community forums and police alike when officers were unable to keep promised commitments. Despite these difficulties, policing with the community made solid progress towards fulfilling objectives. In the years following the introductory phase of policing with the community, DCU commanders developed strategic partnerships with their DPPs while their managers and supervisors endeavoured to strengthen ties with existing CPLCs and other community forums.

Policing with the Community and its strategic component, Intelligence-led Policing (ILP) cannot function without a timely stream of high quality crime reporting information and a skilled analytical capability. The Crime Analysis Centre, created early in the change process, quickly developed into a centre for excellence, a reputation recognised nationally and internationally. The central unit and district analysts are a critical component contributing to progress. Successful efforts at problem solving by local officers on a host of issues were recognised by the Tilley Awards and the International Association of Chiefs of Police (IACP). Top level championing of local initiatives buoyed up by strategically positioned funding was instrumental in this achievement. At the same time the Police Service began to experiment with a variety of organisational approaches to service delivery for neighbourhood policing, ranging from a specialist model to a more generalist approach.

In late 2006 the Police Service created the Policing with the Community Branch as a policy centre within the corporate structure, reporting to the ACC in charge of Criminal Justice. The Deputy Chief Constable continues to oversee the programme, in his role as programme champion. The

new Branch is tasked with renewing the vision and strategy and developing new objectives and indicators of performance. The Policing Plan 2007-2010 re-commits the Policing Board to ensuring that policing with the community is the core method of service delivery by the PSNI.

Remaining Areas of Concern

In 2004 the Police Service adopted the methods and techniques of ILP as the primary method for preventing offences and for managing crime and disorder hot spots, targeting serious offenders and investigating linkages between incidents and persons. The challenge of fusing the methods and techniques of ILP and community policing brings into question the means for measuring success. ILP relies primarily on indicators of efficiency based on quantitative measures, such as crime rates, clearance rates, traffic statistics, drug seizures, arrests and other activity reports. More difficult to define and assess, however, are indicators for overall effectiveness and outcomes, in other words, qualitative indicators more closely related to the objectives of policing with the community. A framework for measuring performance and accountability requires early attention by the Police Service and the Policing Board.

Call management is the crucial portal through which the community appeals for police assistance. The current call handling system is below standard in technology and efficiency, a weakness identified by HMIC in 2005. This issue is dealt with in the chapter on Information Technology. As matters stand, lack of an adequate call management system is a risk to public acceptance of effective policing throughout Northern Ireland.

On 1 April of 2007 the Police Service re-organised the district policing structure to conform to the expected downsizing of 26 local councils to seven. Until the legislation to bring about this reform is available, and Police Service defines the strategy for conformity in more detail, it is not possible to be definitive about the impact, positive or negative, on the future of a devolved system of local policing. The new structures will be more efficient, however the installation of a longer chain of command and the potential diminishment of decision-making ability by supervisors and front line officers more distant from a commander presents challenges for sustaining the benefits of delegated decision-making, a key component for success in local policing. The Policing Board and DPPs will have to maintain a close scrutiny with respect to the outcomes of the new structures and the impact they have on policing with the local communities.

Future Issues and Directions

1. The preferred organisational structure for policing with the community is a disaggregated model, where responsibility and authority are delegated to the lowest effective level. The advantages are held to be: An increase to innovative activity; the promotion of trust, confidence and morale, and reinforcement of a culture of performance and client-oriented outcomes. Against this ideal are stacked legitimate concerns for protection of corporacy (central control) and demands for efficiency and economy. Finding a balance between these conflicting demands will challenge the Policing Board and the Police Service for the next several years, most immediately during the process of reconstructing the command structure to accommodate the larger DCUs. The Policing Board will have to be a vigilant partner in this process, ensuring that Headquarters is reduced and that local commands in fact provide a community level service.



2. The final transformation into accepting policing with the community as a core function awaits integration of the philosophy and methods into all elements of the organisation. Responsibility does not end with creation of neighbourhood policing teams. All officers and police staff must act in support of the core philosophy, including those assigned to response, investigations, Headquarters Departments, TSGs, road traffic, and call centres. There is much to be done through communication of this message, and making programme changes to assure sustainability through the inclusion and commitment of the entire workforce
3. At a specific level, the Community Beat Officer Course is currently the only formal method for infusing officers with the tradecraft for engaging members of the public, applying problem solving skills and building partnerships. Forward planning at the Police College and within Policing with the Community Branch, is trended towards less bureaucratic methods of knowledge sharing such a coaching, mentoring and group learning sessions. These developments are well directed, given the current age and service profile of Police Service; however, the Policing Board will need to monitor the developments and delivery to ensure that the Police Service is developing skilled officers and staff who actually deliver to the community the service expected.
4. The delivery of policing with the community in all its components is something of a holy grail pursued by democratic policing for the past 30 years. It remains an ideal to be pursued but never completely attained, not in Northern Ireland or elsewhere. While the Police Service and the people of Northern Ireland may be justly proud of the accomplishments of the past five years, most would agree that there is much more to be done. Policing with the Community remains a work in progress. Again, it will be a role for the Policing Board and DPPs to closely monitor, shape and demand that actual outcomes are achieved at a community level.

B. Recommendation Summary

Recommendation 44: Community Policing as a Core Function

Patten Recommendation:

44. Policing with the community should be the core function of the police service and the core function of every police station.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Full compliance with this recommendation has not been achieved. (Substantial Progress)

History

Policing with the community was introduced in 2002 with a strategic plan which was followed by an implementation plan. The primary organisational model within DCUs favoured creation of neighbourhood policing teams for community engagement while response and motor patrol was assigned to other units. In a few locations with peculiar geographic or security conditions, the roles are combined. Problem solving with respect to community issues is conducted with use of the Scanning, Assessing/Analysing, Response, Assessment (SARA) model, with activities documented on an electronic problem solving template. Partnerships were anchored in legislation creating

DPPs, complemented by police participation in local policing forums and a variety of other engagements with local government, Community Safety Partnerships and other agencies.

Efforts to promote innovation in policing with the community are supported by a £3M fund created in 2004 and made available over a three year period. The fund has contributed to the award-winning Foyle Crime in the Schools programme, which resulted in a 21.5% reduction in property damage in its first six months and was extended to other schools in Foyle District. Another award-winning Get Home Safe programme in Belfast South is now complemented by a Safe Bus system, an innovation now practiced in other localities. The 2006 awards recognised innovative problem solving in Ballysally estate in Coleraine DCU and the Belfast City Centre Project was given a partnership award for an initiative where traders have funded two police constables for attention to unlawful street commerce. Several districts are encouraging the growth of Neighbourhood Watch programmes. In May of 2007, the latest in a series of yearly Policing with the Community Awards was held to celebrate the successes.

Community Safety Branch updated its materials for the Citizen and Safety Education programme (CASE), which is presented in a large number of schools. There is also a growing emphasis on the reduction of hate crimes, and police officers are learning to engage more effectively with the increasingly diverse language and cultural communities residing in Northern Ireland.

The intention of the Chief Constable to establish a performance culture within DCUs has been largely accomplished, although early in the process performance indicators and targets were focused more on quantitative rather than qualitative indicators. There is a well-recognised problem with sole reliance on quantitative indicators. For instance, as the police become more adept and approachable in dealings with domestic violence and hate crimes, crime numbers and rates are bound to rise. This should not be interpreted as a failure, but as a positive development. A growing number of qualitative measures related to effectiveness are now available through annual surveys conducted by the Policing Board and outreach through focus groups. Other influences contributing to continuous improvement include inspections conducted by Criminal Justice Inspection Northern Ireland and the HMIC Baseline Inspections. The Northern Ireland Human Rights Commission produced reports helpful in guiding policing style. A number of DCU commanders conduct local quality assurance checks and surveys. Police links with DPPs, CPLCs and other forums have been strengthened through the efforts of the Policing Board working for the enhancement of police relations with the community.

Police Service policy now requires all uniformed officers and civilian Station Enquiry Assistants to wear name badges. Exceptions may be approved on security grounds. Local Policing Plans are published each year and have been completed for 2007/2008, although not published as of April 2007. The extent to which local concerns were reflected in the annual plan was a measure of the influence of the DPP and other community partnerships. Community police forums remain numerous and effective, some with impressive records of achievement. There is an increasing reliance on funding obtained from Community Safety Partnerships.

The multiple recommendations of the Best Value Patrol report are in the process of



implementation. Completion of these initiatives will do much to improve the effectiveness and efficiency of all aspects of the patrol function, in full compliance with goals of policing with the community. A Best Value review of Partnerships completed in 2007 has passed to the implementation stage, with the intent of improving police outreach and engagement.

Remaining Issues

Despite these many positive accomplishments the Police Service has not yet met the high expectations of the Independent Commission. While the Neighbourhood Policing Teams are working diligently, the principles of policing with the community are not broadly demonstrated in policy and by all main stream organisational units. Delegation of meaningful authority to local commanders is evident in name but not in outcome. The dilapidated state of many police stations and their forbidding appearance is dealt with under Recommendations 53 and 92. Lack of substantial progress in correcting these conditions is a continuing obstacle to delivering the accessible and welcoming environment that fosters good police-community relations and, unattended, they are a burden on the morale of those working in such conditions.

The development of Policing with the Community has reached a plateau and requires added impetus from leadership. Refreshment of the strategy, a corporate template for service delivery, controls over abstractions and implementation of a framework for measuring performance should provide the tools for revitalisation.

Recommendation 45: Dedicated Neighbourhood Policing Teams

Patten Recommendation:

45. Every neighbourhood (or rural area) should have a dedicated policing team with lead responsibility for policing its area.

Lead Responsibility: Chief Constable/District Commanders

Recommendation Status

Full compliance with this recommendation has not been achieved. (Substantial Progress)

History

Neighbourhood Policing Teams (NPTs) were established in DCUs early in the change process. As of February 2007 there were a total of 610 Regular police officers and 35 Full Time Reservists carrying out neighbourhood duties in the 29 DCUs, supplemented by 567 part time officers. The total assigned to neighbourhood duties is 27% of DCU police resources. These figures include 81 full time and 27 part time officers combining response with their neighbourhood assignments. The Policing Plan 2007-2010 describes intentions to recruit 400 Police Community Service Officers (PCSOs) to bolster NPTs and provide a high profile, visible and accessible police presence within local neighbourhoods. Funding is subject to approval of a business case, however there is some indication recently that this could be delayed.

Remaining Issues

The abstraction of neighbourhood police officers to other duties has been a constant concern throughout the period of oversight although this problem was eased when staffing levels began to

improve. The extraction of most veteran Full Time Reserves (FTRs) out of NPTs resulted in a short-term loss of continuity and expertise, but over the past year continuity of assignment of officers was satisfactorily maintained and the default restored. Most members of Neighbourhood Teams are senior, experienced officers. There are Service Level Agreements between Training Branch and district commands establishing an understanding of undertakings and commitments between the parties, but training for neighbourhood policing is not currently active. Initially a beat officer's course was offered at the College, but resistance from the DCUs to centralised delivery resulted in reduced attendance.

The electronic problem-solving folder intended to assist team leaders and commanders in managing neighbourhood problems frustrated users with restrictive firewalls and burdensome requirements for detail. A solution is now at hand, as result of close consultation between Headquarters and DCU representatives. There is documented evidence of effective local problem-solving, for example, for hate crime, underage drinking, criminal damage and youths causing annoyance. Currently DCUs lack timely trend information on response times and other command and control systems that are essential to resource allocation and strategic planning. Hopefully a partial solution will be found through completion of the call handling project described in further detail under Information Technology.

There is a consensus among DPP members that while police reporting of crime statistics is an essential and meaningful contribution to their monitoring role, statistics only partially satisfy their needs in assessing the true state of crime and disorder impacting the community. All parties concede that the lack of standard, proven indicators of performance is a hindrance to effective management. Both police and DPPs agree that more effort should be expended towards the prevention of crime, and there was evidence of initiatives in this direction.

Recommendation 46: Service in Neighbourhood Policing Teams

Patten Recommendation:

46. Members of the policing team should serve at least three and preferably five years in the same neighbourhood. They should wear their names clearly displayed on their uniforms, and their uniforms should also bear the name of the locality for which they are responsible.

Lead Responsibility: Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

Postings for neighbourhood policing positions within DCUs include the requirement for commitments of three to five years. Neighbourhood police officers display name and locality information on their uniforms.



Recommendation 47: Police Probationary Training

Patten Recommendation:

47. All probationary police officers should undertake the operational phases of their probationary training doing team policing in the community.

Lead Responsibility: Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

In the split-force organisational configuration selected by Police Service it proved impractical for officers to spend all their probationary period in neighbourhood policing. A compromise was struck by DCU commanders ensuring that during the probationary period, each probationer would serve a portion of field training assigned to a neighbourhood policing team, while also receiving tutoring from an experienced officer assigned to response duties. This solution is working to the satisfaction of commanders and probationers alike, and fulfils the spirit of this recommendation.

Recommendation 48: Patrolling on Foot

Patten Recommendation:

48. Where practical, policing teams should patrol on foot.

Lead Responsibility: Chief Constable/District Commanders

Recommendation Status

Compliance with this recommendation has been achieved.

History

Duty rosters in DCUs across both urban and rural regions reflect the consistent assignment of officers to walking beats, varied according to local conditions. Observations and interviews of beat officers and community members confirm performance, although this must be tempered with concerns over short-term abstractions to other duties. For veteran officers in many localities this recommendation represented the continuation of a familiar policing routine. In more difficult areas police officers were observed to be expanding their range of patrol by location and time of day, while balancing this against the perceived risks. The high visibility jacket adopted for beat officers is a decidedly effective strategy, as are the bicycle patrols introduced in numerous DCUs. Surveys of public attitudes conducted by the Policing Board confirm an unwavering desire by the wider public for greater police visibility, accompanied by rising expectations.

Recommendation 49: Role of Neighbourhood Policing Teams

Patten Recommendation:

49. Neighbourhood policing teams should be empowered to determine their own local priorities and set their own objectives, within the overall Annual Policing Plan and in consultation with community representatives.

Lead Responsibility: Chief Constable/District Commanders

Recommendation Status

Full compliance with this recommendation has not been achieved. (Substantial progress)

History

Neighbourhood policing teams were deployed in each DCU early in the change process. Throughout the period of oversight, leaders at all levels of the command structure have worked diligently to ensure their success. There are many examples of outstanding initiatives by front line police officers, and the Police Service has been favoured with numerous awards for crime prevention and problem solving at the national and international level.

Remaining Issues

Some NPTs are functioning as self-directed teams, establishing goals and evaluating achievement. In other Districts, the abstraction of NPTs into intelligence-led policing (ILP) projects has retarded their evolution and maturity in the role. A method to effectively fuse policing with the community and Intelligence-led Policing is a work in progress and the new Policing with the Community Branch at HQ is tasked with finding solutions. The Policing Board and DPPs will have to monitor progress in this area to ensure that community interests are met.

Recommendation 50: Crime and Complaint Pattern Analysis

Patten Recommendation:

50. The Northern Ireland police should, both at a service-wide level and at patrol team level, conduct crime pattern and complaint pattern analysis to provide an information-led, problem-solving approach to policing. All police officers should be instructed in problem-solving techniques and encouraged to address the causes of problems as well as the consequences (the priority being to train beat managers and their teams); and they should be regularly appraised as to their performance in doing so.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Crime Analysis Centre rapidly developed into a centre of excellence within the fabric of the Police Service with an international reputation for professional achievement. District and departmental analysts produce information essential for identification of priorities and the



allocation of patrol and investigative services. Analysts deployed to DCUs provide support for commanders in developing their action plans and informing their DPPs and other community forums about crime patterns and other issues. The Analysis Centre performed a major role in the introductory phase of the National Intelligence Model, and participated in the initial training of neighbourhood policing teams. More recently there has been an increase in the frequency of crime analyst presentations to public forums, including DPPs. Attrition among trained analysts continues to plague the unit. Information and technical assistance alone are insufficient to exploit improved crime analysis, and front-line officers require consistent in-service training in the skill sets and tools of problem solving if initial gains are to be sustained.

Recommendation 51: Attendance at Police Training Courses

Patten Recommendation:

51. DPP members and other community leaders should be able to attend police training courses in problem-solving techniques.

Lead Responsibility: Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

Invitations were extended to members of the DPPs and other community leaders to attend a variety of police training, conference and seminar opportunities sponsored by the Police Service and the Policing Board, both locally and in Belfast. DPP members were invited to participate in a leadership training programme presented to senior and middle management police officers. The Policing Board has assumed responsibility for continuing the development of DPP forums, as well as the further training of its members.

▶▶ **policing in a peaceful society**



A. Chapter Summary

Background

In preparation for a peaceful society, the Independent Commission provided several recommendations concerning normalising the appearance of police stations, the appropriate use and types of patrol vehicles necessary for a peaceful society, and the need to devolve authority to district commanders. In addition, recommendations included the use of emergency powers by the police, management of the custody facilities, reduction of support from the army, and other issues affecting the ability of the Police Service to deliver the kind of law enforcement service a peaceful society would require.

Progress and Accomplishments

The Police Service has effectively implemented and managed a policy and procedure for recording all stops and searches taken under emergency powers. The three holding centres identified by the Independent Commission and used for detaining terrorist prisoners have been officially closed. Terrorist prisoners are now held at a newly constructed Serious Crime Suite located at the Antrim DCU. There is a similar but smaller suite located at the Grosvenor Road DCU that serves as a back-up in case the Antrim suite is not available. Both facilities are equipped to protect the rights of the prisoner, including CCTV, and designed to safeguard any evidence that may be collected.

In providing regular patrol activities and responding to calls-for-service, the Police Service has achieved considerable progress in replacing the large fleet of armoured Landrovers (ALRs) with regular police cars. This replacement has resulted in an increase in the use of liveried saloon vehicles for patrol purposes and a termination in the use of ALRs for routine purposes. Deployment of ALRs is now generally restricted to threatening situations. There are plans to further reduce the number of ALRs kept in strategic reserve through normal wastage and modifying the refurbishment programme.

Following an improved security situation in recent years, the army has reduced troop levels and patrols in support of the Police Service. Compared to a 1999 level of nearly 15,000 troops, there are now 5,000 army personnel assigned to Northern Ireland, with no troops rear-based. Numerous army bases and observation posts and towers have been closed or demolished, including those located along the border with the Republic of Ireland. The army has also withdrawn from police stations it shares with the Police Service. At the same time, as envisioned by the Independent Commission, there still remains the capacity during public order emergencies for the army to support the Police Service, including the investigation of bomb/explosive incidents.

Remaining Areas of Concern

The major task of transforming police stations from a fortified appearance to ordinary stations appropriate for a peaceful and supportive society has been a slow process with moderate accomplishment. Based on an approved estate strategy and a major works programme, several new stations have been built and others have been renovated or scheduled for renovation, both the interiors and exteriors. Although the Police Service submitted a list of 61 obsolete stations eligible

for decommissioning, the Policing Board has approved only 22 stations for sale as of April 2007.

Before several recommendations in this chapter can be fully implemented, the Police Service and other responsible parties now need to make fully operational the eight new district command units, implement devolved authority, reduce the number of non-utilised police stations, implement a reasonable custody suite plan, and appoint civilian station enquiry assistants to replace police officers. The erratic implementation by the Police Service of the station enquiry assistant programme is a major area of concern. The requested plan or timetable to begin staffing police station reception areas with civilian personnel has not been received.

There are three other concerns related to the police estate and custody suites. The first involves the issuance of authorisation for the design, building and refurbishment of police stations to accommodate the proposed 4+12+1 plan for custody suites, as well as the closure of the suites that will not be utilised. The second concern is that the Police Service decision as to the need for future detention cells, and the proposed custody suite plan, was not based on a comprehensive analysis of future arrest rates or prisoner data. The last concern involves the role of the Policing Board in exercising its responsibility (as owner of the police estate) to ensure funds are used for rehabilitation of the police stations and headquarters buildings that have the best value, and that police stations not operationally used are sold in a timely manner.

Future Issues and Directions

1. There is need for a comprehensive plan to 'right size' the police estate based on a number of factors: known population changes, the new eight DCU plan, the number of police officers assigned to each station, station visibility, decentralised vs. centralised investigative and support staff, the number of detention cells or bed space required, crime patterns as well as emerging crime trends, and so on. It is, in our view, a mistake to keep investing in station rehab and new builds until a master plan, not just an estate strategy, is agreed upon based on the above factors. Part of the plan should include a commitment to quickly remove the fortifications now in place that serve no purpose and are based on the security threat that, in some cases, may be representative of the past. The Independent Commission recognised the symbolic impact of having the police open and accessible to the community, and as far as the bricks and mortar aspect goes, it has not progressed at the rate of other change.

The intent of the Independent Commission's recommendations was also to rehab the interior of the police stations to improve working conditions, health and safety and morale. It is important to do this, not only at buildings occupied by headquarters and administrative areas, but for the working police officers assigned to community policing, interviewing witnesses, and responding to calls for service. Failure to invest appropriately planned funding in police estate will not allow the estate to keep up with the current business and residential improvements underway in Northern Ireland and certainly does not present the appearance or reality of a normalised police environment.



2. By not fully implementing the Station Enquiry Assistants (SEA) programme, the Police Service missed another opportunity to modernise the service, reduce personnel costs and employ people representative of the communities being policed. Civilian employees can provide a valuable and improved service at several levels of the police operation. Although a decision to fully implement the civilian SEA programme has been erratic and limited, the Police Service has been holding discussions to recruit civilian custody suite staff to replace regular police officers assigned to this area, as well as the introduction of the Police Community Service Officer programme. Lack of success or effective planning in resolving the issues associated with implementing the SEA programme may be replicated in other attempts to replace police officers with civilians.

B. Recommendation Summary

Recommendation 52: Appearance of Police Stations (New Builds)

Patten Recommendation:

52. Police stations built from now on should have, so far as possible, the appearance of ordinary buildings; they should have low perimeter walls, and be clearly visible from the street; but they should have security features, which may be activated or reinforced as necessary.

Lead Responsibility: NIO/Policing Board/Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

The NIO, Policing Board and Police Service have been somewhat successful in ensuring that new police stations are built consistent with the recommendations of the Independent Commission. Only two new facilities at Moira and Coleraine were built during the oversight process and have the appearance of ordinary buildings, with low perimeter walls, and are clearly visible from the street. The two new builds incorporate impact resistant design standards and other security features that can be reinforced as necessary.

In May of 2005, the Policing Board approved a revised Estate Strategy. This strategy proposes several additional new builds that will be designed to have the appearance of ordinary buildings. The recommended list includes police stations at Ballymena, Ballymoney, Cookstown, Craigavon, Downpatrick, Musgrave Street and Omagh. Funding, however, has been approved for only four new builds (Omagh, Musgrave Street, Ballymoney, and Cookstown). Construction will be in accordance with new security designs and the appearance of an ordinary building.

Recommendation 53a: Appearance of Police Stations (Existing)

Patten Recommendation:

53. Existing police stations should - subject to the security situation in their areas and to health and safety considerations - be progressively made less forbidding in appearance, more accessible to public callers and more congenial for those working in them. The public reception areas inside police stations should be made more welcoming, and civilian receptionists could replace police officers.

Lead Responsibility: NIO/Policing Board/Chief Constable

Recommendation Status

Full compliance with this recommendation has not yet been achieved. (Moderate progress)

History

The Independent Commission recommended, dependent on the security situation, major changes to the existing police stations, to include removing the fortress like appearance and making the stations progressively less forbidding and more accessible to the public. Members of the oversight team have inspected and photographed almost all of the 137 police stations during the past seven years and found that both the interior and exterior of a vast majority of the stations have a forbidding appearance. During this period of time the security situation has improved considerably.

Although the initial progress in implementing this recommendation was slow, the May of 2005 revised Estate Strategy included plans and timetables to implement the recommendation. The strategy, which was approved by the NIO and Policing Board (the owner of the police estate), includes plans for ongoing station improvements and maintenance, use of mobile policing units or the sharing of community facilities to create “store front” police stations, a major works programme, a recommended station closure list, and written guidance and a template for DCU commanders to follow when recommending that a station be closed and sold.

The Estate Strategy also delegates to the DCU commanders the authority to remove out-of-date security walls and fortifications from police stations that have a forbidding appearance without seeking headquarters approval. The reasons for limited progress in removing the fortifications were reported as the lack of funding, time required to obtain headquarters approval, and periodic changes in Police Service direction and organisation. Improvements have been made to both the interior and exterior of those buildings serving as headquarters or administrative offices, but there have been limited results in removing fortifications at a large number of ordinary police stations. The December of 2006 report by the National Audit Office on the estate strategy also noted that “although the Police Service has reduced in size by a third since 2001 the estate has remained virtually unchanged.”

The size of the police estate is large and expensive to maintain. Many of the stations are not strategically located (2007 and beyond) or are under-utilised. The Policing Board has acted on 22 of the 61 police stations the Police Service recently recommended for sale, including several along



the border with the Republic of Ireland. Recommendations for selling the buildings are based on the present and projected usage as an operational base. The oversight team found that only 40% of the police stations are open to the public during normal business hours.

As of April of 2007, over 30 ordinary police stations have received moderate to major renovations consistent with the intent of this recommendation. The Magherafelt police station, for example, recently received a major renovation, but it retains some out-of-date security features related to a forbidding appearance. Progress has been accomplished on the renovation of 32 enquiry offices located in police stations and headquarters buildings, making these public reception rooms more welcoming to members of the public. The Police Service has additional enquiry offices planned for renovation, plus it is revising the schedule to be consistent with the plan to reduce the number of district command units and police stations.

Remaining Issues

This recommendation has been left open for the attention of the Policing Board. Although there is a good Estate Planning strategy now in place, it requires continuous updating each year permitting available capital improvement funds to be directed to those police stations that provide long-term operational benefit. The reorganisation of Districts will presumably impact the estate planning. Additionally, related technology (e.g. CCTV) issues cannot be advanced until it is clear where all new builds will be located. At the same time, the Policing Board needs to face its responsibility as owners of the estate and expedite the sale of closed/non-operational police stations. For example, in the new “C” District there are 16 police stations, but only four are considered operational.

Recommendation 53b: Appearance of Police Stations (Civilian Receptionists)

Patten Recommendation:

53. Existing police stations should - subject to the security situation in their areas and to health and safety considerations - be progressively made less forbidding in appearance, more accessible to public callers and more congenial for those working in them. The public reception areas inside police stations should be made more welcoming, and civilian receptionists could replace police officers.

Lead Responsibility: NIO/Policing Board/Chief Constable

Recommendation Status

Full compliance with this recommendation has not been achieved (Limited Progress).

History

During the past seven years only limited progress has been accomplished in replacing regular police officers and Full Time Reserves (FTRs) working in police station public reception areas with community-based civilian receptionists. Initially, the Police Service estimated that full implementation of this recommendation would potentially release up to 260 police officers to perform patrol or investigative duties. The initial use of an internal trawl to employ 50 or more Station Enquiry Assistants (SEAs) did not address the issue of community representation. In 2002 Grafton Recruitment received a contract to begin filling the remaining civilian SEA positions.

Grafton completed the initial recruitment campaign the following year and presented the Police Service a merit pool of 227 qualified applicants. From this merit pool 58 SEAs were selected on a 50:50 basis. The Police Service prepared a second business case and obtained approval from the NIO to employ an additional 96 positions, with Grafton Recruitment managing the recruitment and selection process.

The oversight team found among the DCU commanders conflicting understanding as to how the SEAs would be managed, and how an equal number of police officers would be transferred to operational duties. The Police Service in 2003 distributed a policy to clarify this management issue, however, there is still no clear or uniform understanding among DCU commanders or station supervisors on this issue. This situation may be due to the minimal number of the SEAs available for assignment among all the police stations operating a full-time enquiry office.

In January of 2006, both the NIO and Police Service advised the oversight team that SEA recruitment would stop at the current 88 positions, and the employment of the remaining 172 potential positions would not take place because the project was superseded by Review of Public Administration (RPA) police reorganisation. The Police Service would retain only 88 SEAs as there was a need for more “technical support staff” in other areas. The funds received from the Treasury for the SEA positions were to be diverted for the other staffing needs.

However, during the April of 2007 visit the Police Service reported yet another change of direction - the SEA programme would continue and expand with Grafton recruiting 24 additional SEAs on a 50:50 basis. As of 1 April 2007, there were 105 SEAs, with 18 of the SEAs (17%) considered to be agency workers/contract employees not selected based on a 50:50 basis. A follow up report revealed that 17 of the 18 agency workers were police officers who had retired recently. Use of the internal trawl and agency worker programme (retired police officers) to fill SEA positions does not conform to the intent of the Independent Commission’s recommendation that vacant positions of six or more should be appointed on a 50:50 basis. Neither Grafton nor the Police Service provided information as to the percentage of the current 105 SEAs that are representative of the Catholic community.

There has been considerable attrition of SEAs as they have experienced disappointments, since the job description and terms and conditions were not reflective of the duties they were performing. One reason is that the advertisement used to recruit applicants showed the SEA working alongside a regular police officer as an assistant. As originally proposed, the SEA was to replace the police officer. Also, SEAs have applied for and been appointed to regular police officer positions. Normal attrition will continue to further reduce the number of SEAs and result in an increase in the number of police officers or reservists that have to be assigned to the enquiry office or reception duties.

It is noted that the Human Resources Planning Strategy 2005-2008, approved by the Policing Board in May of 2005, did not include a strategy or reference for implementing this recommendation to replace police officers assigned to the enquiry desk with SEAs. This omission has contributed to the limited progress for this recommendation. At the same time, the 2006-



2009 Policing Plan states that over the past number of years substantial progress has been made with civilianisation resulting in police officers being returned to front-line duties. The oversight team has not been able to verify this claim. The decision not to fully implement the SEA programme fails to implement the recommendation to replace police officers assigned to reception duties.

Remaining Issues

A comprehensive implementation strategy and timetable for the staffing of all 260 positions has not been provided to the Oversight Commissioner as well as the original request for a plan or timetable to begin staffing police station reception areas with civilian personnel replacing police officers. Likewise, there is an issue of the SEAs appointments being representative of the community.

This is but one example of where the Policing Board will need to assertively take hold of the entire civilianisation issues, and make it an accountability issue. There are certainly challenges for the Police Service; however, they have not met the challenge.

Recommendation 54: Devolved Authority of District Commanders

Patten Recommendation:

54. District police commanders should have discretion to decide in consultation with their local community how best to balance their resources between static posts and mobile patrols.

Lead Responsibility: Chief Constable/District Commanders

Recommendation Status

Compliance with this recommendation has been achieved. (See also Recommendation 76).

History

The Independent Commission recommended that DCU commanders be granted the discretion to decide, in consultation with their local community, how best to balance their policing resources between static posts and mobile patrols. In their commentary, the Independent Commission noted that with the high number of police stations or static police posts, more police officers were required to staff the stations or posts leaving fewer officers available to perform patrol duties. Even though the District Policing Partnerships (DPPs) had been established, the DCU commanders when initially interviewed, reported that they had not received the authority or training required to implement this recommendation. At the same time there were numerous opinions within the Police Service as to the level of authority granted to the local commanders to determine which police stations or security posts are to be maintained, including the Service strategy on increasing mobile patrols versus fixed and other posts.

With implementation of the DPPs, the DCU commanders received the mechanism for consulting and analysing problems with the local community to obtain a balance between static posts and mobile patrols as recommended. In April of 2004 the Police Service advised that it planned to develop further written definitions regarding devolved authority in order to resolve any

misunderstandings and uncertainties that might remain. The June of 2004 general order “Policy of Devolution” discusses the concept of devolved authority, but did not describe the discretion the DCU commanders would have to decide how best to balance their resources. With the establishment of eight district command units (versus the current 29), the full implementation of new devolved authority to the local commanders needs to be fully and clearly implemented, including the authority to set shift work patterns and control the balance between experienced and recruit police officers assigned to a police station (see also Recommendations 29, 44 and 76).

During the April of 2007 visit, the oversight team was able to review documentation and conduct interviews that verified district commanders (Ards and Magherafelt, for example) were complying with the intent of Recommendation 54 by exercising their authority to consult with their local community on how best to balance their police officers between static posts and mobile patrols. The sharing of control strategy for reducing the criminal damage, assaults and anti-social behaviour during Halloween, Christmas/News Year, and St. Patrick’s Day with the members of the Magherafelt DPP is an excellent example of obtaining consultation from the community on the use of district resources.

Recommendation 55: Police Vehicles (Patrol Vehicles)

Patten Recommendation:

55. Police cars should continue to be substituted as patrol vehicles in place of armoured Landrovers, and the use of armoured Landrovers should be limited to threatening situations.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

As noted in the following chart, the Police Service has made considerable progress replacing the large fleet of armoured Landrovers (ALRs) used in performing patrol duties and responding to calls-for-service with regular police vehicles. ALRs are now limited to use in threatening or public order situations. As of April 2007, the number of ALRs assigned to DCUs for regular patrol duties had fallen by 30%. At the same time, there has been a significant increase in the use of liveried saloon vehicles or police cars as routine patrol vehicles.

Number of ALRs Assigned for Use as Routine Patrol Vehicles

April 2003	April 2004	April 2005	April 2006	April 2007
113	77	77	66	67



In early 2002, the Police Service provided the oversight team with an inventory of police vehicles by make, model, type, and district/department assignments. This document included budget summaries for a multi-year period. Currently, the Police Service has a fleet of approximately 2,800 regular vehicles (49% with the Battenberg colour scheme) and 422 ALRs. The reduction in the number of ALRs (from 450 to 422) has been accomplished through natural wastage and revising the refurbishment programme. There are plans to reduce the fleet of regular vehicles by 300 during the next three years. The Police Service has not armoured any additional regular police vehicles in the past 18 months.

Recommendation 56: Police Vehicles (Landrovers)

Patten Recommendation:

56. As soon as possible (that is, as soon as the incidence of deployment ceases to be regular) armoured Landrovers should be moved to depots, to be kept in reserve for use in public order policing for as long as this contingency may be required.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Police Service implemented this recommendation by issuing General Order 58/2001, Issue of Strategic Reserve Armoured Landrovers (ALRs). The order outlined the requirement and procedure for moving ALRs to five depots where they would be held in reserve for use in public order situations. It also provided an interim target of having 50% of ALRs (250) in five reserve depots by 31 March 2002. Further documentation required that all ALRs be placed in strategic reserve by the end of 2006; however, this was revised recently to have all ALRs in strategic reserve by April of 2009. As of April 2007, there were 422 ALRs available for public order policing, with 58% assigned to the strategic reserve.

ALRs Assigned to Strategic Reserve

April 2003	April 2004	April 2005	April 2006	April 2007	April 2009
169	253	261	271	243	422

The Police Service has provided detailed information that clearly demonstrates reasonable progress in this area; however, several locations have been used as depots for ALRs in reserve, rather than just the five designated depots.

Recommendation 57: Police Vehicles

57. The word 'Police' should be painted onto the sides of all Landrovers.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

In September of 2002 the Police Service provided written documentation that the word "Police" had been painted on all of its ALRs, to make them less forbidding, and advised that a programme has been completed to paint all ALRs with the Battenberg colour scheme similar to other liveried vehicles. During the April of 2007 visit, while visiting the depot and police stations, compliance with this recommendation had been clearly observed.

Recommendation 58: Army Support, Security Demands

Patten Recommendation:

58. The role of the army should continue to be reduced, as quickly as the security situation will allow, so that the police can patrol all parts of Northern Ireland without military support.

Lead Responsibility: NIO/Chief Constable/GOC

Recommendation Status

Compliance with this recommendation has been achieved.

History

As of April 2007, the role of the army in public order policing has been significantly reduced permitting the Police Service, except for sections of South Armagh, to patrol all parts of Northern Ireland without support from the military.

The 2002 plan provided by the Police Service to reduce its dependence on army support has been successfully implemented. The army has reported a considerable reduction in troop levels and patrols in support of the Police Service. The reports from the Police Service and the army have revealed that the number of shooting and bombing incidents, as well as deaths, have been steadily declining permitting the army to reduce its visibility in Northern Ireland. Further evidence of a changing security situation is in the 2007 report by the Independent Monitoring Commission (IMC)¹. The IMC noted major progress in the normalisation of the security situation and has verified the reduced role of the army in support of the police. A separate army report indicates that the troop numbers in Northern Ireland have declined from 14,892 in 1999 to 5,000 by August of 2007, with no troops rear-based. The 19 army watch towers and observation posts have been closed or demolished and the 22 joint police/army bases have been closed. During the period 2001-2006, published statistics indicate a major drop in the use of emergency powers by

¹ Report 14, International Monitoring Commission, March 2007.



the army, as well as by the police. The numbers of arrests, searches, and stops and question actions under emergency powers have declined significantly supporting the finding that the security situation has improved. The use of military helicopters flown in support of the Police Service has decrease by 65% during the last two years. To further reduce dependency on the army, the Police Service has purchased and made operational items of specialised equipment previously available only from the army, including the purchase of a helicopter. The Police Service will, however, continue to require technical support from the army over the longer term, particularly when investigating bombs and other explosives.

Recommendation 59: Army Support, Public Order Demands

Patten Recommendation:

59. For as long as the prospect remains of substantial public order policing demands on the scale seen at Drumcree in recent years, the army should retain the capacity to provide support for the police in meeting those demands.

Lead Responsibility: NIO/Chief Constable/GOC

Recommendation Status

Compliance with this recommendation has been achieved.

History

The army has retained its capacity to provide support for the Police Service in meeting its substantial public order policing demands on the scale seen at Drumcree. (See Recommendation 58).

Recommendation 60: Emergency Legislation

Patten Recommendation:

60. Provided the threat of terrorism in Northern Ireland diminishes to the point where no additional special powers are necessary to combat it, legislation against terrorism should be the same in Northern Ireland as in the rest of the United Kingdom.

Lead Responsibility: NIO/Home Office

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Terrorism Act (2000) stipulates that, depending on the security situation, the Secretary of State can phase out Part VII of the Act. Part VII was continued in force by The Terrorism (Northern Ireland) Act 2006. The Act grants special powers specific to Northern Ireland. Based on analysis of the reports provided by the Police Service, army and IMC, the oversight team has observed a significant reduction in the use of emergency powers. The threat of terrorism has diminished to the point where additional powers will eventually not be necessary; however this will depend on the assessment of the Chief Constable and the Secretary of State for Northern Ireland.

Recommendation 61: Records on the Use of Emergency Powers

Patten Recommendation:

61. In the meantime, with immediate effect, records should be kept of all stops and searches and other such actions taken under emergency powers.

Lead Responsibility: Chief Constable/GOC

Recommendation Status

Compliance with this recommendation has been achieved.

History

Following adoption of the Terrorism Act (2000) the Police Service took steps to implement the provisions of the Act by issuing General Order 37/2001, The Terrorism Act 2000 – Human Rights and Monitoring Issues. The Order outlines in detail the justification and procedures for all stops and searches under an emergency and establishes a reporting and review responsibility for all stops/searches made under the Act. The order also includes specific responsibilities of the DCU commanders for monitoring and administratively reviewing these reports. A new non-discriminatory PACE form was issued to record the number of stops, searches and seizures. The form included a human rights checklist to be used by police officers. The general order also made PACE records available to the suspect if requested.

Initially, progress by the Police Service in implementing this authority at the DCU level was slow and inconsistent. To improve effective implementation, the Police Service conducted two internal audits that identified several problems requiring correction, including a significant variance in compliance with the administrative procedures set forth in the order. In October of 2004 the Police Service amended the order in an attempt to standardise the procedures for the use, recording and monitoring of these powers and to ensure administrative review of stops and searches are conducted and corrective actions taken where needed.

Both the Police Service and the army have provided routine statistical reports on the use of powers under the Terrorism Act. The oversight team analysed the statistical reports for the last several years and found a significant decline in the use of emergency powers by the Police Service. The use of emergency powers under sections 84 and 89 are now limited to specific terrorist threats that require pre-approval by a senior command officer. PACE authority, not emergency powers are now used by police officers when conducting normal law enforcement operations. The army has provided similar reports demonstrating that emergency powers under the Act have also declined during the last several years. For example, the use of stop and search powers under section 89 has decreased from 9,873 searches in 2002 to 24 searches in 2006.



Recommendation 62: Holding Centres

Patten Recommendation:

62. The three holding centres at Castlereagh, Gough barracks and Strand Road should be closed forthwith and all suspects should in future be detained in custody suites based in police stations.

Lead Responsibility: NIO/Chief Constable

Recommendation Status

Full implementation of this recommendation has not been achieved (Moderate Progress).

History

In December of 2001 the Police Service reported that the three holding centres, including Gough Barracks, had been closed and all terrorist prisoners would be held at the Lisburn DCU. Lisburn was considered an interim facility until a permanent joint custody suite could be constructed in April of 2003 at the Antrim DCU. A 2002 inspection of the three holding centres by the oversight team, including Gough barracks, found the centres closed and no signs of recent use as a detention facility. However, The Independent Commissioner for Detained Terrorist Suspects reported that Gough Barracks had been used in 2003 as a temporary custody facility to hold terrorist suspects due to the lack of designated space at other sites. All three holding centres identified by the Independent Commission had been closed as custody suites to house terrorist prisoners, with the Strand Road (Foyle DCU) custody suite being used to house Police and Criminal Evidence Act (PACE) prisoners.

When the new Serious Crime Suite at Antrim DCU for housing terrorist suspects became operational in April of 2003, the temporary suite at Lisburn was closed. The detention facility at the Grosvenor Road police station was renovated in November of 2004 to house terrorist suspects in case the Antrim custody suite was closed or its capacity exceeded. The opening of the Grosvenor Road facility placed Gough Barracks back in the permanently closed category. Also, the Grosvenor Road facility is considered temporary until a custody suite is built as part of the new Musgrave Street police station. .

Currently, the Police Service is re-evaluating the previously proposed 4+12 custody suite plan, which was recently revised to include a separate custody suite at Larne to detain immigration violators. This plan would have established four serious crime suites at Antrim, Craigavon, Foyle and Musgrave Street, with Musgrave Street and Antrim capable of retaining high-risk prisoners. Twelve smaller designated custody suites located throughout Northern Ireland would be established for PACE prisoners, plus the immigration custody suite in Larne. There are 22 designated operational custody suites in Northern Ireland, with several others considered as non-designated suites.

Remaining Issues

The remaining issue involves the issuance of authorisation for the design, building and refurbishment of police stations to accommodate the remaining proposed custody suites, and the

closure of the suites that will not be utilised. In addition, the number of projected detention cells and facilities provided by the 4+12+1 plan is not based on projected prisoner data or a comprehensive analysis. A 2002 comprehensive analysis by the Ulster Marketing Surveys Limited (UMS) considered several factors in determining the number of custody suites required. This analysis included usage of the current 22 facilities, total arrests, length of detention, place of arrest, offence type and other factors that would serve to predict the number of custody suites the Police Service should effectively and efficiently operate. The UMS report concluded by stating the “8 Model appears to be the preferred option” and “offers the best balance of cell latency and abstraction time”.

The need for future detention space for terrorist prisoners is illustrated in two reports released by the Independent Commissioner for Detained Terrorist Suspects. The reports covered a period of 21 months (January 2004 to September 2005) and offered some noteworthy statistics. For example, during the 21-month period the Police Service detained 418 terrorist suspects, averaging one alleged terrorist per day. The report also noted that 210 or 50% of the terrorist suspects were detained less than 24 hours. With less than one terrorist suspect per day, with 50% detained less than 24 hours, as well as an improved security situation, the need for additional custody suite capability for terrorist suspects should be re-examined.

In January of 2007, the Chief Constable announced a plan to reduce the number of DCUs from 29 to eight and to appoint a Chief Superintendent to command each district with additional responsibilities and devolved authority. The full and successful implementation of the eight district command units is still another factor that would influence the number and location of custody suites, as well as the projected number of cells required.

Recommendation 63: Video Recording in PACE Custody Suites

Patten Recommendation:

63. Video recording should be introduced into the PACE custody suites.

Lead Responsibility: NIO/Chief Constable

Recommendation Status

Full implementation of this recommendation has not been achieved (Moderate Progress).

History

The NIO has provided funding to install video recording (CCTV) in ten of the 22 designated custody suites. The ten installations are located at:

Antrim (terrorist suspects)	Grosvenor Road (back-up for Antrim)
Ballymena	Lurgan
Bangor	Musgrave Street
Coleraine	Omagh
Enniskillen	Strabane



The Police Service submitted a business case to the NIO and received approval for £11.3M over five years to fund CCTV for the custody suites. However, the NIO must approve the use of funds for CCTV installation on a case-by-case basis. Neither the Estate Strategy nor business case submitted to the NIO includes an analysis of the prisoner population and other workload data in support of the plan to install CCTV in custody suites. A February of 2007 report indicated that as a result of the Government's UK-wide Comprehensive Review, funding for CCTV in the custody suites may be reduced.

See Recommendation 62 reference the status of the 4+12+1 custody suite plan.

Remaining Issues

The remaining issue involves whether or not the NIO will fully provide, based on the justification provided by the Police Service, the full £11.3M requested to install CCTV in the remaining custody suites. In order to resolve this question, the Policing Board as owner of the estate and Police Service must finalise a custody suite plan setting forth the number and location of custody suites.

Recommendation 64: Inspection of Custody and Interrogation Suites

Patten Recommendation:

64. Responsibility for inspecting all custody and interrogation suites should rest with the Policing Board, and Lay Visitors should be empowered not only to inspect the conditions of detention (as at present), but also to observe interviews on camera subject to the consent of the detainee (as is the case for cell visits).

Lead Responsibility: Policing Board/Chief Constable/NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

In 2003, following approval of the necessary legislation, the Policing Board fully implemented this recommendation by establishing a set of guidelines and extending the responsibility for inspecting all custody and interrogation suites and viewing on remote camera live interviews with terrorists to the existing Custody Visiting Scheme, to trained volunteers. In October of 2005 a Government order extended the remit of the lay visitors to require reports on the conduct of interviews with detainees, and empowered lay visitors to observe interviews on camera.

The Policing Board requires and receives monthly reports from the custody visitors, which summarise their activities, and ensures that the objectives pertaining to detainees' complaints, as well as recommendations for physical improvements, are met. Nearly 1,200 random visits were carried out at police stations during 2005/2006. There were no issues about the treatment of detainees or conditions in which they were being held, but cleanliness of the cells and needed repairs was the most frequent finding. Field visits by the oversight team confirmed that custody visitors perform unannounced inspections at various police custody facilities on a routine basis. It

is noted that the custody visiting scheme, as confirmed by the Policing Board, does not include the several non-designated detention cells operated by the Police Service. Expanding the programme to the non-designated cells should be reviewed.

Recommendation 65: Objective of an Unarmed Police Service

Patten Recommendation:

65. The question of moving towards the desired objective of a routinely unarmed police service should be periodically reviewed in the light of developments in the security environment.

Lead Responsibility: NIO/Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

In September of 2002 the Chief Constable reported that this recommendation would be reviewed and a determination made twice each year, on 1 April and 1 October. Accordingly, the Chief Constable has notified the Oversight Commissioner semi-annually with regard to the prevailing security situation, and whether a peaceful environment envisioned by the Independent Commission would permit the implementation of this recommendation. The most recent notification was received in March 2007 and indicates the security situation has not yet reached the peaceful environment envisaged by the Independent Commission, whereby the question of moving towards the desired objective of a routinely unarmed police service could be considered. The Chief Constable has recently commissioned an HMIC review of firearms policy and practice, which may have some bearing on this recommendation. Following completion of the oversight process, the Policing Board will review this issue on a yearly basis.

▶▶ **public order policing**



A. Chapter Summary

Background

The Independent Commission recognised that the public order policing experience of the Police Service differed significantly from that of any other police force, especially the use of public order equipment and tactics. The Independent Commission therefore saw the need for research into other tactical and strategic ways with which to address recurring public order situations. The recommendations covered the role of the army, the establishment of a parade partnership and marshal training, and identification of equipment that might be utilised by the Police Service to better deal with public order situations and other emergencies.

Progress and Accomplishments

Based on research conducted by the NIO and Steering Group, police commanders now have a broader range of less-than-lethal equipment and operational tactics available for responding to public order emergencies. The introduction of the Attenuating Energy Projectile (AEP) impact round (replacing the plastic baton round) and the vehicle-mounted water cannon have been successful. The independent evaluations support findings that the Police Service has adopted the proper policies and guidance, as well officer training, for the successful deployment of the AEP and water cannon.

The Human Rights Annual Report on the 2005 Ardoyne and Whiterock parades, and the Police Ombudsman investigative report on the 2005 Cambria Street/North Belfast riot, concluded that the Police Service performance was acceptable and in compliance with the Human Rights Act 1998. Also, the findings determined that the discharge of AEPs and water cannon was minimal and appropriate. Similar evaluations conducted by the oversight team support the determination that the NIO and Police Service have fully implemented those recommendations involving the use of equipment and performance during public order situations.

The Police Service has also demonstrated the capacity to deal with public order incidents without relying on increased help from the army or other police services. This capability, for example, was demonstrated during the recent Lundy parades in Derry/Londonderry and the annual parades at Drumcree, Co. Armagh. At the same time, the Police Service has successfully worked with the community organisers in planning parades that might be contentious and facilitating the use of trained marshals to reduce the potential for disruption. Responsibility for successful implementation of the public order policing recommendations can be shared by the highly trained and dedicated commanders and police officers who responded to public order emergencies that occurred during the period of the oversight progress.

Remaining Areas of Concern

There are no areas of concern associated with the several recommendations concerning public order policing.

Future Issues and Directions

The concept of security has proven to be a very elastic one. Since the beginning of our oversight, the concept has been applied to numerous recommendations, generally as a reason not to do something. No one can be reasonably in a position to second guess this, or place officer and public lives at risk. The future challenge, for the Police Service at the senior and middle management command levels is to progress from an atmosphere of a continuing “security situation” to an atmosphere of providing ordinary police service. Increasing evidence points to a more normal environment today, where increasing risk can be assumed for normalised policing. The incidents that do occur are for the most part criminal offences that a police agency serving a peaceful society would experience. While this is the operational domain of the Chief Constable, the Policing Board should be prepared to challenge the ethos so that policing can increasingly move from a security policing culture to a normalised policing culture.

B. Recommendation Summaries

Recommendation 66: Public Order Emergencies

Patten Recommendation:

66. The Northern Ireland police should have the capacity within its own establishment to deal with public order emergencies without help from other police services and without more than the present level of support from the army.

Lead Responsibility: NIO/Policing Board/Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

The oversight team received documentation from the army covering the period August of 2002 through December of 2006 on the level of support provided to the DCUs. These reports reveal a remarkable decrease in army support and verify that the Police Service has the capability within its own establishment to deal with public order emergencies. (See Recommendations 58 and 59 for additional support information).

The overall performance of Foyle DCU in providing security for the Lundy parades, and North Belfast DCU and Tactical Support Groups in policing the Ardoyne and Whiterock parades (2005), are excellent examples of the capacity of the Police Service to plan and deal with public order incidents without relying on increased help from the army. Likewise, the peaceful annual parades at Drumcree and in Derry/Londonderry in 2003 and 2004 illustrate further the ability of the Police Service to deal effectively with potential public order situations.



Recommendation 67: Conditions for the Approval of Parades (Marshals)

Patten Recommendation:

67. It should be a condition for the approval of a parade that the organisers should provide their own marshals, and the organisers and the police should work together to plan the policing of such events. This should involve as appropriate the representatives of the neighbourhoods involved in the parade route.

Lead Responsibility: NIO/Parades Commission

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Police Service has successfully implemented this recommendation by working with the community in the planning of parades and other events and by adopting new parade procedures. In 2003 the Police Service amended two orders to require the recording of police efforts to work with parade organisers and representatives of the involved neighbourhoods during the parade planning process. Preparation for the Lundy parade in December of 2002 and in subsequent years is just one example where Foyle DCU, parade organisers and representatives worked together to provide effective policing for a contentious parade. There are several examples that demonstrate a solid effort by the Police Service to plan with the community for parades and to cooperate successfully with parade organisers to facilitate the use of marshals.

In February of 2005 the NIO reported that a Government determination providing marshals as a condition of parading was not appropriate in the current parading climate. This decision followed a request by the NIO for a full review of the current parade arrangements, which was published in a report, entitled: "The Parades Commission and Public Processions 2002". This report recommended the creation of two organisations, one specialising in mediation and the other deciding on disputed marches. The Government also indicated a lack of support in dividing the current Parades Commission into two separate organisations.

Recommendation 68: Conditions for the Approval of Parades (Marshal Training)

Patten Recommendation:

68. Marshal training should be further developed, with an appropriate qualification on successful completion of the training. All parades should be marshalled and, as soon as practicable, it should be a requirement that all potentially contentious parades requiring a decision or determination by the Parades Commission should be marshalled by qualified personnel.

Lead Responsibility: NIO/Parades Commission

Recommendation Status

Compliance with this recommendation has been achieved.

History

The NIO-sponsored report, entitled: “The Parades Commission and Public Processions 2002”, was intended to review parade arrangements and considered a number of factors in respect to this recommendation and other parading issues (see also Recommendation 67). However, this report was silent on the recommendation that only trained and qualified personnel serve as parade marshals. In 2004 the NIO reported that 700 parade marshals had been trained over the previous two-year period using a training course provided by the College of Further Education in Dungannon. An evaluation of marshal training has been completed with the results submitted to the NIO and the Parades Commission.

Recommendation 69: Public Order Equipment (Research Programmes)

Patten Recommendation:

69. An immediate and substantial investment should be made in a research programme to find an acceptable, effective and less potentially lethal alternative to the Plastic Baton Round (PBR).

Lead Responsibility: NIO/Policing Board/Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

The NIO, in cooperation with the Police Service, has made a substantial research investment to find an acceptable alternative to the plastic baton round (PBR). As a result, the research initiative has established Northern Ireland as a leading international research authority on less-than-lethal technologies. The International Law Enforcement Forum, an organisation that brings together the international community of law enforcement practitioners to examine minimal force approaches to conflict resolution, focuses on the technologies, training requirements, and policy issues surrounding less-than-lethal weapons, has come to rely on the leadership and advice of former and present Northern Ireland police and other officials who have led the way with this endeavour. The participants in this research are to be commended for the thoroughness and comprehensiveness of their efforts.

From 2001 to 2004, the NIO released four separate detailed technical reports entitled: “A Research Programme into Alternative Policing Approaches towards the Management of Conflict”. This research was conducted by the NIO Steering Group in consultation with the Association of Chief Police Officers. It examined alternatives to the PBR currently in use by police services, and the means by which the police might be equipped with a broader range of public order equipment. These comprehensive research reports included an examination and assessment of the vehicle-mounted water cannon, the Attenuating Energy Projectile (AEP), the Discriminating Irritant Projectile (DIP), the 12-gauge sock round, CS spray and the conductive energy device. The research reports are available for public examination and can be located on the Northern Ireland Office web page at: www.nio.gov.uk



The Phase 4 research report by the Steering Group stated that development of the AEP and DIP would continue, as these two projectiles represented the best opportunity to identify a viable alternative to the PBR across the UK. The objective was for the AEP to deliver an impact that is not intended to cause serious or life threatening injury, but was of sufficient force to dissuade a violent person from his/her intended course of action. Upon implementation of the AEP, the L21A1 plastic rounds were removed from operational use by the Police Service. The DIP, which delivers a localised cloud or burst of sensory irritant, will serve as a complement to the AEP and is not intended to cause serious or life threatening injury. The research for the DIP will not be completed until November 2007.

A fifth research report was released in June of 2005 and contained a further review of the AEP and other less-than-lethal technologies that will replace the PBR, including the conductive energy device technology. It should be noted that due to the degree and high standards of the research undertaken, the AEP was the best possible alternative across UK police forces, as well as being adopted by the Ministry of Defence. The official date for the AEP coming into operational use in Northern Ireland is reported as 21 June 2005.

The research conducted under the NIO's direction included an expanded review of published medical and technical data and other official documentation for the operational use of the water cannon. The research report concluded that there were no deaths from the police use of water cannon and a low incidence of life threatening injuries. The research also noted the successful deployment of two borrowed vehicle-mounted water cannons in the summer of 2002 during public order situations.

Although this recommendation has been implemented based on the Independent Commission's intent, and a full response to all performance indicators received from the Police Service, the research continues. Five years of extensive research has identified what is, at least at present, the best available alternatives to the PBR.

Recommendation 70: Public Order Equipment (Broader Range of Equipment)

Patten Recommendation:

70. The police should be equipped with a broader range of public order equipment than the RUC currently possess, so that a commander has a number of options at his/her disposal which might reduce reliance on, or defer resort to, the PBR.

Lead Responsibility: NIO/Policing Board/Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Police Service and the Army introduced plastic baton rounds into operational use in 1973. Previously, baton rounds had been made of rubber. From 1973 until 1981 the army and the police fired nearly 70,000 plastic rounds. From 1981 through 2001 the army fired nearly 15,000 and the police nearly 42,000. Seventeen deaths have been attributed to plastic baton rounds, the most

recent in 1989. Concerns, in part relating to the accuracy of these rounds, prompted the government to move ahead with a project to deliver an improved round and a better delivery system. This initiative, commenced prior to the Independent Commission's recommendations on public order, resulted in the introduction and deployment of the more accurate and controlled L21A1 baton rounds to the army and the Police Service in June 2001 and eventually to 43 other police forces in Great Britain.¹

The Police Service, operating under revised operational policies that set forth strict operational and reporting procedures for deployment of baton rounds, with a few exceptions, have not fired baton rounds since 2001. However, research continued and in June of 2005, the present safer impact round, the Attenuating Energy Projectile (AEP) was introduced and deployed across the UK. The AEP uses the same delivery system, but with its soft tip and other features designed to be accurate and reduce the potential for injuries.

Today, police commanders have a broader range of options or equipment available during a public order situation. As a result of the multi-year research project, the first option adopted for use by both the Police Service and army was the AEP impact round. The AEP round was authorised for use in June of 2005 as a replacement for the L21A1 round and first deployed during the 12 July 2005 Ardoyne parade and again on 10 September 2005 during the Whiterock parade. Evaluations conducted on the use of the AEP round during these two public order situations established that the new impact round performed as designed. As an alternative to use of deadly force (firearms), the Police Service has under consideration for September of 2007 a proposal to expand use of the AEP impact round to non-public order situations where trained police officers, operating out of armed response vehicles, will have the weapons available for use in cases such as hostage or armed person situations.

The second option developed for public order situations was the vehicle-mounted water cannon. The purchase of six vehicles in 2004 was based on the results from further research and medical evaluations conducted by the NIO and Steering Group. Before being placed in operation, the appropriate operational policies and guidance for the deployment and use of the water cannon in public order situations were issued. This set of policies and associated training is consistent with the deployment of the AEP rounds during public order situations, and is considered a good police practice. As demonstrated during the Ardoyne and Whiterock parades in 2005, the vehicle-mounted water cannon can provide the police commander with another alternative for responding to public order situations.

Based on research conducted, the Police Service in 2003 issued hand-held CS Incapacitant spray to police officers as a piece of personal protection equipment, to be carried during regular police activity. The CS spray was not intended as an alternative to the AEP impact round during public order situations. As with the AEP round and water cannon, the Police Service issued clear guidance on the use of CS spray and required mandatory training before an officer was issued CS spray.

¹ A Research Programme into Alternative Policing Approaches Towards the Management of Conflict, The Second Report prepared by the Steering Group led by the Northern Ireland Office, in consultation with the Association of Chief Police Officers, November 2001.



The NIO has identified two devices to receive further evaluation and testing, the DIP and a conductive energy device¹. However, no progress on developing the DIP has been initiated due to the lack of funding. The Police Service is considering introducing a conductive energy device as alternative to the use of deadly force (firearms), but not for use during public order situations.

In summary, the NIO and Police Service have fully implemented this recommendation. The five research reports released by the NIO fully examined all the known alternatives to the use of force and recommended the adoption of the AEP impact round and the vehicle-mounted water cannon as less-than-lethal devices for response to public order situations. Research will continue as funding is available and new methods and devices are identified.

Recommendation 71: Police Performance in Public Order Situations (Use of PBRs)

Patten Recommendation:

71. The use of PBRs should be subject to the same procedures for deployment, use and reporting as apply in the rest of the United Kingdom. Their use should be confined to the smallest necessary number of specially trained officers, who should be trained to think of the weapon in the same way as they would think of a firearm, that is as a weapon which is potentially lethal. Use of PBRs should in the first instance require the authorisation of a district commander. This should be justified in a report to the Policing Board, which should be copied to the Police Ombudsman. Wherever possible, video camera recordings should be made of incidents in which the use of PBRs is authorised.

Lead Responsibility: NIO/Policing Board/Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

During the last several years there has been a substantial improvement in the way the Police Service handles public order situations, as well as the deployment of the AEP impact round. The policies and procedures adopted for the deployment, use and reporting of the impact round are consistent with the Association of Chief Police Officers (ACPO) Guidelines, as well as meeting the test for “best practices” on the use of lethal and less lethal force. The Police Service has reduced the number of officers authorised to fire the impact round and established a training component for commanders, supervisors and police officers.

The use of the impact round has steadily decreased since 1998, when 1,236 rounds were discharged. During 2006 and the first quarter of 2007 no impact rounds have been discharged by the Police Service or army. This is reflective of the positive performance by the Police Service and others in successfully implementing the Independent Commission recommendations. The important role of community and political leaders cannot be overlooked, for they have reduced tensions that avoided conditions where increasing application of force was required.

¹ This is the generic description, but the public often uses the trademarked name Taser to describe these devices.

Recommendation 72: Police Officers' Identification Numbers

Patten Recommendation:

72. Officers' identification numbers should be clearly visible on their protective clothing, just as they should be on regular uniforms.

Lead Responsibility: Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Police Service successfully implemented this recommendation in 2001 with the issuance of General Order 33/2001, Wearing of Numeral Numbers and Rank Insignia on Riot Helmets by Officers of Inspector Rank and above. This policy directive requires all police officers, at all ranks, to wear an assigned serial number so displayed on their uniform as to be clearly visible at all times when on duty. Other policies require police officers, regardless of rank, to be issued with a number to be displayed on the front of their riot helmets, as the helmet had been designated as the "protective clothing" as specified in Recommendation 71. The Police Service reports that there have been no problems with implementing this recommendation. The oversight team has verified that this recommendation has been adopted.

Recommendation 73: Police Performance in Public Order Situations (Monitor)

Patten Recommendation:

73. The Policing Board and, as appropriate, the Police Ombudsman should actively monitor police performance in public order situations, and if necessary seek reports from the Chief Constable and follow up those reports if they wish.

Lead Responsibility: NIO/Policing Board/Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Ombudsman and the Policing Board have successfully demonstrated the ability to monitor the performance and response by the Police Service to public order situations. This monitoring includes usage of less-than-lethal alternatives by the Police Service, particularly use of the L21A1 plastic baton and its replacement, the AEP impact round. As an example of monitoring, the Ombudsman released a report in May of 2002 detailing the investigation of seven PBR incidents, and reached the conclusion that the discharge of PBRs in all seven cases was fully justified and proportionate, as were the authorisation and directives given. As noted previously, there have been no PBR discharges since 2005. The Police Service Code on Complaints and Discipline requires that the Ombudsman be contacted immediately when a PBR is discharged, with written notification provided within 48 hours.



Further evaluation of the use of the AEP impact rounds was conducted by the Police Ombudsman following a serious public order situation that occurred on 4 August 2005 (Cambria Street/North Belfast). Seven AEPs were discharged at individual members of a rioting crowd, with each discharge examined by the Ombudsman's investigators. The Regulation 20 report concluded that the discharge of AEPs was minimal and appropriate in the face of violent and sustained attacks by the rioters, and the new AEP impact round appeared to reduce the risk of severe physical injury while preventing individuals from continuing attacks on the police officers.

Once the Ombudsman releases an investigation report on a PBR incident, a group of senior police officers reviews the findings to determine if there are any policies, discipline, human rights or training matters that should be addressed by the Police Service. This post-utilisation review is considered a best practice with respect to the use of lethal and less than lethal force, and does not conflict with the investigation authority of the Ombudsman.

The Policing Board commissioned the Human Rights Annual Report (2005) which examined the Police Service and its use of force (firearms), AEPs, vehicle-mounted water cannon and CS spray, and concluded the Service was generally in compliance with the Human Rights Act 1998. The Report on the Policing of the Ardoyne and Whiterock Parades (2005), also released by the Policing Board, noted that the use of the AEP impact round and the vehicle-mounted water cannon during these two serious public order situations, as well as the planning and tactics by the Police Service, were in compliance with the Human Rights Act 1998. The command and control exercised during public order situations is a credit to the senior staff and the discipline exhibited under difficult circumstances is a credit to the entire Police Service.

The Policing Board also actively monitors police performance in public order situations. A Police Service general order requires the DCU commander to include in his/her report the circumstances and justification as to the need to discharge the impact rounds during public order situations. This report is immediately forwarded to the Policing Board where the Committee on Human Rights receives the report and other documents and reviews and monitors all discharges of impact rounds. The Committee also reviews incidents of public disorder and civil compensation claims due to the actions of the officers, plus seeks follow-up reports from the Chief Constable where necessary.

Recommendation 74: Police Performance in Public Order Situations (Guidance)

Patten Recommendation:

74. Guidance governing the deployment and use of PBRs should be soundly based in law, clearly expressed and readily available as public documents.

Lead Responsibility: NIO/Policing Board/Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Police Service has issued excellent directives and guidance governing the deployment and use of the impact round (AEP) during situations of serious public disorder. The guidance is clearly written and references ACPO Guidelines, the United Nations Code of Conduct for Law Enforcement Officials, and Article 2 of Schedule 1 of the Human Rights Act (1998). A commander or police officer seeking guidance is provided with a comprehensive policy statement followed by the required procedures for recording and reporting incidents of use.

The policies and guidance issued by the Police Service for use of the impact round are available as public documents. The 2005 “Policy on Human Rights and Police Use of Force” was placed on the Police Service web page. The policy, which includes a discussion on the use of the impact round, can be reviewed by searching under “use of force” and represents a positive development in terms of the Police Service’s increasing openness and transparency (see also Recommendation 37).

▶▶ **management & personnel**



A. Chapter Summary

Background

The Independent Commission recommended a style of policing more rooted in the community, more accountable and transparent, and explicitly committed to the protection of human rights. They were convinced by their review of policing systems elsewhere that while this would prove difficult to implement, the key to success would be through management. There followed a series of recommendations calculated to provide the managerial tools to implement and sustain the core values of the report and to ensure the inevitability of the change process.

The management style existing at the time of the Independent Commission report was characterised as hierarchical and bureaucratic. By contrast, policing with the community is a disaggregated style, succeeding best when decision-making is devolved as far as possible to those responsible for delivering services to the community. The Independent Commission proposed fully devolved authority to district commanders for the deployment of personnel and control of local budgets. A series of proposals to ensure internal accountability described key managerial strategies: the requisite levels of hierarchy with well-defined role descriptions; a process to hold district commanders accountable for patterns of crime and police activity; a fully effective personal performance appraisal system; accurate and timely management information on complaints against police; a system of random integrity checks; and a process that would ensure the removal of ineffective or incompetent officers.

The Independent Commission also recommended adoption of limits to tenure in specialist posts to ensure that officers retain their contact with the core function of community policing. Policy changes to sickness absence management were meant to increase awareness of the causes of absence and facilitate steps to address them, with the logical consequences of having more officers available to policing. Concern was expressed for the tribulations of disabled officers and the plight of widows, with recommendations intended to support them financially and administratively. It was recommended that a rigorous programme of civilianisation be undertaken to replace police officers with civilians in jobs which do not require police powers, training or experience, exceptions being made only when it can be demonstrated that there is a good reason for a police officer to occupy the position. Lastly it was recommended that the Police Service pursue opportunities for the out-sourcing of certain support services and that the police estate be subject to a comprehensive audit.

Progress and Accomplishments

Structural changes completed during the early process of organisational realignment removed a layer of management and installed a slimmed down command structure for rural and urban regions. The Chief Constable's policy on devolved authority described the empowerment of commanders. Since the introduction of devolved budgets the Police Service has successively reported that its expenditures are within the limits of budget appropriations, something which had not occurred in the many prior years when spending was heavily impacted by the unpredictability of the security situation. Devolved financial management is in a continuous process of refinement. Devolved decision-making over local deployment of personnel and local policing matters are

effective to a degree, with the reservations listed below¹. The oversight of delegation rests with the Deputy Chief Constable through twice yearly reviews. Decisions taken as a result of the recommendations of the Review of Public Administration, Northern Ireland, (RPA) will have a crucial impact on delegation of responsibility and authority within Police Service.

An executive level operational review system for DCUs is now firmly in place and is a practice recognised as a driving force for performance improvement. The basic requirements for trending and tracking of complaints against police are fulfilled through cooperation with the Office of the Ombudsman. Complaint statistics by DCU including complaint outcomes are available to the public on the web site of the Police Ombudsman. A new Annual Performance Appraisal (APR) system was installed on 1 April 2007, meeting the requirements of the Policing Board for human rights appraisal. However, this has to be reconciled in the future with an evaluation to ensure human rights behaviour is appropriate, as well as ensuring that supervisors are trained in human rights assessments (see Recommendation 5). With respect to the requirement to audit the police estate, a National Audit Office audit was conducted of the police estate, rendering some comments which will be constructive for the Police Service and the Policing Board (see also Recommendation 53).

Remaining Areas of Concerns

It is our experience and observation that headquarters departments have not all yet fully completed the transition to a policing with the community service culture with client-friendly attributes, rather this is left to the front line service deliverers. Conversely, some DCU commanders in the 29 District model defaulted to central control which feeds the importance of the centre. In order to ensure development of a complementary culture of delegated authority, policies must be clear and explicit, DCU commanders must fully comprehend policies in all their ramifications, accept their devolved responsibilities and respect the requirements for standards and corporacy or the need for control of key areas. For a conventional bureaucracy, this conversion is as challenging and dramatic in its own way as the transformation expected of police operations.

Establishing a proper balance of responsibility and authority on the movement of police officers between DCU's, regions and departments is one of the more difficult areas of achievement. As DCU commanders grew accustomed to accepting their responsibility for results they also became increasingly critical of the lack of consultation and control of transfers that remove key officers from their command, particularly at inopportune times, and the posting of new personnel to their commands without regard for budget implications.

The decision to consolidate the investigation of serious crime to Crime Operations Department removed that responsibility from DCU commanders, transferring the locus of control to units under the direction of Headquarters. While eminently defensible as a strategy for operational efficiency, the loss of control over local crime investigations was a step away from the concept of devolution.

The efforts devoted to civilianisation by the Police Service throughout the seven years of oversight fell short of the rigorous programme and replacement of up to 1,000 police posts anticipated by

¹ See also 'Devolution in Policing', Oversight Commissioner's Report 17, September 2006



the Independent Commission. Admittedly there is administrative complexity to be resolved including the difficulty of melding categories of existing police and civilian staff, observing the terms of contractual agreements protecting employee rights and benefits, and ensuring throughout the effective support for operations. Still, civilianisation of police posts not requiring police powers or police skills and experience is an inviting efficiency measure and an opportunity to return experienced officers to front-line policing. The Policing Board will need unrelenting perseverance, as will the police service, to overcome the organisational inertia on this issue.

On the issue of tenure, the original findings and recommendations of the Independent Commission remain consistent with good human resource practices, as supported by international policing authorities, which also recognise accommodation to local circumstances. The minimal application solution currently applied by the Police Service is defensible in the short-run on grounds of practicality, but it will be prudent for the Police Service and the Board to re-visit this decision in three to five years, when the demographic profile of the Service should be stabilised.

Future Issues and Directions

1. Failure by the Police Service to sustain the development of a devolved organisation means foregoing the potential advantages of devolution, and failing to dismantle the bureaucratic and hierarchical practices that existed in the past. If not conceived and managed with care to preserve the benefits of delegation and devolution, implementing the organisational changes associated with the RPA could result in the unravelling of much of the reforms achieved since the beginning of the oversight process.
2. The interface between the Police Service and the Office of the Ombudsman will require careful vigilance in the ensuing future. There is scarce experience elsewhere to guide this process, yet much depends on developing a cooperative working relationship between institutions, including the Police Federation.
3. The Police Service has not pursued civilianisation in the vigorous style recommended by the Independent Commission, although some limited progress was made. The Policing Plan 2007-2010 re-stated the goal, to be accomplished through rationalisation of the police staff complement, continuous improvement initiatives and improvements to the front line police measure.

B. Recommendation Summary

Recommendation 75: Police Management of Change

Patten Recommendation:

75. The Northern Ireland police leadership team should include specialists in change management. These may be either civilians or police officers, preferably both. The leadership team should produce a programme for change, to be presented to the Policing Board and reviewed periodically by the Board. The efficiency and effectiveness of each chief officer should be judged on the basis of, among other things, their capacity to introduce and adapt to change.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

A Change Management Team with outside consulting advice was appointed early in the process to plan and monitor implementation of the Independent Commission's recommendations. As the change process unfolded accountable officers were appointed to key roles, beginning the task of devolving plans to the functional units. Operational responsibility for change management was delegated to the then ACC Corporate Development, a tasking that remains in place until the conclusion of the oversight mandate.

In the period since April of 2001 DCU commanders assumed a leadership role with the community, re-structured sector boundaries, modified patrol methods and inspired a performance-based ethos among front-line managers and supervisors. Progress has been hailed as a major cultural shift, an assessment confirmed by HMIC's Baseline Inspection of 2005. The Chief Constable and his command team now manage a programme of ongoing change responsible for policy, performance, and critical issues advanced from committees. Reporting to this forum are six senior committees meeting on a regular basis throughout the year, with responsibility over all critical operational and administrative activities. A strategic planning process complying with UK standards is in place. The operating principles derived from the Independent Commission's recommendation are reflected throughout this management structure.

The Police Service adopted a performance evaluation system for the assessment of the Deputy Chief Constable and Assistant Chief Constables based on ACPO competencies. Chief Officers participate by establishing personal objectives and personal development plans, including an in-year review and self assessment. ACPO competencies include a factor for openness to change. The performance of the Chief Constable is evaluated by the Policing Board.



Recommendation 76: Devolved Authority of District Commanders

Patten Recommendation:

76. District commanders should have fully devolved authority over the deployment of personnel (officer and civilian) within their command, devolved budgets (including salary budgets), authority to purchase a range of goods and services, and to finance local policing initiatives. They should reach service level agreements with all headquarter support departments.

Lead Responsibility: Chief Constable/District Commanders

Recommendation Status

Compliance with this recommendation has not yet been achieved. (Substantial Progress)

History

The Independent Commission recommended an approach in which policing with the community became the core function of the Police Service, and where decision making would be devolved, or delegated, as far as possible to those responsible for delivering services directly to the community. The existing management style was categorised as hierarchical and bureaucratic. Structural changes completed early during the change process removed management layers and installed a slimmed-down command structure for rural and urban regions. Police Service policy on the devolved decision making describes the principles of empowering DCU Commanders that would allow devolution to work in practice. Devolved financial management is in the process of being refined, and devolved decision making on the operational deployment of police personnel and local policing matters is now standard practice within the Police Service. Overseeing the effectiveness of the system of devolved decision making rests with the Deputy Chief Constable, and is accomplished in part through a twice yearly performance review of DCU Commanders. Decisions taken on the recommendations of the Review of Public Administration (RPA) will have a crucial impact on devolution within the Police Service, which will need to be restructured in order to remain coterminous with new council areas.

The Independent Commission recommended that Service Level Agreements be established between headquarters departments and all DCUs. The existing system which governs the delegation of financial authorities is perhaps the best example of progress in this area, with 87% of budgetary responsibility now devolved to DCU Commanders. Local Commanders favour a greater use of local suppliers, yet Government restrictions that require comparative estimates, minimum insurance coverages, demands for market-tested solutions along with a Police Service requirement for security reviews, all tend to marginalise smaller local firms. There is a £1,000 limit without constraints on local purchasing. Procurement cards are issued for smaller items, and petty cash amounts for ad hoc purchases have been increased. Supplier invoices are managed electronically and some items such as uniforms are ordered directly from suppliers. Procurement “information days” are available for DCU Business Managers. The Finance Department is currently refining an activity-based costing system that would assist DCU Commanders in their decision making, adding to the array of efficiency indicators. The extension of local financial management is also the subject of detailed objective setting in the Policing Plan 2006-2009. All of the objectives outlined are consistent with the intent of this recommendation.

There are now Service Level Agreements between all DCUs and Training Branch, although the specific role of District Trainers has not as yet been satisfactorily resolved (see also Recommendation 132). A Service Level Agreement between Information Services and user departments, as well as with DCUs, is expected at a later point in the IS project. The decision to consolidate the investigation of serious crime to Crime Operations Department has removed that responsibility from DCU Commanders, and has transferred the locus of control back to units under the direction of headquarters.

Human Resources Department recently launched an extensive addition to the Police Service intranet, providing detailed policy information in a user-friendly format on all facets of management affecting both police and civilian staff. The devolved authority of DCU Commanders over human resource matters is spelled out in detail. Key contact information is provided, with an invitation to submit direct questions. Potentially, this feature could do much to stimulate problem solving and ensure that headquarters is sensitive to issues at all levels of the Police Service.

Remaining Issues

While substantial progress was achieved across the broad spectrum of operations and administration, there are remaining issues concerning accountability, structure, operations, finance, human resources, and training and development. Our Report No. 17 'Devolution in Policing' released in September of 2006 focused in detail on all these issues. The advent of structural changes related to creation of larger DCUs presents both opportunities and hazards to prospects for pursuing the promised benefits of a fully devolved organisation. Until the framework of the recently revised organisation is functioning there is no reasonable expectation the Police Service will expand the existing and still incomplete list of SLAs.

Recommendation 77: Police Appraisal System

Patten Recommendation:

77. It should be a high priority of management to ensure that the appraisal system is fully effective. This system should be used as part of the promotion and selection process. An officer's capacity for change should be assessed and should also be taken into account in the promotion and selection process.

Lead Responsibility: Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

A revised Police Annual Performance Review (APR) was introduced in April of 2003, but the Annual Report of the Policing Board on Human Rights (2005) expressed dissatisfaction with the appraisal process and recommended corrective action. HMIC reviewed the appraisal system in 2005-2006, pronouncing the system ineffectual in providing a linkage with promotion and selection. A programme of revision with full consultation began in April of 2006 and a new policy was launched 1 April 2007. A new format links individual objectives to DCU/Departmental



objectives and the Policing Plan. The APR will be considered as part of the application process for promotion. A personal development plan focuses on performance in the current role, and respect for race and diversity is a compulsory rating factor. APRs will be available electronically, reducing administrative workload. (See also concerns raised concerning Human Rights appraisal, Recommendation 5). The Policing Board will need to review results and outcomes from this new process after it has been operating for a time.

Recommendation 78: Accountability of District Commanders

Patten Recommendation:

78. District commanders should be required regularly to account to their senior officers for the patterns of crime and police activity in their district and to explain how they propose to address their districts' problems.

Lead Responsibility: Chief Constable/District Commanders

Recommendation Status

Compliance with this recommendation has been achieved.

History

Regional ACCs conduct performance reviews of DCU commands in May and October of each year. The first cycle occurred in October/November of 2002. Regional ACCs adopted a common template with quantifiable measures for reviewing performance, a format initially developed with the assistance of the Crime Analysis Centre and recently refreshed. The review includes accounting for performance against local goals developed through consultation between the DCU commander and the DPP, but the wide-ranging assessment also includes performance with finance and human resource management and the practice of policing with the community. In most instances members of the local DPP are in attendance for operational portions of the session.

Recommendation 79: Trend Information on Complaints (Automated Trend System)

Patten Recommendation:

79. An automated trend identification system for complaints should be introduced.

Lead Responsibility: Police Ombudsman/Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Internal Investigations Branch of the Service was re-designated as the Professional Standards Branch effective 24 October 2006. Revised terms of reference direct the Branch to perform a pro-active or preventive role as well as the reactive investigative role. An automated trend identification system for complaints against police is maintained by the Office of the Ombudsman, with monthly and annual reports made available to the Police Service. A précis of each complaint provides added detail, although Police Service commanders would prefer access to the entire investigative file.

The Professional Standards Committee, chaired by the DCC, is increasingly focused on lessons learned through the public complaints process and implementation of remedial policies. The procedures recommended by the Independent Commission now exist in both design and function.

Recommendation 80: Trend Information on Complaints (Follow-up by Management)

Patten Recommendation:

80. The use of trend information should be followed up by management, and as appropriate by the department responsible for discipline, and guidance should be drawn up to help managers use this information effectively.

Lead Responsibility: Police Ombudsman/Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Police Service issued a General Order, 38/2004 (28 June 2004), Trending, Tracking of Complaints Against Police, that fulfilled the criteria that DCU commanders should be properly directed and empowered to manage tracking and trending information from the Ombudsman. The policy included direction for identifying suspected disparities in the performance of individual officers and prescribed preventive strategies with the desirable attributes of an early warning system. A policy revision (G.O. 42/2006 dated 25 October 2006) clarified the definitions and procedures to be followed by commanders in receipt of monthly summary reports tracking complaints against officers. The order also fixed responsibility for action on the commander, and requires a written response to HQ in each case. Welfare assistance and other non-punitive solutions are among the options, fulfilling the need for a preventive strategy.

The Ombudsman is represented on the Professional Standards Committee chaired by the Deputy Chief Constable. Representatives of the Ombudsman meet regularly with staff of Professional Standards Branch for coordination and problem solving, and an e-mail link was established in December of 2003.

Recommendation 81: Random Checks on Officers' Behaviour

Patten Recommendation:

81. Police managers should use random checks as a way to monitor the behaviour of their officers in dealings with the public and their integrity.

Lead Responsibility: Chief Constable/Police Ombudsman

Recommendation Status

Compliance with this recommendation has been achieved.

History

Professional Standards Branch (PSB) conducts an active programme of intelligence-led integrity checks. Responsibility for quality assurance checks resides with Operational Support Services, 103



within the scope of the Best Value and Continuous Improvement model. The Head of PSB is a member of the ACPO Advisory group on internal investigation issues, and the Northeast Advisory Group of police forces. Policy development on a series of integrity issues such as gifts and gratuities, substance abuse and participation in political activities are included in PSBs annual work plan. The Police Service operates an independent telephone reporting option, "Safecall", which is available to report potential wrongdoing by members of the organisation. It was the first of 22 police services in the UK to provide this service.

Recommendation 82: Ensuring High Ethical Standards

Patten Recommendation:

82. Police management should use all the tools at its disposal, including when necessary the administrative dismissal process, to ensure that high professional and ethical standards are consistently met.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

Provision for administrative dismissal is contained in the Unsatisfactory Performance Regulations 2000, and this option has been exercised by management. Incoming appraisal reports are screened for unsatisfactory performance and service reviews conducted as warranted.

Recommendation 83: Tenure Policy on Police Postings

Patten Recommendation:

83. There should be a tenure policy, so that officers do not have inordinately long postings in any specialist area of the police.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Independent Commission noted during its review that some police officers had spent 10 or even up to 20 years in one specialisation. It recommended that a tenure policy be developed, both to avoid the development of cliques within the Police Service and to ensure that officers did not lose contact with the core function of community policing. A comprehensive draft tenure policy applying to all police posts was endorsed in October of 2003 by the Policing Board and HMIC. This tenure policy was not disseminated by general order within the Police Service.

In the period following the release of the Independent Commission's report, concerns about tenure were eased by the impact of several events including the voluntary severance programme, the aggressive recruitment of new police officers, significant internal personnel movements related

to massive organisational change and the introduction of new job functions across the Police Service. Police managers recognised the need to sustain specialised capabilities in the areas most affected by change and attrition in order to avoid marked deficiencies in skills and experience.

The Policing Board's Human Resources Committee considered representations by the Police Service in February of 2006 and accepted a proposal whereby the Police Service would continue to apply tenure principles, but not as strictly or comprehensively as previously envisioned. Tenure controls will continue to apply in specific areas including neighbourhood policing, criminal intelligence and training, on a managed basis.

The original findings and recommendations of the Independent Commission on police officer tenure remain consistent with good human resource practices, as supported by international policing authorities including the International Association of Chiefs of Police and HMIC; however, these accepted principles recognise the need to accommodate to local circumstances.

Recommendation 84: Officers Injured on duty to be treated separately for sickness recording

Patten Recommendation:

84. Officers injured on duty should be treated as a separate category for sickness recording purposes.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

A Managing Attendance policy was first introduced in 2001. In July of 2003 the Police Service issued three detailed general orders providing updated information and guidance to commanders, supervisors and staff on all features of the sickness absence policy. The devolved management system provides a comprehensive break-out of all categories of sickness absence, including officers injured on duty as a separate category. The directive establishing responsibility for reporting and recording of sickness includes a requirement for the submission of medical certificates. The Annual Policing Plan (2007-2010) again contains reduction targets with regard to sickness absences for police and civilian staff.



Recommendation 85: New Policy to Manage of Sickness Absence

Patten Recommendation:

85. A new policy should be formulated for the management of long-term sickness absence, incorporating appropriate arrangements for medical retirement, career counselling and welfare support. A system of rewards, as well as sanctions, should be introduced as part of the sickness management policy.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

Long-term sickness absence is monitored through monthly reports by category distributed to all DCUs and the Chief Constable's management committee monthly. An active case management process with early intervention making full use of in-service health and safety professionals targets long-term illness cases. Case conferencing was introduced linking medical advisors with local management. During the period of oversight there has been a steady decline in numbers of officers on long term sick leave reflecting in part an increase in medical retirements. A pilot project recognising exemplary attendance tested in November of 2006 provided encouragement to explore an expanded programme in 2007-2008.

Recommendation 86: More Detailed Review of Sickness Absence

Patten Recommendation:

86. There should be a more detailed review of sickness absence, to establish underlying causes and to make recommendations to address them.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Policing Board works with an independent observer to monitor policy implementation and performance, and the Policing Board is provided with trend reports on a full range of statistics on a quarterly basis. Sickness absence performance is included in the twice-yearly DCU reviews conducted by the two Regional ACCs. Reporting in 1999, the Independent Commission quoted the average sickness absence rate for police as 15.3 days in a year, compared with 12.5 in England and Wales, with some 16% of absences related to injuries on duty. In the intervening six years the PSNI's sickness levels trended downward in response to targets established by the Policing Board and a managed approach to sickness absence. Year-end statistics for 2006-2007 (projected) reflect 11.20 days lost per year for regular officers (target 11.00), 10.40 days per year for Full Time Reserve members (target 12.00) and 13.11 days for police staff (target 12.00).

The Police Service maintains a comprehensive employee assistance programme consistent with modern police administration standards, with a communication programme featuring a variety of pamphlets and posters for the assistance of staff. Preventive health and workplace safety measures are designed to diminish the impact of days lost to injury and sickness. With a better management system now in place, the Police Service can focus on absence-causing conditions with the object of understanding and isolating root causes that might lend themselves to some resolution. A parallel review of casual absence practices is ongoing. Policy revisions for implementation 1 April 2007 reduce the threshold for management intervention on patterned absence behaviour and introduce a formal warning process for individuals with unsatisfactory levels of absence.

Recommendation 87: New Police Fund

Patten Recommendation:

87. A substantial fund should be set up to help injured police officers, injured retired officers and their families, as well as police widows.

Lead Responsibility: NIO/Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

The creation of The Royal Ulster Constabulary GC Foundation and the Northern Ireland Police Fund was announced on 14 November 2001. The Foundation provides practical and tangible recognition of the achievements and sacrifices of the RUC. Administration of the Fund provides additional assistance to injured and disabled police officers and retired officers and their families, as well as to police widows who have been affected by terrorism in Northern Ireland. Funding is provided by the Government, although additional sources of revenue may be considered. The Fund and the programme of action are stable.

In a March 2001, in a release that presaged the creation of the Foundation, the Secretary of State announced plans for a garden of remembrance and a new police museum. The Garden of Remembrance was officially opened on the grounds of Police Headquarters on 2 September 2003.

Remaining Issues

Funding for the construction of an adjoining museum of policing history awaits review of the business case including the resolution of funding. Although this was not a direct recommendation of the Independent Commission (see also Culture, Ethos and Symbol chapter), the Government did announce its support for a policing museum.



Recommendation 88: Funding for Widow's Association

Patten Recommendation:

88. The Widows' Association should be given an office in police premises, free of charge, and a regular source of finance adequate to run their organisation.

Lead Responsibility: NIO/Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

The RUC GC Widows' Association occupies office space at the Maryfield complex. The NIO has approved a budget to cover maintenance expenses, adjusted annually. All immediate needs have been satisfied.

Recommendation 89: Replacement of Assistant Chief Constables

Patten Recommendation:

89. The Assistant Chief Constables currently responsible for support services should be replaced by two civilian Assistant Chief Officers, one responsible for personnel issues and one for finance and administration.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

Senior management positions in Human Resources, staffed in 2001, and Finance, staffed in 1999, are occupied by police staff equivalent to chief officer rank.

Recommendation 90: Efficiency Initiatives

Patten Recommendation:

90. There should be a rigorous programme of civilianisation of jobs which do not require police powers, training or experience, exceptions being made only when it can be demonstrated that there is a good reason for a police officer to occupy the position.

Lead Responsibility: Policing Board/Chief Constable

Recommendation Status

Full compliance with this recommendation has not been achieved. (Limited progress)

History

After aggressively pursuing the lack of progress by the Police Service in this area, the Policing Board endorsed the Human Resources Planning Strategy which encompassed civilianisation targets. The

Police Service reported 536 posts civilianised with a further 47 identified for attention in 2007-2008. As of 1 April 2007, there were 105 Station Enquiry Assistants (SEAs), with 18 of the SEAs (17%) considered to be agency workers/contract employees not selected based on a 50:50 basis. A follow up report revealed that 17 of the 18 agency workers were police officers who had retired recently.

It is noted that the Human Resources Planning Strategy 2005-2008, approved by the Policing Board in May of 2005, did not include a strategy or reference for implementing this recommendation to replace police officers assigned to the enquiry desk with SEAs. This omission has contributed to the limited progress for this recommendation. At the same time The 2006-2009 Policing Plan (approved by the Policing Board and Police Service) states that over the past number of years substantial progress has been made with civilianisation resulting in police officers being returned to front-line duties. The oversight team has not been able to verify this progress.

Remaining Issues

(See also Recommendation 53). The Policing Board will need to assertively take hold of the entire civilianisation issues, and make it an accountability issue. There are certainly challenges for the Police Service, which we acknowledge; however, overall this recommendation has not been progressed with any enthusiasm.

Recommendation 91: Review Police Support Services

Patten Recommendation:

91. The Policing Board and the police service should initiate a review of police support services with a view to contracting out those services where this will enhance the efficient management of resources. Consideration should be given to allowing 'management buy-outs' of support services by police or civilian employees interested in continuing to provide those services as a private sector company, and in such cases management buy-out contractors should be offered a secure contract for at least three years to enable them to establish themselves before having to tender for renewal.

Lead Responsibility: Policing Board/Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

Transportation for internal operations was outsourced effective 13 April 2003, releasing 14 police officers to return to front-line duties. Community Safety Branch transferred out responsibility for cross-community leisure activities. Other opportunities were reviewed but for the present Human Resources attention remains focused on the Links project with the objective of rationalising police staff numbers and employment affiliations throughout the Police Service. The possibility of "management buyouts" of support services by police officers or police staff



interested in continuing to provide those services as a private sector company was considered but Government controls on the tendering procedure makes this option unlikely.

Recommendation 92: Comprehensive Estate Audit

Patten Recommendation:

92. The police should commission a comprehensive audit of the whole police estate, to include outside experts, and develop a strategy for achieving an effective and efficient estate to meet the objectives for policing as outlined in this report.

Lead Responsibility: Policing Board/Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

(See Recommendation 53 for full detail). The December 2006 report by the National Audit Office on the estate strategy noted that “although the Police Service has reduced in size by a third since 2001 the estate has remained virtually unchanged.”

▶▶ **information technology**



A. Chapter Summary

Background

The Independent Commission recommended an urgent, independent, and in-depth strategic review of the use of information technology in policing aimed at positioning the Police Service of Northern Ireland at the forefront of law enforcement technology within 3 to 5 years. Validated by independent assessment, the strategy should deliver fully integrated technology systems readily accessible to all staff, and take advantage of the best analytical and communications systems currently available. Users of the technology should play a key part in devising the strategy, and in assessing its implementation. The Independent Commission believed the advantages of a properly integrated, well resourced and effectively managed information systems (IS) strategy to be self-evident in support of effective and efficient policing.

Progress and accomplishments

This demanding challenge has tested the capacity of the Police Service since project initiation in 2000. Although an IS strategy was approved in 2001, by early 2004 it was evident that the Police Service was unlikely to achieve fully integrated systems within the original five year estimate. External developments impinging on the plan included adoption of the National Intelligence Model (NIM), introduction of the Police Performance Assessment Framework, and the influence of the Information Strategy (ISS4PS) of the Association of Chief Police Officers (ACPO). The Schengen agreement of 2001 required the Police Service to comply with national and international legislation permitting participating countries of the European Union to exchange information on a range of criminal records and alerts. The e-Government initiative and plans for information exchange between various criminal justice agencies in Northern Ireland were other contributing factors.

A major reorganisation of the Police Service and resultant changes to business practices further delayed completion of the basic design of the systems architecture and incorporation of new applications. During this period they were also contending with rising levels of crime and a planned reduction to the total number of police officers. Skill gaps among systems staff and the uncertainty of funding compounded the problem. The combination of these conditions and the complexity of the objective hampered efforts of the Police Service to fulfil the promise.

Despite the slow start on implementation of a new systems architecture, in the early years of the project the Police Service acquired and installed infrastructure that delivered improvements to internal communications and enabled users to acquire systems skills and experience. From 2001 to 2004, most of the deliverables focused on provision of IT infrastructure and improved access to legacy systems:

- Some 6,500 new personal computers and 2,500 printers were installed within DCUs and Headquarters departments;
- All staff were provided an e-mail account; and
- Introduction of a corporate intranet permitted easy access to duty briefings, policy directives,

an electronic problem solving folder and financial management systems enhancements.

Following assignment of an executive level officer to steer the project, Information Services was restructured and reorganised, and staffing adjustments completed meeting fit-for-purpose requirements. A revised strategic plan was endorsed by the Policing Board in December of 2004 and the Police Information Technology Organisation (PITO) assumed the role of independent validator, completing the first review in February of 2005. Since that time, five more reviews have been carried out. Funding approvals from the NIO facilitated the progress of development. Roughly speaking, the project lags two years behind the original target.

Some projects excited high interest from operational users: Visor, Viper and Live Scan (On-line fingerprint identification) being foremost. A modern digital mobile radio and mobile communication system (Barracuda) was successfully launched in 2004, with the capacity to extend a fully encrypted service to Fire and Rescue shortly and to the ambulance service at a later date. The Causeway project was completed in 2006, a system which allows police to share information electronically with criminal justice partners agencies and frees up police time for operational duties.

On 14 July 2006 the Chief Constable signed off on the ICS Business Plan, a detailed accounting of how ICS intends to meet the technology needs of the Police Service. Additions to the business plan include extensive documentation on risk management and a benefits management strategy that requires a rigorous process of examination and validation of user needs. The plan is currently being updated.

The incorporation of Communications and Information Services to form ICS Branch was accomplished by the final quarter of 2006. "Towards 2010," an ICS strategy refresh document was examined, in draft form, by PITO in February of 2007. All aspects of development are subject to strategic oversight by the Information Management Steering Group chaired by the DCC and composed of chief officers, department heads and senior representatives of all major stakeholder groups. DCU commanders were briefed and consulted at milestone events since initiation of the strategy. On 1 April 2007 PITO was subsumed into the National Policing Improvement Agency (NPIA).

The Horizon Training Strategy is directed to the needs of 11,000 police officers and staff, including the provision that each user must be trained in the use of the Niche RMS which will be the new records management system. The intent is to deliver just-in-time training immediately prior to using the live system. Using a similar methodology, ICS piloted the Niche RMS Custody procedure in 2005-2006.

These accomplishments provide some of the fundamental building blocks on which the Police Service will deliver the integrated information systems that will be a key enabler in achieving a step change in effectiveness and efficiency. Commanders and front-line police officers at district command level view these developments positively and there is no end of proposals for future enhancements.



Remaining Areas of concern

The Police Service is moving cautiously towards creation of a Chief Information Officer (CIO) post. PITO advises that this step is vital to good governance and that they should proceed expeditiously. Deliberations are focused on a role description appropriate to the unique needs of the Police Service with accompanying criteria for the requisite skills and experience. Pending resolution, the role of CIO is shared by the ACC Operational Support Department and the head of ICS. The contribution of an independent validator has proven beneficial to effective oversight of this highly complex and costly project. With the effective conclusion of the arrangement with PITO, the Policing Board should move quickly to confirm a new contract with NPIA.

ICS conducted a benchmarking survey in 2006 using the ACPO Information Management Benchmarking Toolkit, the purpose being to assess and benchmark ICS to improve its services, provide input to Best Value and HMIC inspections, and to act as an enabler for the IS strategy. The results identified strengths and areas for improvement in crucial areas of performance, informing a variety of issues for attention, key among them an update of the communications strategy. Results from the survey make it patently clear that improvements in both user and internal branch communication are critical to performance improvement. The business benefits section of the new business plan underlines the responsibility of senior responsible owners to deliver plan benefits. It is vital that sponsorship for change and benefits realisation is provided by the leadership of the operational units.

User participation in planning is also critical to ultimate success. The communication strategy adopted in 2006 describes a multi-faceted communications plan for the user community, providing for feedback evaluation & measurement. In July of 2006 the Policing Board became involved in plans to allocate responsibility and funding between ICS and the Police Training College for the delivery of legacy system training and IS strategy end user training. The matter was resolved by allocating responsibility to the Police College for recruit and in-service training, while ICS will retain responsibility for training in new applications, usually within the context of total systems costs. The efficacy of this solution will bear watching.

In February of 2007 it became public knowledge that due to impending budget reductions by Government that funding amounting to £64.5m to finance the Police Service IS strategy previously approved by Treasury and regarded as ring-fenced was in jeopardy, placing implementation of the strategy at risk. Among the projects under review are the mobile data and call management. Of major concern is a possible delay to call management, a key strand of the IS strategy and vital to delivering policing with the community. The current call management process of the Police Service is far below standard, both in systems efficiency and impact on the public, a weakness identified by HMIC in 2005. The necessary requirements for providing a successful customer-focused service include definitive call grading procedures, management of public expectations, and adequate training for staff in the consolidated call handling centres.

Future Issues and Direction

1. The Police Service effectively lost two years of development in the change process due to a failure to act promptly to correct early resource deficiencies and a series of false starts. Although matters have now turned around, this time delay created confusion and hindered organisational effectiveness and efficiency. At the present, ICS provides essential support for a wide range of business processes throughout the police service, and the enabling role of technology holds promise to facilitate future intentions to reduce staff complement, both police officers and police staff, as the programme of work rolls out over the next three years.
2. While the demand for efficiency in the management of public funds is fully respected, the projected reduction of funding for IS is reminiscent of decision-making (albeit for differing reasons but similar in impact) that spurred the Independent Commission to comment in September 1999, "Historically, the development of IT in the Northern Ireland police was hampered by pressing demands for funding to support security policing, resulting in transfers of funds from IT budgets to other purposes. By the early 1990s they had fallen well behind other police services in the United Kingdom." From the outset of development beginning in 2000, uncertainty of funding has dogged planning to meet approved plans. This threat was alleviated in 2006 when funding assurances were provided by Government and a confident process of work began to produce solid results. The imminent threat to resources, if executed, will surely risk loss of momentum for the overall strategy and its integral design features.
3. Of particular concern is the prospective delay in completion of the call-handling strategy that impinges directly on policing with the community. Call management is the vital portal for effective delivery of policing services at all levels of priority, and any delay in improvement is sure to ripple back in the form of public discontent, criticism of police efficiency, and inevitably, failure to respond adequately in dire circumstances.
4. The Independent Commission IT recommendation remains as valid today as it was almost 10 years ago. It should be of strategic importance and close oversight by the Policing Board since it impacts on policing operational efficiency and effectiveness, and the quality of service delivery to the community. It is also a high risk area for the Police Service and Policing Board since it requires a continual funding stream and commitment of resources, with associated risks of failure for a variety of reasons.



B. Recommendation Summary

Recommendation 93: Development of Police IT Strategy

Patten Recommendation:

93. There should be an urgent, independent, and in-depth strategic review of the use of information technology (IT) in policing. It should benchmark the Northern Ireland police against police services in the rest of the world and devise a properly resourced strategy that places them at the forefront of law enforcement technology within 3 to 5 years. It should be validated by independent assessment. The strategy should deliver fully integrated technology systems that are readily accessible to all staff, and should take advantage of the best analytical and communications systems currently available. Users of the technology should play a key part in devising the strategy, and in assessing its implementation.

Lead Responsibility: NIO/Chief Constable/Policing Board

Recommendation Status

Full compliance with this recommendation has not yet been achieved. (Substantial Progress).

History

The Independent Commission recommended an urgent, independent, and in-depth strategic review of the use of information technology in policing aimed at positioning the Police Service of Northern Ireland at the forefront of law enforcement technology within three to five years. This demanding challenge has tested their capacity since project initiation in 2000. The Police Service developed an information systems strategy in 2001 but by early 2004 it was evident that it was unlikely to achieve a fully integrated system by the original target date. A revised plan was endorsed by the Policing Board in December of 2004 and the Police Information Technology Organisation (PITO) assumed the role of Independent Validator. From 2001 to 2004, most of the deliverables focused on provision of IT infrastructure and improved access to legacy systems: Some 6,500 new personal computers and 2,500 printers were installed within DCUs and Headquarters departments; all staff were provided an e-mail account; and introduction of a corporate intranet permitted easy access to duty briefings, policy directives, an electronic problem solving folder and financial management systems enhancements. On 14 July 2006 the Chief Constable signed off on the ICS Business Plan, a detailed accounting of how ICS intends to meet the technology needs of the Police Service. Additions to the business plan include extensive documentation on risk management and a benefits management strategy that requires a rigorous process of examination and validation of user needs. The plan is currently being updated.

Remaining Issues

(As noted in Chapter Summary)

▶▶ **structure of the police service**



A. Chapter Summary

Background

The Independent Commission recommended restructuring of the organisation to encourage and facilitate policing with the community, including de-layering of the operational command organisation and a slimmer structure for Headquarters. Recommendations also called for the significant delegation of authority to District Commanders, including control over a devolved budget and all police resources within their district. Particularly critical was the proposal of an amalgamated command for Special Branch and Crime Branch, in order to improve the organisation's ability to deal with rising levels of violent and organised crime. Also recommended was a substantial reduction in the number of officers engaged in security work. Other recommendations proposed the phasing out of the Full Time Reserve and the concomitant enlargement of the Part Time Reserve.

Progress and Accomplishments

Twenty-nine District Command Units (DCUs) were created on 1 April 2001, with boundaries coterminous to district council areas with the exception of Belfast, which was divided into four local district areas. District Command Units were ultimately divided into two regions, Urban and Rural, each with an Assistant Chief Constable (ACC) in charge.

A number of initiatives were undertaken to promote effectiveness and efficiency. The Police Service leadership is mindful of the merits of the HMIC publication, "Modernising the Police," a thematic inspection of workforce modernisation and the role of management and deployment of police staff. The Police Service adopted the HMIC definition of "front-line" positions for measuring operational resources compared to "back-office" allocations, establishing a front-line policing target of 60% of total officer complement for 2006. As of April 2007 the actual was 68.74%. The Policing Plan 2006-2009 included a goal taking that figure to 72% by 2007-2008, although the Policing Plan 2007-2010 makes no mention of this target.

Efficiency measures applied to back-office operations hold promise of other reductions, implementing measures identified by the Anti-Bureaucracy User Group. In addition, all major functional units of the Service are charged with contributing to the Gershon efficiency target of 7.5% savings over three years. A newly created Continuous Improvement Unit was directed to focus on improving the efficiency of the business processes of Headquarters departments, and a workforce plan for police staff aimed at rationalising the total police staff complement, including Headquarters, was under development in April of 2007, following a Value-for-Money review of police officer and staff numbers by the NIO.

Implementation of those recommendations related to national security matters have been successfully accomplished by the Police Service. The primary responsibility for national security will be transferred to the Security Service (MI5) in late 2007. With the creation of the Crime Operations Department, the legacy Special Branch and Crime Branch were brought together under a single assistant chief constable. The Special Branch was replaced with C-3 Intelligence and C-4 Crime Support units. The number of police officers performing national security work has

been reduced before the function is transferred to MI5. Considering the transfer of national security to MI5, the applicability of this set of recommendations may no longer be as relevant to the context in which they were made.

Procedures have been adopted by the Crime Operations Department to keep district commanders well briefed on security activities and operations and criminal activity in their districts. The preconditions established by the Police Service for the transfer of national security responsibility will ensure that district commanders continue to receive briefings by C-I Intelligence on security activities in their respective districts.

Although the FTR has not been phased out, the Police Service has implemented a Government funded severance package and retraining programme for those reservists who are eligible for these benefits. There have been discussions and some progress aimed at assisting reservists with training and obtaining employment with other police organisations.

Remaining Areas of Concern

The Independent Commission's vision for local policing is most lately challenged by the advent of major organisational change associated to the Review of Public Administration (RPA). The Secretary of State announced a reduction from the current 26 district councils to a total of seven¹. Regardless of the ultimate Northern Ireland Assembly political decision, it is assumed by the Police Service for planning purposes that the new policing districts will retain the principle of coterminous boundaries. Larger police districts offer the advantage of greater operational flexibility, and economy of administration. Consolidation is consistent with trends in comparable jurisdictions. The promise of operational efficiency, however, is offset by risks to the continuity of hard-won partnerships and a dutiful focus on local concerns.

The impact of the various efficiency initiatives should maintain pressure on reducing administrative overburden at Headquarters, but there remains at district level a lack of clear understanding of the role of Headquarters departments versus the Chief Constable's vision for greater autonomy of the district commander. Experience with the 2001 cycle of organisational change suggests that both corporate and local district interests are best served by creation of policy clearly spelling out the respective roles, responsibilities and authorities of DCU commanders and Department heads. These are serious issues to be sorted out. With respect to the issue of a slimmed down Headquarters, the prospect remains that so long as Headquarters departments retain the staffing capacity and mandate to direct and control the DCUs, they will continue to do so, thereby defeating the concept of a devolved organisation.

Even though there has been a sustained improvement in the security situation, and the Police Service reached the goal of 7,500 regular police officers in 2004, a full phase-out of the FTR has not occurred. One phased reduction has occurred and the current FTR establishment is approximately 759. The Police Service has continued to assign reservists to regular patrol, public order policing, and neighbourhood policing duties. A review is scheduled in the fall of 2007 to determine if the FTR are needed beyond 2008. There is no foreseeable reason that the Independent Commission recommendation cannot be achieved with this next decision.

¹ Secretary of State Peter Hain, 22 November 2005



There has been limited progress during the past six years towards enlarging the Part Time Reserve (PTR) up to the recommended 2,500 officers. The current number of Police Officers Part Time (POPT) stands at approximately 850. There are several reasons for the lack of growth: the scarcity of political and community support in some areas for the Police Service, reluctance of potential recruits to join the Police Service, and an alternative proposal to employ full-time Police Community Service Officers (PCSO) instead of expanding the size of the PTR. Although the PCSO concept emerged after the Independent Commission report, it has been enjoying some success in England. The desire to establish a PCSO programme should not be seen as a reason for delaying an appropriate expansion of the PTR programme.

The Independent Commission envisioned that the PTRs should substitute for regular police officers “who may need to be deployed to deal with public order demands.” If there is agreement that the security situation (as it pertains to public order demonstrations) has improved significantly, and there is no longer a need to call upon police officers assigned to the districts to routinely assist with public order situations, then the need for 2,500 PTR may not be as relevant.

Future Issues and Directions

1. Only moderate progress was made against the recommendation for a slimmed down Headquarters, despite a succession of promising plans. The vision for policing with the community conceived by the Independent Commission involves a delegated style of management focused on district commands and functioning through community partnerships and officers dedicated to the policing of neighbourhoods. Tilted against this objective is a formidable Headquarters establishment which has not shaken off the pattern of centralised command and control. If we correctly understand the underlying philosophy for the latest organisational change, the intent is to reserve and limit the role of Headquarters to the exercise of top leadership, management of corporate strategy and maintenance of a policy framework. It would then be a reasonable expectation that the proportionate size of Headquarters can be reduced to a size commensurate with the new role. The Policing Board will have to maintain an active oversight of the process to not only ensure economies are achieved, but that resources are actually released back to the districts and the communities they serve.
2. The adoption of the PCSO programme, whenever it is delivered, is not a substitute for the recommended expansion of the PTR programme. For several years the Police Service has missed an opportunity to increase the number of community level personnel to assist in the delivery of the day-to-day police service at the local community level. Appointment of reservists would include men and women who live in the district, and know the community and those citizens and offenders who live there. The Independent Commission offered several recommendations that addressed community involvement, including recruiting people from the community who can assist in the policing of their community within the policing structure. The oversight of this area should be of strategic and practical interest for the Policing Board.

B. Recommendation Summary

Recommendation 94: One DCU per District Council

Patten Recommendation:

94. There should be one district command for each District Council area.

Lead Responsibility: Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

Twenty-nine District Command Units (DCUs) were created on 1 April 2001, with boundaries coterminous to district council areas with the exception of Belfast, which was divided into four local district areas. As noted previously, as of 1 April 2007 there are now eight District Commands. Since the RPA changes will not occur until 2009, and risk being altered by the Northern Ireland Assembly, the Independent Commission recommendation is technically out of compliance with the concept of the coterminosity principle. While we believe this is acceptable in the transition, the strategic risks will be discussed in the Future Challenges chapter. It is however an aspect that should be closely monitored by the Policing Board for community engagement and impact issues.

Recommendation 95: Rank and Resources of DCU Commanders

Patten Recommendation:

95. In general, each district command should be headed by a Superintendent and resourced sufficiently to be self-contained for day-to-day policing purposes and capable of marshalling strength to cope with most unexpected demands. However, in the districts with small populations the commander should be a Chief Inspector, and the districts should draw on assistance from larger neighbouring district commands for functions in which it is not feasible for a small command to be self-sufficient.

Lead Responsibility: Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

The district commands created in 2001 functioned under the supervision of a chief superintendent, superintendent or chief inspector consistent with population size and other factors. This configuration was superseded by organisational changes coming into effect on 1 April 2007, consolidating the 29 districts into eight larger DCUs.



Recommendation 96: De-layering of Reporting Relationships

Patten Recommendation:

96. The divisional layer of management and the regional headquarters should be removed, and there should be a direct reporting line from each district commander to the appropriate Assistant Chief Constable at central police headquarters. District commanders in smaller council areas, whatever their rank, should have such a direct reporting line, reflecting the accountability arrangements we have recommended. There should be much greater delegation of decision-making authority to district commanders than is the case now with sub-divisional commanders, including control over a devolved budget and all police resources in their district.

Lead Responsibility: Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Divisional layer of management was removed. DCUs were ultimately divided into two regions, urban and rural, each with an Assistant Chief Constable (ACC) in charge. The ACCs are located within a Headquarters structure; however, their function is dedicated to field operations. In the current configuration, each ACC carries additional responsibilities for deploying tactical resources, roads policing and coordinating major activities with cross-jurisdictional impact. There is devolved authority for the allocation of police resources and financial management to DCU commanders. With the advent of DCU consolidation, policies and practices governing delegation of authority will be amended.

Recommendation 97: Reorganisation of Police Headquarters

Patten Recommendation:

97. There should be a slimmer structure at police headquarters - one that reflects the shift of focus towards community policing and the delegation of responsibility to district commanders, and permits a more rigorous and strategic approach to management. There should be no more than one Deputy Chief Constable. The number of Assistant Chief Officers should be reduced to six from the present twelve. The position of 'Deputy Assistant Chief Constable' should be deleted forthwith. The rank of Chief Superintendent should be phased out.

Lead Responsibility: Chief Constable/NIO

Recommendation Status

Full compliance with this recommendation has not been achieved. (Moderate Progress).

History

The intent of this recommendation was to shift police resources away from bureaucratic functions to policing with the community and to reinforce delegation of authority. The ACPO level rank structure was re-configured by organisational necessity to a total of six ACCs and three civilian equivalents. A Deputy Chief Constable rank was retained. The rank of Chief Superintendent was preserved consistent with a decision of the UK government applying to all police services.

In May of 2003 the Oversight Commissioner reported an authorised establishment of 1,666 police officers assigned to Police Headquarters. By September of 2005 that figure stood at 2,200. This establishment includes 213 regular officer positions transferred from DCUs to Crime Operations Department of Headquarters in 2005. The emergence of Criminal Justice as a major Department also contributed to the increase in complement. Prior to the expansion of Crime Operations Department, 613 officers left Headquarters by attrition or severance, but just 66 officers actually reported to a DCU.

Remaining Issue

The Policing Plan 2007-2010 contains a domain of organisational development and specifically a target of delivering a revised 'fit-for-purpose' structure for headquarters departments and regions. The Independent Commission's recommendation of almost eight years ago has not yet been achieved. In view of this, the Policing Board will have to closely monitor the results of this target, as vague as it is, and make it an accountability issue.

Recommendation 98: Special Branch (Amalgamation)

Patten Recommendation:

98. Special Branch and Crime Branch should be brought together under the command of a single Assistant Chief Constable.

Lead Responsibility: Chief Constable/NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

The recommendation to bring Crime Branch and Special Branch under the command of one assistant chief constable was accomplished on 1 April 2001, with both branches eventually becoming a part of the Crime Operations Department. The transfer of responsibilities and staff to this single unified command, which included C-1 Organised Crime, C-2 Serious Crime, C-3 Intelligence, C-4 Crime Support, C-5 Analysis Centre, C-6 Scientific Support, and C-7 Serious Crime Review Team, was implemented in June of 2004.

Recommendation 99: Special Branch (Reduction of Officers)

Patten Recommendation:

99. There should be a substantial reduction in the number of officers engaged in security work in the new, amalgamated command.

Lead Responsibility: Chief Constable/NIO

Recommendation Status

Compliance with this recommendation has been achieved.



History

During the course of the oversight process there has been an ongoing attempt by the Police Service to reduce the number of police officers assigned to security work. With the creation of the Crime Operations Department and the reorganisation of national security and serious and organised crime investigative functions, the legacy Special Branch was disbanded and the new C-3 Intelligence and C-4 Crime Support units were established. Since 1999 the established number of police officers performing security work has decreased by approximately 25%. However, the different attempts to reorganise the national security and investigative functions have made it difficult for the oversight team to accurately determine the number or percentage of police officers reduced or transferred from performing national security work. However, we are convinced that a serious effort was undertaken, facilitated in part by the reduced demands accompanying normalisation and severance.

The applicability of this recommendation will be negated when the responsibility for national security is transferred to MI5 in late 2007, making it consistent with the current practice in the remainder of the UK.

Recommendation 100: Informing District Commanders about Security Operations

Patten Recommendation:

100. Security officers should be required to keep their district commanders well briefed on security activities in their districts, and district commanders should be fully consulted before security operations are undertaken in their district.

Lead Responsibility: Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Crime Operations Department has initiated several processes in an attempt to require intelligence officers to keep DCU commanders well briefed on security activities in their districts, and ensure that DCU commanders are fully consulted before security operations are undertaken in their districts. Inconsistent implementation of this effort was caused by changes in the organisational structure and direction of the intelligence function, plus three different assistant chief constables since 2001.

During interviews of DCU commanders, verification has been established that intelligence sharing has become more formalised than in the past and that there has been an increase in both the quantity and quality of intelligence information shared. The oversight team also determined that there has been an improvement in Crime Operations Department briefings on criminal activity occurring within the districts. In late 2006, the Crime Operations Department conducted an audit and determined that DCU commanders were receiving the required briefings and consultations reference national security and terrorist activity in their districts. With the reduction in the number of districts from 29 to eight, the required briefings will be more important.

The transfer of the national security responsibility from the Crime Operations Department to MI5 will impact this recommendation and the current practice of keeping district commanders briefed and consulted. To ensure the continuation of intelligence briefings, the Police Service developed five preconditions that must be agreed upon before there is acceptance to transfer of the national security function. The Government has adopted these preconditions, which will ensure the commanders continue to receive briefings on security activities in their districts and are consulted with respect to community impact before security operations are undertaken.

With a late 2007 implementation date, the impact and success of this transfer of the national security responsibility has not been included in this final report. Such an evaluation will be the responsibility of the Policing Board after the transfer has become fully operational, including the actual sharing of intelligence information with the district commanders as it pertains to serious and organised crime. The Policing Board's 2007-2010 Policing Plan includes a tasking to review the impact on police resources of the transfer of National Security.

It is anticipated that a further review of the operation of the new national security arrangements will be conducted each year by an independent reviewer. Experience in other jurisdictions¹, are a good indicator that eventual difficulties will occur in the overlap areas of policing and national security. The Police and Security Services have to their credit set out principles that are aimed at avoiding problems at their interface. It will be nonetheless important for the Policing Board, from the perspective of the accountability of policing in Northern Ireland, to monitor the area of overlap between the policing and national security remits for any emerging difficulties. While the Policing Board does not have oversight of National Security matters, there are other structures that do. The Policing Board, and the Ombudsman, do however have a remit over the policing delivered in Northern Ireland and it will be important that they take up this responsibility to the boundary of their remit.

Recommendation 101: Special Branch (Support Units)

Patten Recommendation:

101. The support units of Special Branch should be amalgamated into the wider police service.

Lead Responsibility: Chief Constable/NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Police Service has reported that 80% of the work by C-4 Crime Support is devoted to serious and organised crime. The remaining work is in support of national security or C-3 Intelligence. In addition, a majority of the work of the surveillance team and the Headquarters Mobile Support Unit has been committed to serious and organised crime at the DCU level.

¹ For example, Canada and the interface between the Royal Canadian Mounted Police (RCMP) and the Canadian Security Intelligence Service (CSIS)



Current discussions about transferring C-4 Crime Support to a different assistant chief constable may be inconsistent with the intent of this recommendation.

Recommendation 102: Police Postings in Security Work

Patten Recommendation:

102. Officers should not spend such long periods in security work as has been common in the past.

Lead Responsibility: Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Independent Commission noted during its review that some police officers had spent 10, 15 or even 20 years in one specialisation. It was recommended that a tenure policy be developed, both to avoid the development of cliques within the Police Service and to ensure that officers did not lose contact with the core function of community policing. A comprehensive draft tenure policy applying to all police posts was endorsed by the Policing Board in October of 2003.

This policy categorises Crime Support and Intelligence positions as “Specialist” posts and “Core Specialist” posts respectively. Core Specialist posts will have flexible tenure policy applied. At the end of the fixed five-year tenure period, a chief officer or head of department may extend the period of tenure by a maximum of two years. Specialist posts will have a fixed five-year tenure period. When a chief officer or department head believes that the post requires a longer period of fixed tenure, this may be agreed with the Director of Human Resources. The maximum fixed tenure in any post will be seven years.

The Policing Board’s Human Resources Committee considered representations by the Police Service in February of 2006, and agreed that the Police Service would continue to apply tenure principles, but not as strictly or comprehensively as previously imagined. However, tenure controls will continue to apply in specific areas including criminal intelligence and training, on a managed basis (see also Recommendation 83). The recommendation is affected in practice by the Government’s decision to have the Security Service assume responsibility for national security in Northern Ireland (see also Recommendation 99).

Recommendation 103: Phasing Out of Full Time Reserve

Patten Recommendation:

103. The future police service should not include a Full Time Reserve.

Lead Responsibility: NIO/Chief Constable

Recommendation Status

Full compliance with this recommendation has not yet been achieved (Moderate Progress).

History

Although accepted by the government for implementation, a full phase out of the FTR programme has not occurred even though the Police Service reached the goal of 7,500 regular police officers in 2004 along with a sustained improvement in the security situation. The army has significantly reduced the number of troops based in Northern Ireland, demolished observation towers, removed army personnel from routinely patrolling in support of the Police Service, and closed several army bases. There are numerous other strong indicators that the security situation continues to improve each year, including a marked reduction in the number of contentious parades each year and the use of emergency powers.

As of April 2007 there were 759 FTRs under contract and assigned to static security posts at police stations, personal protection details, public order policing, neighbourhood policing teams, and regular police duties. Of the total FTRs, 183 or 24% are assigned to the Tactical Support Groups to respond to public order policing situations, plus 35 assigned to the Neighbourhood Team Policing units. The Human Resource Planning Strategy for 2005-2008 states that FTRs be retained until March of 2008, when the Chief Constable will make a final decision on whether it is appropriate to remove them from the Police Service altogether. The strategy further states that in the autumn of 2007 the decision to retain the FTRs will be re-evaluated. The following chart illustrates the retention of the FTR programme over a period of several years following acceptance of this recommendation:

December 2001	February 2006	August 2006	March 2007	Proposed August 2007	proposed March 2008
2,256	1,031	901	759	680	?

A £100M retraining and severance package has been implemented for the remaining reserve members who were not eligible for early retirement packages. In addition, employment counselling, skills analysis and training have been provided through the Police Retraining and Rehabilitation Trust (PRRT) to assist the FTRs with future employment opportunities.

As noted in previous reports, there is a severance package and retraining programme in place for the current reservists who are eligible for these benefits.

Remaining Issues

There has not been a determined effort to fully phase out the FTR. The Independent Commission did not prescribe a schedule, but simply stated that the future police service should not include a Full Time Reserve. They clearly linked this to a concurrent increase in other support and a rebalancing through an increase in the numbers of Part Time Reserves and increased civilianisation, both with increased representation from the communities policed. Effectively none of this has happened, for a variety of reasons. The reasons include lack of community and political support, organisational inertia and concerns over a skills gap when these experienced FTRs leave



their positions in the Tactical Support Groups and neighbourhood policing teams.

This is another area where the Policing Board will have to ensure a close oversight role to ensure that the Police Service is able to bring together these disparate pieces. Although increased political and community support as a result of the political accord should assist, there is an increasing risk that beyond 2010, as a result of spending reviews, financial pressures and the inability of the Police Service to bring all this together, the communities will be left with a reduced policing presence and very little of the local part-time representation in policing envisaged by the Independent Commission.

Recommendation I04: Enlargement of the Part Time Reserve

Patten Recommendation:

I04. There should be an enlarged Part Time Reserve of up to 2,500 officers, the additional recruits to come from those areas in which there are currently very few reservists or none at all.

Lead Responsibility: NIO/Chief Constable

Recommendation Status

Full compliance with this recommendation has not yet been achieved (Moderate Progress).

History

In August of 2001 the Government confirmed the objective to recruit Part Time Reserve (PTR) officers in under-represented areas. In 2003 the Police Service received approval from the Policing Board to recruit PTR officers in under-represented areas, and to deploy 2,500 PTR officers in 29 districts. A recruiting contract was awarded to the Consensia Partnership, with 2,400 applications received during a pilot project, with 19% coming from the Catholic or Nationalist areas. The Police Service determined that this pilot did not satisfy the intent of the recommendation, as only 12 Catholics were among the 125 new PTR officers initially selected for employment.

In 2004 the Police Service advised that the second recruitment effort would adhere to the principle of targeting areas from which there were few or no reserve members, with the new PTR officers designated as Police Officer Part Time (POPT). A revised job description and a mandatory training programme were included. Later, the Police Service reached an agreement with the Policing Board to delay further recruitment, as the second initiative would also fail to achieve the goal to have the new POPT coming from areas that are currently under-represented.

The Police Service received approval from the Policing Board in 2006 for a third plan. The goal of the third plan is to appoint an additional 150 reservists in 2007 that were recruited in five new districts (Moyle, Foyle, Ballymoney, Newry and Mourne, and South Belfast) where there were few reservists or none at all. Of the 106 applicants recruited from the five districts, only 20% are considered Roman Catholic. This low percentage from the Catholic Community suggests continuing difficulty in recruiting representative Catholic numbers, and it is not known at this stage if recent political developments might eventually increase participation rates.

The Policing Board has announced a “desire to meet and implement the requirements of the Independent Commission in a way which meets the needs of policing today while taking account of developments in England and Wales”. This plan described the emergence of a new programme - the Police Community Support Officer (PCSO). The plan established a combination of 400 PCSOs and 900 POPT with the duties of the PCSO considerably different from those of the POPT. The PCSOs would be community based and employed full-time serving in an unarmed non-law enforcement capacity.

During interviews with several DCU commanders support was found for expanding the PTR programme (eight hours per week) over the creation of a civilian community support employee who would be employed 40 hours per week. At the same time, other commanders supported the introduction of the PCSO position over receiving additional part time reservists. Each of the pros and cons for expanding the POPT programme or for establishing the PCSO programme has merit. The key issue for both programmes is whether the POPT selected are representative of the community where they will serve.

Due to attrition and other factors, by April of 2007 there were 850 POPT who migrated from the previous programme or who were selected from two initial recruiting pilots. The total of 850 part time reservists is far less than the 2,500 recommended by the Independent Commission.

Remaining Issues

There has been limited progress during the past six years in fully implementing this recommendation. While this can in part be attributed to a lack of full political and community support for the Police Service and the reluctance of potential part time recruits to join the Police Service, there remains a burden on everyone to pursue the aims of this recommendation. This recommendation envisioned PTRs substituting for regular officers who may need to be redeployed temporarily to deal with public order policing demands. If the Police Service response to public order situations does not routinely require temporary support from police officers assigned to district police stations, then the Independent Commission’s recommendation for a total of 2,500 PTRs may no longer be relevant, or the number significantly reduced.

Even though the Policing Board approved the new position of PCSO, and we agree with its validity, this position was not one of the Independent Commission’s recommendations. The desire to establish a PCSO programme should not be seen as a reason for delaying implementation of the previous commitment to augmenting the PTR, or as it is now known the POPT programme.

▶▶ size of the police service



A. Chapter Summary

Background

In 1999 the Independent Commission reported that the Royal Ulster Constabulary (RUC) served a population of 1.675 million and was comprised of nearly 13,000 regular, full time reserve and part-time reserve police officers, plus over 3,000 civilian employees. This size of the police service far exceeded the staffing set out in a Home Office model of comparable geographical areas and population, which calls for a police service of about 4,300 officers and 1,700 civilians.

The Independent Commission recommended that the number of police officers could be substantially reduced if Northern Ireland became a more peaceful society consistent with the intent of the Peace Agreement. Considering the current and anticipated security situation and the level of crime observed post-Agreement, along with the several recommendations it made with regards to the role, style, and structure of the police service, the Independent Commission recommended that the number of police officers be reduced to 7,500 over a ten-year period. This total number was to be distributed as follows: 4,500 officers assigned to core policing duties, 2,000 officers performing security and public order responsibilities, and 1,000 officers assigned to “other” duties. The Independent Commission called for this reduction to be accomplished through a severance plan for both regular and full-time reserve officers and the elimination of full-time reservists. Re-training and support of the departing officers was a key recommendation. It also recommended the encouragement of employment opportunities for Full Time Reserves (FTRs) with police agencies in Great Britain and in United Nations peacekeeping operations.

Progress and Accomplishments

The NIO and Police Service successfully implemented the recommendations with regard to offering voluntary early retirement or severance to eligible regular police officers and reserve members. The severance scheme accomplished its objective of reducing the size of the Police Service to 7,500 officers, while creating vacancies that allowed for the recruitment of an equal number of Catholic and other than Catholic police officers. Although the Independent Commission projected that by 2007 the Police Service should achieve the goal of 7,500 regular police officers, in fact this goal was achieved by March 2004, well ahead of schedule. The Independent Commission also recommended the elimination of FTRs which has not been accomplished. A recent report released by the HMIC recommended that the size of the Police Service could be further reduced to 6,028 police officers.¹

The Voluntary Severance Support Unit (VSSU) successfully implemented a comprehensive outplacement programme to provide retraining for police officers and reservists seeking other employment. The retraining programme is described in policies and booklets that are made available to eligible regular and reserve officers. The VSSU also provides outplacement services that included advice on pensions, financial advice, career counselling, job opportunities, and assistance with related matters.

The Police Service and the Police Rehabilitation and Retraining Trust (PRRT) have initiated and effectively communicated the available retraining programme to all reservists including those separating under the voluntary severance scheme and those separating because of the reduction of the full-time reserve staffing (not eligible for the severance scheme).

Remaining Areas of Concern

The Independent Commission did not recommend a voluntary severance scheme for civilian police employees, noting available early retirement, relocation payments and other available inducements. It did recommend, however, development of outplacement services for civilian employees. While the Police Service has developed a comprehensive outplacement programme for separating police officers and reservists, it has not addressed such a programme for separating civilian employees.

B. Recommendation Summary

Recommendation 105: Future Size of the Police Service

Patten Recommendation:

105. Provided the peace process does not collapse and the security situation does not deteriorate significantly from the situation pertaining at present, the approximate size of the police service over the next ten years should be 7,500 full time officers.

Lead Responsibility: NIO/Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Independent Commission projected that by 2007 the Police Service should achieve the goal of 7,500 regular police officers, starting from a 1999 base year with 8,457 regular police officers and 2,935 Full Time Reserve members. The Police Service achieved this goal of 7,500 regular police officers in March of 2004, several years ahead of schedule. However, there still remain over 700 FTR members. The recruiting effort for new police officers includes the appointment of an equal number of Catholic and other than Catholic recruits for each recruit class. The recruiting effort, administered by Consensia Partnership, is considered very successful and exceeds the general expectations.



Recommendations I06 and I07: Severance Arrangements

Patten Recommendations:

I06. The early retirement or severance package offered to regular officers and full time reservists aged 50 or above should include a generous lump sum payment according to length of service, pension commutation up to five years, early payment of pension commutation entitlement and payment in lieu of pension until pensionable age is reached. Full time reservists should be treated as far as possible in the same way as regular officers.

I07. Regular officers with more than five years service and all full time reservists, leaving the police service before the age of 50, should receive a substantial lump sum payment.

Lead Responsibility: NIO/Chief Constable/Policing Board

Recommendation Status

Compliance with these recommendations has been achieved.

History

The NIO and Police Service successfully implemented the Independent Commission's recommendations with regard to offering voluntary early retirement or severance to eligible regular police officers and reserve members. The severance scheme was intended to accomplish two objectives: reduce the size of the Police Service and address the balance of its composition. Both objectives have been accomplished. By April of 2005 some 1,880 regular and 270 reserve officers, a total of 2,152, had left the Police Service under the voluntary severance scheme. An additional 638 regular officers are expected to take advantage of voluntary severance in the 2006-07 period. Both regular officers and reserve members have been treated equally under the severance scheme. The NIO has agreed to extend the severance programme until 2010 unless its objectives are met before that date. There are also reports that the severance scheme is under judicial review due to an allegation of age discrimination.

Due to an increase in staff shortages, especially experienced officers at all ranks, the Policing Board has on at least one occasion suspended or deferred the severance programme for a year in order to retain certain skills and ease shortages. The Police Service has also modified the programme to deter severance under certain circumstances and to reduce disruptions, and will "red circle" critical positions to ensure they are not left vacant.

Severance Numbers by Year							
	Year 1 (2001)	Year 2 (2002)	Year 3 (2003)	Year 4 (2004)	Year 5 (2005)	Year 6 (2006)	Year 7 (2007)
Regular Police Officers	469	630	414	80	289	287	351
Full Time Reserve	14	124	96	3	33	0	0
Total	483	754	510	83	322	287	351

The Voluntary Service Support Unit administered the severance scheme effectively and produced excellent documents and booklets available to those officers considering accepting a severance package. In late 2004 the Secretary of State announced the final agreement with the Police Federation concerning a severance package for the remaining reserve members who are not eligible for a regular severance package due to age or length of service. This £100M severance package includes compensation or severance pay and a retraining component.

Recommendation 108: Retraining Programme for Police Officers

Patten Recommendation:

108. The Training and Employment Agency should develop measures for police officers (and civilians) seeking other employment, in consultation with police management and the staff associations. The Police Retraining and Rehabilitation Trust should have a role in this programme, and should have enhanced staffing and funding to enable it to deal with a substantially larger workload.

Lead Responsibility: NIO/Chief Constable/Training and Employment Agency/PRRT

Recommendation Status

Full compliance with this recommendation has not yet been achieved. (Minimal progress for civilian employees)

History

A comprehensive outplacement programme to provide retraining for police officers and reservists seeking other employment has been successfully implemented. The VSSU has successfully administers this programme. The Police Retraining and Rehabilitation Trust supports the VSSU by providing robust outplacement services, which includes career advice, assistance with the development of work plan, and a training allowance for regular police officers. Reservists wishing to take advantage of PRRT support enter a nine-month outplacement programme, which provides core training, assistance with the development of a job programme, and an allowance for training consistent with the career plan. Surveys consistently indicate a high level of satisfaction with the programme by both regular officers and reservists.

The NIO conducted a review of the voluntary early retirement and severance scheme for the period 2003-2006 and reported that objectives are being met; with force levels stabilised at the target level and composition figures showing a steady increase in the number of Roman Catholic officers, at 21% as of March 2007. This review also found that the voluntary severance scheme was meeting its objectives and is administered effectively and professionally. The conclusions determined by the oversight team supports the NIO findings.

Remaining Issues

The Independent Commission also recommended a similar retraining programme for civilian employees of the Police Service (as adopted for police officers and reservists). Although there has been some discussion about realigning the civilian workforce, as of April 2007 neither the NIO nor Police Service has developed a similar programme for civilian employees.



Recommendation 109: Opportunities in GB Police Forces for Reservists

Patten Recommendation:

109. Police recruiting agencies in Great Britain should take full account of the policing experience of former RUC reservists in considering applications for employment in police services in Great Britain.

Lead Responsibility: NIO/Chief Constable/Home Office

Recommendation Status

Full compliance with this recommendation has not yet been achieved (Substantial progress).

History

The decision to retain the FTR programme until 2008 has partially impacted full implementation of this recommendation. As a result, the Police Service has not been able to report full implementation, but has successfully implemented the intent and spirit of the Independent Commission recommendation.

The members of the FTR should have the opportunity to seek employment with other police services (Belfast Harbour Police, for example) before their current employment contracts expire. During one survey, 25% of the reservists expressed an interest in joining other police services. The Police Service has made enquiries about career opportunities in Great Britain, with responses from 37 different forces including the Civil Nuclear Constabulary. This agency received 16 applications from FTRs, with six reservists selected. The NIO has also contacted the Association of Chief Police Officers soliciting interest among associated police agencies.

The PRRT has initiated a programme to advise all reservists of career fairs and to give details of potential opportunities, plus contacting police services in Great Britain about the availability of reservists for employment. The Human Resources Department (Police Service) reports that the work carried out by the PRRT and the Police Service has demonstrated a commitment to seek employment opportunities for the reservists who are leaving the Service. Evidence has been provided that the programme was effectively communicated to the eligible FTRs and an evaluation of the programme conducted by the Police Service.

Remaining Issue

The intent and spirit of this recommendation has been met. Once a decision has been made on the remaining FTR members, the Police Service and Policing Board should ensure that a continuing effort to seek alternate employment is available for the departing members of the FTR

Recommendation 110: Opportunities with the UN for Reservists

Patten Recommendation:

110. The British government should offer former reservists the opportunity to participate in British policing contingents in United Nations peacekeeping operations.

Lead Responsibility: NIO/FCO/Home Office/Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

In 2005 the Foreign and Commonwealth Office notified the NIO and Police Service that this recommendation could not be implemented, as there were no vacancies for reservists to participate in UN/British policing peacekeeping operations. Private contract companies are now performing this work with several reservists accepting employment with the private companies working for the UN and other governments, such as the Iraq operation. The PRRT has assisted a number of reservists with training courses enabling them to have the opportunity to take up work with the overseas private security firms. The Oversight Commissioner concurs that the intent of this recommendation has been overcome by different circumstances than existed in 1998, and cannot be implemented at this time.

▶▶ **composition and recruitment**



A. Chapter Summary

Background

In 1999 more than 40% of the Northern Ireland population was Roman Catholic while only 8% of the RUC police officers were identified as Catholic. Only 19% of the RUC were women and less than 1% ethnic minorities. Moreover, while the civilian workforce comprised 66% women, only 12% of the civilian workforce was identified as Catholic. The Independent Commission, recognising that the more effective police organisations are those comprised of police officers and support staff who are representative of the community they serve, made a comprehensive series of recommendations that would over time address the existing imbalance.

The Independent Commission recommended contracting out for a robust, multi-faceted police officer recruitment programme which called for the recruitment of an equal number of Protestants and Catholics; the identification and recruitment of Catholic senior officers from other police services; and the encouragement, secondment and lateral entry of experienced officers from other police services. The Independent Commission also suggested that community leaders, including political party leaders, church officials, school officials, and sports authorities make it a priority to encourage members of their respective communities to join the police and actively seek to remove discouragements from doing so. They also suggested the development of liaison with schools and universities and the creation of a pilot cadet programme to encourage young people to interact with and eventually join the police service. Rather than recommending a gender based recruitment programme to address the gender imbalance, the Independent Commission recommended the introduction of part time working, flexible shift arrangements, job-sharing, and career break opportunities. It also recommended the introduction of childcare programmes to improve the retention of women police officers.

The Independent Commission also sought to address the imbalance in the civilian support workforce. Because most members of the civilian workforce had civil service status and the ability to transfer to other departments, the Independent Commission found no need to recommend severance schemes. They suggested that the civilian staff could choose to participate in retirement and other schemes then available across the Civil Service, and recommended the encouragement and facilitation of transfers to other Northern Ireland departments. While supporting the principle of fair participation in the civilian workforce, the government did not fully adopt the recommendation of the Independent Commission. Instead, it put forth its own package of measures designed to create a more representative and integrated civilian workforce.¹

The Independent Commission also received a number of submissions suggesting that the police officers should not be allowed to be members of loyal orders or secret societies. Recognising that police officers are entitled to join these organisations even though their overriding loyalty

¹ The package of measures are set forth in the June 2000, Northern Ireland Office, Implementation Plan and include the contracting out the recruitment of civilian staff; requiring seconded members of the Northern Ireland Civil Service to forego their Civil Service status as a condition of promotion; legislation requiring the appointment of civilian staff from a merit pool of qualified candidates on a 50:50, basis where there are 10 or more posts at the same level; and a management led programme to more effectively integrate police officers, civilian staff and traffic wardens within the police service.

must rest with the Police Service, the Independent Commission elected to recommend openness and transparency regarding such memberships through a mandated registration process.

Finally, while primarily concerned with the composition of the police service, the Independent Commission also noted that the composition of the Policing Board, the NIO Police Division and the Office of Police Ombudsman should be broadly representative of the Northern Ireland population.

Progress and Accomplishments

From the outset, the Catholic Church and some leading public officials have publicly expressed support for the Police Service and have provided encouragement for young people to become a part of it. The Gaelic Athletic Association repealed its Rule 21 to allow members of the Police Service to become members of the Association. This support clearly contributed to the success of the recruitment programme and overshadowed the lack of support and open discouragement for Catholics interested in joining the Police Service by some. This was also mitigated by public support of the police and policing by Nationalist and other community leaders. Most recently, the endorsement by Sinn Fein of policing arrangements should augment the existing levels of support.

While the Police Service has not fully implemented the entire array of recommendations relating to composition and recruitment, the accomplishments have been significant. Contracting with the Consensia Partnership for police officer recruitment and with Grafton Recruitment for civilian staff recruitment has been successful. This is a credit to Consensia, Grafton, and to the Police Service itself for its professional support of these recruiting programmes.

Following approval of the contract for police officer recruitment in 2001, Consensia developed a comprehensive recruitment and selection programme that included imaginative and persistent advertising, a comprehensive, multi-faceted selection process involving lay observers and assessors, which provided for the appointment of an equal number of qualified Catholics and other than Catholics from established merit pools.¹ Eleven recruitment competitions have been completed and competition 12 is underway (April 2007). Consensia has received over 112,300 requests for applicant information packs, which resulted in over 72,900 actual applications being received. Nearly 36% of the applications have been from Catholics and just over 35% from women. The applicant rate has, from the outset, exceeded projections and has produced an abundance of qualified recruits, nearly 25% of which have college degrees, for appointment into training. Through April 2007, almost 2500 have been appointed on a 50:50 basis of which 36% are women.

Present recruitment projections indicate that there will continue to be a greater number of qualified recruits than the Police Service is able to accept into training, especially given the present improving political and security situation, which is expected to increase the applicant rate by at least 5%. This is an enviable position for any police organisation in today's competitive labour

¹ The Police (Northern Ireland) Act 2000 authorises the appointment of an equal number of Protestant and Catholic police officers.



markets. As of April 2007, the percentage of Catholic police officers stands at 21% and is expected to reach the goal of 30% by 2010/2011.

Following approval of the contract for the recruitment of civilian staff in 2002, Grafton Recruitment developed a comprehensive recruitment programme for civilian support staff similar to the one for police officers.¹ Grafton Recruitment has completed 23 campaigns for 370 civilian support staff under the 50:50 requirements and as of April 2007 had another four underway. Grafton received over 20,400 applicant requests and over 11,200 actual applications during these campaigns. One of the more significant campaigns was for 60 of the anticipated 260 Station Enquiry Assistants, envisaged by the Independent Commission to replace police officers assigned to enquiry desks. Grafton provided the Police Service with a merit pool of 227, of which 92 were qualified for appointment on a 50:50 basis. The remaining campaigns, with the exception of one, which was successful when repeated, also produced sufficient applicants and merit pools from which appointments could be made consistent with the 50:50 requirements. Grafton has also conducted over 160 additional campaigns for positions where 50:50 is not applicable and an additional 12 are ongoing.

The Police Service demonstrated progress on a number of youth and school contact initiatives in support of long-term recruitment goals as well as generally improving relationships with young people. This was complicated by a political situation up to the present time made the delivery of school programmes difficult, particularly in underrepresented areas. In 2006, the Police Service fulfilled 1,279 of the 1,902 requests for the Citizenship and Safety Education Programme (CASE) programme, which included 277 visits to Catholic schools. The Police Service conducts career fairs on a regular basis during which young people have an opportunity to learn about career opportunities with the Police Service. During the period 2003 - 2006, the Police Service held 51 such events. The work experience programme is also presently dependent upon the interest and resources of the local commander and is being delivered in 13 of the 29 districts, including West Belfast where the Police Service has been invited to deliver the programme to four Catholic schools. The continued delivery of these programmes is a credit to the Police Service, and more importantly to the local commanders who have been responsible for doing so.

Following several delays, the Police Service in 2004 issued a policy and published guidance books outlining the requirements and procedures for officers to register their interests in specified or any other organisations "proclaiming/holding views on race, ethnicity or national identity which may be perceived to be in conflict with section 32 of the Police (Northern Ireland) Act 2000 and section 75 of the Northern Ireland Act 1998." Police officers began returning completed forms in sealed envelopes in April 2004, but shortly thereafter the process was suspended because two police officers were granted leave for Judicial Review of the process. Although the Judicial Review request was later withdrawn, the Police Service determined that there was a clear lack of legislative authority to enforce the objective registration requirement contained in its policy. The Chief Constable, in 2004, requested that the Secretary of State seek corrective legislation, but was advised by the Northern Ireland Office that it was unable to amend the legislation to address the deficiency. The Police Service restarted the registration process using as its authority amended

¹ Consistent with the Police (Northern Ireland) Act 2000, when recruiting for six or more civilian posts at the same level, an equal number of Catholics and those other than Catholic must be appointed. When recruiting for less than six posts at the same time, the 50:50 recruiting requirement does not apply.

guidance reflecting the subjective test described in section 51(5) of the Police Act (Northern Ireland). The registration process, clearly recognised as subjective, was completed in 2006 with 91% of officers reporting no membership in any “organisation, which may be regarded as affecting an officer’s ability to discharge their duties effectively and impartially.” The Police Service has, to the best of its ability, fulfilled its obligations with regards to the notification of interests. It will require a legislative change to provide more definitive results.

Remaining Areas of Concern

The Government, while supporting the principle of fair participation in the civilian workforce, did not adopt the Independent Commission’s recommendation to achieve it; instead it set forth a package of measures designed to correct an imbalance, which stood at 12% Catholic in 1999. The Police Service moved forward with implementation of these measures, which included the contracting with Grafton Recruitment to directly recruit civilian staff, the recruitment from a pool of qualified applicants on a 50:50 basis where there are more than six post at the same level, and the requiring of civilian staff to give up civil service as a condition of promotion. The result has been an increase in the percentage of Roman Catholics represented in the overall civilian workforce from 12% to 16.8 % as of March 2007 or an increase of 4.8 % points. This does not compare favourably with the composition of the larger civilian public sector workforce, which comprises 43.5% Catholics according to the most recent Fair Employment Monitoring Report (No. 16) published by the Equality Commission for Northern Ireland in December 2006.

The Police Service set forth a draft workforce plan (March of 2007), a portion of which addresses changes to composition of the civilian workforce. A Tri-Partite Working Group established to implement the workforce suggests that compositional change is of secondary importance and that it will take to 2014/2015 to reach its compositional target of 30.6% Catholic. Clearly, the Police Service has not embraced the notion of civilianisation nor the need for correcting the imbalance in the civilian workforce in a timely fashion, however it cannot alone remove the obstacles it faces to do so. This is an area where the Policing Board needs to exercise its governance role and attempt to facilitate an expedited rebalancing.

The Police Service has provided no evidence that demonstrates an effort to identify senior Northern Ireland Catholic officers serving in other police services as a means to address the community background imbalance in the senior ranks. While this appears to be, in part, based on the perceived difficulty in making such identification, it has made little effort to action this potential source of Catholic officers. Catholics in the senior ranks stood at 16% in 1999 and now stands at 12%, in large part due to the number of senior Catholic officers taking advantage of severance. The issue in the long run will of course be addressed by the increasing Catholic representation at the intake end; however, senior representation in the intervening years appears to be left to chance. The Policing Board may want to reflect on this gap and determine if they wish the Police Service to more assertively address this issue. This is particularly since the Board itself is responsible for the appointment of the Chief Officers.



The CASE programme became a responsibility of local commanders in 2003 when police advisors were reassigned to operational policing roles as part of the Human Resource Strategy. Similarly, the work experience programme, although initially robust, is also presently dependent upon the interest and resources of local commanders. The CASE programme is being delivered in all Districts, the work experience programme is being delivered in 13 of the 29 districts. A number of other well-developed youth contact programmes are being delivered in local commands. The Police Service reports that past resistance to police liaison access to schools has changed and is now showing positive and encouraging trends, with a growing number of requests for the CASE, work experience and other school programmes. Although the recruitment programme is producing an abundance of applicants for police posts, the value of police personnel moving freely among students from all communities to discuss issues of mutual importance cannot be overstated. The one remaining issue is for the Police Service to adopt a corporate policy on each of the programmes, including a broadly based work experience programme to assure a continued service wide effort to liaison with all schools and to assure consistence in delivery. Absent such a policy, each will remain an optional activity, which may or may not be consistently developed and delivered across the Police Service.

The Police Service has made progress with the school programmes described above, however it has developed no structured engagement with colleges and universities for the purpose of assisting with its recruitment goals. The success of the present recruitment programme is acknowledged, as is the high educational level of applicants, however colleges and universities remain a present and future potential source of highly educated police applicants. The lack of formal liaisons with colleges and universities remains an issue to be addressed.

The Police Service initially represented that it would explore the development of a Cadet Scheme on a pilot basis starting in 2005, which was subsequently slipped beyond the time left in the Oversight Commissioner's remit. Presently, the Police Service has no plans to advance a Pilot Cadet Scheme. This position also does not recognise the ongoing need to strengthen the relationship between the police and young people, particularly from the communities that have not traditionally had a strong relationship with the police, as was evidenced in a June of 2005 Policing Board survey of young people.

The political environment in Northern Ireland is undergoing significant change, which will clearly bring about changes in attitudes towards the police and will remove barriers to the establishment of cadet schemes or other programmes designed to develop and strengthen relationships with young people. The establishment of a Pilot Cadet Scheme is a remaining issue to be addressed now that political discouragements are being removed.

Since 2001, 72 constables and 41 ranking officers from Great Britain forces have transferred to the Police Service. However, the Police Service has not adopted a policy and procedure to broadly accept laterally entering police officers. Even the limited exchanges proposed between the Police Service and the Garda, have not been acquired and implemented in a timely manner. The lack of such a programme denies the Police Service the benefit of diverse talent and experience from elsewhere, and of developing its own officers abroad for the benefit of the Police Service.

Although the Independent Commission primarily addressed the composition of the Police Service, it also suggested that the Policing Board, the NIO Police Division (and any successor bodies) and the office of the Police Ombudsman should be broadly reflective of the Northern Ireland population. The Policing Board, the Police Ombudsman and the Northern Ireland Office established plans and objectives to ensure the composition of their respective staffs were representative of the population. The Ombudsman's office has achieved its objectives and the Policing Board's efforts are not of concern as they continue to make good progress. The Policing Division has not substantially changed since our Report 13 in June of 2005. It remains important that all the agencies involved in policing, in particular the NIO Policing Division, continue to meet the intent of the Independent Commission's recommendations in this regard, and the Government commitments as detailed in the August of 2001 Implementation Plan.

Future Issues and Directions

1. While the present focus is on the community background (Catholic/Protestant) of police officers, the continued influx of immigrants into Northern Ireland will pose other diversification issues. For example, there were several hundred Polish applicants during the most recent recruitment campaign, primarily of a Catholic background. Issues were raised by some regarding the potential distortion of the Catholic applicant numbers, even though only two passed the selection process. This disguised intolerance points to the larger, looming problem with immigration and diversification, and whether or not the broader society will be able to accept a new reality or whether the current sectarian divide is replaced with other discrimination based on national origin or race. While it is a broader societal issue to be resolved, and not directly a policing issue, it is clearly an issue that will affect policing.
2. The lack of interest in a corporate policy regarding youth contact programmes and a structured liaison programme with colleges and universities could well prove problematic in the future. First, the development of interest in young people to join the police is not something achieved instantaneously; it is based on relationships and interest build over time. Those programmes should be solidified so as to provide a future recruiting resource as well as positive community engagement with future citizens of Northern Ireland. Likewise, colleges and universities are a recruiting resource that can also be developed. While recruiting efforts have thus far been successful, the continued and apparent economic improvement in the Northern Ireland economy could well create recruitment shortages in the future, which could be mitigated if youth resources are nurtured and structured college/university liaisons are established. Cadet schemes can be similarly helpful.
3. While opportunities for part-time working and job sharing opportunities have been established, they have not been operationally implemented in any significant way. Likewise, childcare arrangements have been tentatively established, but not implemented. First, the notion of job sharing and part-time working can be somewhat disruptive to operational policing and must be implemented with caution. However, they are designed to retain women police officers and the data suggests that there is a need for the improved retention of women. Even though 36% of the selected recruits are women, the percentage of women police officers is 20%, a mere 1%



point more than in 1999. This is an issue that will require attention in the immediate future and further evaluation to determine retention data for female police officers.

4. Finally, the growing gap between representative numbers of Catholics in the civilian workforce, contrasted with the number of regular police officers who identify as Catholic, is a future concern. If the objective is to have a policing service representative of the population that it serves, then there should be no difference. By 2010 it is projected that at least 30% of police officers will be Catholic however at the current rate of change in the civilian workforce, their numbers will probably remain below 20%. The 'package of measures' proposed in 2001 for the civilian workforce clearly did not work in changing the representative numbers, as has been pointed out by our reports over several years, and the Policing Board will clearly have to decide from a governance perspective whether or not and how they will accomplish the desired goal.

B. Recommendation Summary

Recommendation 111: Transfer of Police Civilian Staff

Patten Recommendation:

111. The Northern Ireland Civil Service management should facilitate transfers of civilian members of the police service to other Northern Ireland departments and should co-operate with the Policing Board and the Chief Constable in achieving a balanced and representative civilian workforce.

Lead Responsibility: Chief Constable/Policing Board/NIO

Recommendation Status

Full compliance with this recommendation has not been achieved (Limited progress).

History

The Independent Commission in 1999, recognised that it would be illogical to focus on correcting the community background imbalance among the police officer ranks while leaving the civilian workforce static with the then approximately 12% Catholics; therefore it recommended the encouragement and facilitation of transfers to other Northern Ireland departments with the attendant financial and relocation inducements available across the Civil Service. These transfers, along with the requirement for additional civilian staff that would be created with a robust civilianisation programme (Recommendation. 90) were clearly seen as an opportunity to change the imbalance in civilian staff.

The Government, while supporting the principle of fair participation in the civilian workforce, noted the impracticality of transferring and absorbing a significant number of civil service employees working for the Police Service back into other government departments. Instead, in its Implementation Plan, the Government set forth a package of measures designed to create a more representative and integrated civilian workforce. The measures included contracting out the recruitment of civilian staff (see Recommendation 117); requiring seconded members of the Northern Ireland Civil Service to forego their Civil Service status as a condition of promotion; the

appointment of civilian staff from a merit pool of qualified candidates on a 50:50 basis where there are six or more posts at the same level; and a management led programme to more effectively integrate police officers, civilian staff and traffic wardens within the Police Service. The Police Service, without a formalised plan or strategy, moved forward with implementation of these strategies.

The direct recruitment of civilian staff and the giving up of Civil Service status as a condition of promotion increased the number of Direct Recruits from 791 (or 23% of the civilian workforce which numbered 3,392 in 1999) to 1557 (or 54% of the civilian workforce with the reduced number of 2,870 in March 2007). In the Direct Recruit category, it also resulted in an increase of Direct Recruit Catholics from 11.6% to 22 % during the same period; however the blended category numbers diluted these positive results. In all but one recruitment campaign, Grafton Recruitment provided sufficient merit pools of qualified candidates to fill the specified posts when conducting recruitment competitions assigned by the Police Service for six or more posts at the same level. In the one instance where Grafton was unable to provide sufficient candidates to fill the specified posts, a repeat recruitment campaign proved successful.

Since 1999 the percentage of Roman Catholics represented in the overall civilian workforce increased from 12% to 16.8 % as March 2007 or 4.8% points. Given that the civilian workforce decreased by 522 or 15% during this period, this is an unremarkable change.¹ In addition, the civilian workforce does not compare favourably with the composition of the larger civilian public sector workforce, which comprises 43.5% Catholics according to the most recent Fair Employment Monitoring Report (No. 16) published by the Equality Commission for Northern Ireland in December 2006.

The activities of the Police Service, the Policing Board or the Government have not been indicative of a commitment to fulfil the objectives of this recommendation in a timely manner. For example, although the Police Service was provided funding authority to hire 260 Station Enquiry Assistants (see Recommendation 52), it did not seize the opportunity to recruit Catholics, but instead conducted an internal trawl, which while providing career opportunities for existing employees, merely redistributed existing staff from one post to another without changing the overall community makeup of the civilian workforce.

The Police Service later assigned the recruitment of additional SEAs in accordance with the 50:50 requirement to Grafton Recruitment, but some five plus years later (March of 2007) the total number stands at 105, including 18 agency workers of which 17 are former police officers (See Recommendation 52). In August of 2004, the Police Service received funding approval to establish an additional 300 civilian posts over three years. This was yet another opportunity to robustly address the imbalance in community representation within the civilian staff, but there is no evidence indicating that this has taken place.

¹ The reduction of regular civilian staff has resulted in the employment of a large number of agency workers to replace them. Agency staff represented 19% of the total civilian workforce as of September 2006.



The Police Service has set forth a draft workforce plan (March of 2007), a portion of which addresses changes to composition of the civilian workforce. It suggests changes in composition against primary objectives of achieving affordability and deployment of staff with emphasis on service delivery. A Tri-Partite Working Group suggests that compositional change is of secondary importance and that it will take to 2014/2015 to reach its compositional target of 30.6% Catholic. Given the record of accomplishment to date, this is probably optimistic.

Remaining Issues

The Government, while supporting the principle of fair participation in the civilian workforce, did not adopt the Independent Commission's recommendation to achieve it; instead it set forth the described package of measures to reach the recommended objective. Clearly this package of measures has not and will not achieve the desired objective within the foreseeable future. Neither does the above-described Workforce Plan.¹ While this plan appears to methodically address a number of civil service impediments, the possibility of realising a civilian workforce representative of the community, which has been delayed for five plus years is further delayed with the apparent concurrence of the Policing Board and the Government.

Recommendation 112: Staff of Policing Board, NIO and Police Ombudsman

Patten Recommendation:

112. Every effort should be made to ensure that the composition of the staff of the Policing Board, the NIO Police Division (or any successor body), and the office of the Police Ombudsman should be broadly reflective of the population of Northern Ireland as a whole, particularly in terms of political/religious tradition and gender.

Lead Responsibility: NIO/Policing Board/Police Ombudsman

Recommendation Status

Full compliance with this recommendation has not been achieved (Substantial progress).

History

The Independent Commission made this recommendation to ensure that over time Northern Ireland's policing governance and accountability structures were as representative of the wider community as possible, as expected of the Police Service. The NIO, Policing Board and Police Ombudsman established plans and objectives to ensure their respective staffs were diversified to the degree possible, consistent with applicable legislation. Plans for achieving these objectives were provided by the agencies. The Ombudsman's office achieved its objectives early in the process and the Policing Board likewise has no difficulty. The Policing Division, while subject to considerable reorganisation since 2001 and the vagaries of Civil Service staffing, has not yet changed to a level representative of the larger population.

¹ Police Service of Northern Ireland, A Workforce Plan to deliver the first phase of the Links Project by 31 March 2008, Table 5 - Future projections on religious composition of staff.

Remaining Issues

It remains as important for all the supporting agencies of policing, as it does for the Police Service, to continue to meet the intent of the Independent Commission's recommendations to provide a representative policing service. The Ombudsman and Policing Board are doing that, however the NIO's Policing Division has not yet achieved this goal and should make a concerted effort to do so, particularly with the prospect of devolved policing and justice powers.

Recommendation 113: Support from Community Leaders

Patten Recommendation:

113. All community leaders, including political party leaders and local councillors, bishops and priests, school teachers and sports authorities, should take steps to remove all discouragements to members of their communities applying to join the police, and make it a priority to encourage them to apply.

Lead Responsibility: NIO/Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

From the outset, the Catholic Church and some leading public officials publicly expressed support for the Police Service and have provided encouragement for young people to become a part of it. However, despite the support of the Catholic Church, similar support was not forthcoming from all parts of the Catholic community. Nevertheless, the public and private support that was provided, combined with the development and implementation in 2001 of an innovative police recruitment programme, did result in a continuous and consistent Catholic police applicant rate of nearly 36% and an abundance of applicants to fill the recruitment objectives. Similarly, a recruitment programme for civilian staff has successfully recruited Roman Catholic applicants for civilian posts (see Recommendations 117-119).

These successes are remarkable given the discouragements faced by potential police applicants and challenges presented to recruitment campaigns. For example, the police recruitment agency found its advertising refused by some outlets, and publicly posted police recruitment materials were destroyed or removed in some areas of the community. Police recruits have been openly discouraged from joining or remaining with the Police Service and fear of intimidation or attack on themselves or relatives are reasons given by some Catholics for not joining the Police Service. While thus far the Police Service has successfully met these and other recruitment challenges, it has been pointed out in several prior reports that ongoing success, not only at recruitment but also at retaining Catholic police officers and civilian support staff, depends upon more broadly based community support and the removal of existing discouragements to joining the service. It now appears that this support may be forthcoming and in fact has started in some cases.

Several recent public statements by leaders of all political parties have encouraged victims of crime to cooperate with police officers. Republican leaders have relaxed their opposition to



young nationalists joining as a career. Newspapers that have formerly refused recruitment adverts have agreed to accept items for recruitment campaign 13 that will commence in July 2007. The events of 26 March 2007, where the two major political parties agreed to enter into a power sharing government, which including the participation as members of the Policing Board, implies a further willingness to engage with the police officers and support policing. The 8 May 2007 start of the Northern Ireland Assembly augers well for the desired future.

Recommendation 114: Gaelic Athletic Association

Patten Recommendation:

114. The Gaelic Athletic Association should repeal its rule 21, which prohibits members of the police in Northern Ireland from being members of the Association.

Lead Responsibility: GAA

Recommendation Status

Compliance with this recommendation has been achieved.

History

On 17 November 2001 the Gaelic Athletic Association (GAA) repealed its Rule 21, which prohibited members of the Police Service from becoming members.

Recommendation 115: Liaison with Schools

Patten Recommendation:

115. Liaison should be established between all schools and universities and the police service in Northern Ireland immediately, and work experience attachments and familiarisation days should be organised with active support and encouragement from community leaders and teachers.

Lead Responsibility: NIO/Chief Constable/Policing Board

Recommendation Status

Full compliance with this recommendation has not yet been achieved. (Moderate progress)

History

The Independent Commission noted that there was an increase in the numbers of Catholic and women applicants for police posts following the IRA ceasefire in 1994 and again in 1998. It credited this, in part, to the perception of an improving political and security situation, but also to the ongoing police sponsored school liaison, work experience attachments and familiarisation programmes. It observed however, that the Police Service had been unable to establish such programmes in 25% of the schools, primarily in areas where the communities are the least represented in the service.

The political situation up to the present time has made the delivery of school programmes difficult, particularly in under-represented areas. Nevertheless, the Police Service has continued efforts to maintain and expand relationships with schools, teachers and students through both formal and informal links.

The CASE programme, which places emphasis on citizenship in both primary and post primary school and is presented by specially trained officers, became a responsibility of the DCU commanders in 2003 at a time when police advisors were reassigned to operational policing roles as part of the Human Resource Strategy. Commanders have, within the given resource priorities and local political situations, delivered the programme. Throughout 2004, the Districts fulfilled 1,051 of 1,548 requests for the CASE programme, 313 in the urban region and 738 in the rural region. In 2005, the programme received a boost when the Northern Ireland Council for the Curriculum Examination and Assessment (CCEA) accepted the CASE curriculum as fit-for-purpose in an educational setting. This approval has assisted with the acceptance of the programme and police officer involvement. In 2006, the Police Service fulfilled 1,279 of the 1,902 requests for the programme, which including 277 visits to Catholic schools.

The Police Service conducts career fairs on a regular basis during which young people have an opportunity to learn about career opportunities. These activities are supported by the agencies contracted to recruit for the service. During the period 2003-2006, the Police Service held 51 such events, and through March 2007 an additional 13 with six more firmly scheduled.

The work experience programme, although initially robust, is also presently dependent upon the interest and resources of the local commander. Between 2000 and 2001, the Police Service took the work experience to over 200 schools. More than 100 were Catholic schools, which represented approximately 24% of all Catholic schools. Similarly between 2001 and 2002, the programme was taken to similar numbers of schools and an additional 35 non-designated schools. However, this programme was suspended in 2003 following the reassignment of the Career Advisors to operational policing roles.

Faced with continued resistance to allowing police officers in some schools, and the success of the police recruitment programme (see Recommendation 117), the Police Service found no immediate need to restart the programme. The Police Service did however, advise that the schools contact programmes would become a key community involvement activity in all DCUs. This did not occur on a widespread basis, although several commanders have made some progress on this and other school programmes. For example, local commanders in Ballymena, Ballymoney, Cookstown, Omagh, Coleraine, Magherafelt, Dungannon, Carrickfergus, Antrim, North Belfast, Lisburn, and South Belfast offer work experience programmes. Of particular interest, as a positive trend, is the recent invitation for the Police Service to bring the work experience programme to four West Belfast Catholic schools.

Remaining Issues

The Police Service reports that the past resistance to police liaison access to schools is changing and now showing positive and encouraging trends towards acceptance. It is receiving a growing number of requests for the CASE, work experience and other school programmes. Although the recruitment programme is producing an abundance of applicants for police posts, the value of police officers moving freely among students from all communities to discuss issues of mutual importance cannot be overstated. Thus one of the remaining issues is for the Police Service to



adopt a corporate policy on each of the programmes, including a broadly based work experience programme to assure a continued service-wide effort to liaison with all schools and consistency in delivery.

Although the Police Service has made progress with the school programmes described above, it has developed no structured engagement with colleges and universities for the purpose of recruitment. While the success of the present recruitment programme is acknowledged, as is the high educational level of applicants, the colleges and universities remain a present and future potential source of highly educated applicants. The lack of formal liaisons with colleges and universities remains an issue to be addressed.

Recommendation 116: Pilot Police Cadet Schemes

Patten Recommendation:

116. Provided there is active support and encouragement from local political and community leaders, pilot police cadet schemes should be set up.

Lead Responsibility: Chief Constable

Recommendation Status

Full compliance with this recommendation has not yet been achieved. (Minimal progress)

History

The Independent Commission recommended that the Police Service should set up a pilot cadet scheme open to young people, particularly in areas where the relationship between the police and the community needs strengthening, provided that there was support from political and community leaders and no risk to young people involved. The Police Service initially represented that it would explore the development of a Cadet Scheme starting in 2005, which was subsequently slipped to an indefinite date. The reasoning was two-fold.

First, the lack of broad-based political and community support for the Police Service has been problematical, particularly in areas where the relationship between the police and community needs strengthening, making the implementation of such a scheme impractical. Second, the Police Service opines that the implementation of a Cadet Scheme to supplement its recruitment programme (Recommendations 117-119) is not warranted given the success of that programme. As a consequence, there are no specific plans to progress a pilot cadet scheme as recommended. While this position recognises one objective of this recommendation, that is to prepare young people for careers in public service, it does not recognise another, which is to strengthen the relationship between the police and young people, particularly from the communities that have not traditionally had a strong relationship with the Police Service.

A June of 2005 Policing Board survey of young people ages 14-17 demonstrates the need to strengthen this relationship. In this survey, found 30% Catholics and 25% Protestants felt it acceptable to attack the police officers by throwing missiles. Only 23% felt the police officers provided a good service as compared to 70% for ambulance service and 69% for the fire service.

In addition, only 12% indicated they would consider joining the police service. Although this survey is dated, it does indicate the need for continued strengthening of relationships between police officers and young people.

Remaining Issues

The political environment in Northern Ireland is undergoing significant change, which will clearly bring about changes in attitudes about and towards the police and will remove barriers to the establishment of cadet schemes or other programmes designed to develop and/or strengthen relationships with young people. The establishment of a Pilot Cadet Scheme is a remaining issue to be addressed now that discouragements are being removed. The Policing Board may want to look at the broad strategic issues around how to increase the support of the young for policing in Northern Ireland. This investment in the future, flowing from programmes such as the police cadet and other schemes, will undoubtedly pay dividends.

Recommendation 117: Recruitment Agency, Lay Involvement in Recruitment

Patten Recommendation:

117. The police should contract out the recruitment of both police officers and civilians into the police service. There should be lay involvement, including community representatives, on recruitment panels.

Lead Responsibility: NIO/Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Police Service placed an initial contract with the Consensia Partnership for the recruitment of police officers in January of 2001 and entered into a new, subsequent contract in March of 2007. The latest contract is for a three-year period with specific options for renewals. Under the new contract, Consensia will conduct one recruitment campaign each year to fill 440 posts. Working along with the Police Service, Consensia developed a comprehensive recruitment and selection programme. The programme includes both unpaid volunteer lay observers and paid lay assessors.

Lay observers are recruited and selected by the Policing Board and represent a broad spectrum of community spirited citizens. They are provided with training on their responsibilities, which include making unannounced visits to both police and civilian support staff testing venues to review the adequacy of physical environment and applicant briefings, and to ensure that the process is run in a manner which does not unfairly disadvantage any individual or group. They report their findings to the Policing Board. Lay assessors are recruited and trained by Consensia and fully participate on panels during the actual selection process. They also represent a broad spectrum of community spirited citizens as well. Clearly, the participation of both lay observers and lay assessors has served to strengthened the quality and maintain the credibility of the selection programmes.



Consensia has conducted 12 recruitment campaigns since 2001, which have attracted over 112,300 requests for applicant information packs and resulted in over 72,900 actual applications being received, including 7,737 during competition 12 which is ongoing (April 2007). Nearly 36% have been from Catholics and just over 35% from women (see Recommendations 118-119). The applicant rate has, from the outset, exceeded projections despite the absence of total community support. Recruitment projections indicate that there will continue to be a greater number of qualified recruits than the Police Service is able to accept into training, especially given the present improving political and security situation. This is expected to increase the applicant rate by at least 5%. This is a remarkable position for any police organisation in today's competitive labour markets.

The Police Service placed its initial contract with Grafton Recruitment for the recruitment of support staff in June of 2002 and entered into a new, subsequent contract in July of 2006. The latest contract is for a three-year period with specific options for renewals. Consistent with the Police (Northern Ireland) Act 2000, when recruiting for six or more civilian posts at the same level, an equal number of Catholics and those other than Catholic must be appointed. When recruiting for less than six posts at the same time, the 50:50 recruiting requirement does not apply.

Grafton Recruitment has completed 23 campaigns for 370 civilian support staff under the 50:50 requirement and as of April 2007 has another four campaigns underway. Grafton received over 20,400 applicant requests and over 11,200 actual applications during these campaigns. One of the more significant campaigns was for 60 of the anticipated 260 Station Enquiry Assistants, envisaged by the Independent Commission to replace police officers at enquiry desks (see Recommendation 53). Grafton provided the Police Service with a merit pool of 227, of which 92 were qualified for appointment on a 50:50 basis. The remaining campaigns, with the exception of one, which was successful when repeated, also produced sufficient applicants and merit pools from which appointments could be made consistent with the 50:50 requirement. Grafton has also conducted over 160 additional campaigns for positions where 50:50 is not applicable and an additional 12 are ongoing.

The contracting for recruitment with human resource professionals is a proven success. The specific, human resource skills of the Consensia and Grafton staffs combined with the continuous cooperation and professional support of the Police Service is an example of a professional partnership that produces results. It is one for other police services to study.

Recommendations 118 and 119: Functions of New Recruitment Agency

Patten Recommendations:

118. The recruitment agency should advertise imaginatively and persistently, particularly in places likely to reach groups who are under-represented in the police.

119. The agency should advertise beyond Northern Ireland, in the rest of the United Kingdom and in the Republic of Ireland.

Lead Responsibility: Chief Constable/Recruitment Agency

Recommendation Status

Compliance with this recommendation has been achieved.

History

Consensia's advertising programme for the recruitment of police officers is both imaginative and persistent. It has varied from competition to competition, but has included press, television, billboards, cinema and on-line advertising designed to reach groups currently under-represented in the Police Service and includes the feature of receiving applications on-line. The advertising programme covers Northern Ireland, the Republic of Ireland and the United Kingdom.

The responses from all communities have generally been positive which is demonstrated by results that have exceeded all expectations. The number of qualified recruits was found to be exceeding the volume of applicants that could be appointed to training; therefore commencing with campaign seven, Consensia adjusted downward television advertising and the number of press insertions. Nevertheless the campaigns continue to produce high quality, sufficient merit pools to satisfy the needs of the Police Service. Campaign 12 is presently underway and has produced over 7700 applicants of which over 600 are undergoing medical screening.

In addition to a large number of Northern Ireland applicants, Consensia has received applications from the Republic of Ireland, Great Britain, as well as from a varying number of other countries. Applicants range in age from 17 to 54, with the highest percentage in age group 25-29 followed by age group 21-24. Nearly 25% of all applicants entering training have college degrees.

Clearly, the recruitment programme is a success story. The Independent Commission Report noted that on 31 December 1998 the representation of Catholic police officers stood at 8%. As of April 2007, this number stands at approximately 21%, which demonstrates steady progress towards meeting the target of 30% by 2010/2011.

In much the same fashion Grafton Recruitment has developed an innovative and imaginative advertising strategy designed to reach groups currently under-represented in the Police Service. The strategy includes on-line and press advertising in specifically designated professional publications related to the positions being advertised. The strategy primarily covers Northern Ireland, but also the Republic of Ireland and is continually evaluated and adjusted by Grafton as required. The 23 completed campaigns conducted by Grafton using the 50:50 requirement have, except for one, which when repeated was successful, resulted in merit pools sufficient to allow for the appointment of applicants representative of the broader community.



Recommendations 120 and 121: Selection of Recruits

Patten Recommendations:

120. All candidates for the police service should continue to be required to reach a specified standard of merit in the selection procedure. Candidates reaching this standard should then enter a pool from which the required number of recruits can be drawn.

121. An equal number of Protestants and Catholics should be drawn from the pool of qualified candidates.

Lead Responsibility: NIO/Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Police (Northern Ireland) Act 2000 provides legislative authority for the recruitment of qualified applicants on a 50:50 ratio for those identified as Catholic and those identified as other than Catholic. The Consensia Partnership working in cooperation with the Police Service has developed a comprehensive, job related multi-stage application and selection process, which requires recruits to reach an established standard of merit after which they are entered into a merit pool.

Consensia continually evaluates the process and from time to time makes adjustments to strengthen it. For example, the upper age for accepting applicants has been raised from 52 to 57; the initial selection test has been changed to focus on cognitive ability rather than spelling and grammar; the number of competencies tested have been reduced from nine to seven and include behavioural competencies; firearms handling and training competencies have been moved to become part of the training programme; and, there have been changes in processing the medical questionnaire. In addition, applicants are provided with advance information to familiarise them with the process. The change to accept on-line applications, commencing with competition six has resulted in a steady increase in on-line applications from as initial 25% to 75% of all applications.

Consensia has completed 11 recruitment campaigns since 2002 from which they have established merit pools sufficient to meet the requirements of the Police Service to appoint on a 50:50 basis, including 36% women. Campaign 12 is underway. Except for fulfilling the training requirements, all recruits are considered fully capable and qualified to perform the duties of a police officer. As previously noted the success of the recruitment programme is a credit both to the professional abilities of the Consensia Partnership and to the high level of professional support provided by the Police Service.

The Police (Northern Ireland) Act 2000 also requires that where there is a recruitment campaign for six or more vacant civilian staff posts at the same level, an equal number of Catholics and those other than Catholic should be appointed from the merit pool of qualified candidates. The Police Service contracted with Grafton Recruitment for the selection of civilian support staff. Grafton has designed and requires applicants for civilian support staff positions to meet an established set of job-related competencies. These competencies are continually evaluated and

adjusted consistent with ever changing and improving role descriptions.

Since engaging into contract with the Police Service in 2002, Grafton has completed 23 recruitment campaigns for six or more posts at the same level; four additional campaigns are underway (April 2007). In each case a merit pool was established and was sufficient to provide for the appointment of an equal number of Catholic and other than Catholic civilian staff. Grafton has also conducted over 160 additional campaigns for positions where 50:50 is not applicable and an additional 12 are ongoing. However, while the recruitments conducted by Grafton for six or more civilian staff positions have produced merit pools sufficient to fill vacancies, the percentage of Catholics in the civilian workforce has only marginally increased since 1999 (See Recommendation 111).

Recommendation 122: Opportunities for Part Time Working and Job Sharing

Patten Recommendation:

122. Priority should be given to creating opportunities for part time working and job-sharing, both for police officers and police service civilians, and career breaks should be introduced.

Lead Responsibility: NIO/Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Independent Commission recommended the provision of opportunities for job sharing, flexible working hours and career breaks to enhance the ability of the police to not only recruit women, but to retain those hired as well.

The Police Service has had a long established policy allowing for part time work and job sharing for its civilian support staff and General Order 37/2003 authorises police officers to also apply to local commanders for reduced working hours, job sharing and a flexible working arrangement. General Order 21/2006 also authorises career breaks for constables for up to five years, and unpaid leave for up to one year. The opportunities for these various working arrangements are thought to be attractive to police officers and civilian support staff alike. However, implementations of the various schemes for police officers have proven to be somewhat disruptive to operational policing and difficult to manage. Nevertheless, the Police Service has made a good faith effort to implement appropriate policies and as of April 2007 there were 13 regular police officers on career break and 60 either job sharing or working flexible hours. In addition, there were 63 civilian support staff on career break, 97 job sharing, and 294 on part-time work status.

Recommendation 123: Child Care Arrangements

Patten Recommendation:

123. Childcare facilities should be introduced where applicable, or child care vouchers and flexible shift arrangements offered.

Lead Responsibility: Chief Constable



Recommendation Status

Compliance with this recommendation has been achieved.

History

The Independent Commission noting a strong interest in policing as a career amongst women directed its attention to their expressed concern with the availability of childcare by recommending the introduction of a childcare programme for serving members of the Police Service.

The Police Service reports continued research into childcare arrangements since 1999. Initially, it completed a preliminary research paper on childcare initiatives that explored various options and costs. Then, as part of an overall diversity project, it undertook further detailed research “to justify the significant potential costs.” Recognising that approximately 36% the new recruits were women, the Police Service reported further research in May of 2002 to determine the extent of the demand for childcare in light of this recruitment data. Again in December of 2003, the Police Service reported more research was underway into a childcare voucher programme.

The Police Service developed a detailed and thorough Gender Action Plan purportedly aimed at improving the recruitment, retention and progression of women police officers and civilian staff in late 2004. This plan, provided to the Oversight Commissioner, included target dates, clear lines of responsibility and resource implications. The Gender Action Plan notes the difficulty of balancing child care and work commitments, particularly in cases where both parents are police officers. It also recognises that increasing the number of women officers, a long-established objective of the Police Service, will only increase the demand for more flexible work and childcare arrangements. Although the Gender Action Plan was a good step, which aimed to facilitate the re-integration of new mothers into the Police Service through such things as part-time work, modified deployments and restricted duties, it did not specifically address the issue of child care arrangements.

In April of 2005, the Police Service found no basis upon which to construct a business case to progress childcare arrangements and advised the oversight team that it had no plans to do so. However in June of 2006, citing the receipt of regular queries regarding the introduction of a child care programme, the Police Service commenced additional research to progress childcare initiatives. Various stakeholders met in late 2006 to discuss legal, tax and other financial issues surrounding a Child Care Voucher Scheme and a target launch date of June 2007 was established.

Subsequently, as part of an overall Childcare and Work life Balance Strategy, the Equality and Diversity Unit advanced a business case (approved in March of 2007) which provides funding for a Childcare Coordinator to facilitate the Childcare Voucher Scheme. Grafton Recruitment is conducting the recruitment campaign for the Childcare Coordinator position and expects the person selected to be in post by June of 2007. The Police Service anticipates the scheme will be operational on a pilot basis in August/September and then operational service wide by October of 2007. A full marketing and promotional calendar is being organised to ensure uptake in the scheme, which appears to be positive with an estimated 800 officers expressing interest in the scheme as of April 2007. While this programme has been developed primarily to address concerns of women police officers, the benefits will clearly flow to all officers with children in

need of childcare assistance. While plans and policies are in place to implement a childcare programme, operational implementation has not yet taken place.

The Policing Board may want to monitor the larger and longer term issues around retention of the new cohort of police officers, and in particular women officers. Programmes such as child care, part-time and flexible employment are important initiatives that will have to be monitored for results against expected outcomes.

Recommendation I24: Length of Recruitment Process

Patten Recommendation:

I24. The recruitment process should be reduced to no more than six months.

Lead Responsibility: Chief Constable/Recruitment Agency

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Consensia Partnership has consistently completed the selection process up to and including the establishment of qualified merit pools within six-months except when individual applicants question their medical evaluations. When that occurs, the provisions of the Disability Discrimination Act, which provides for medical hearings and appeals, may prolong the process past the six-months for those particular individuals.

Another potential problem may arise later this year (2007) when the Police Service limits its recruitment to one annual campaign. While Consensia will continue to provide merit pools within the six-months, potential recruits will experience extended delays from the point of application to the time of appointment to training, which may well result in an increased loss of qualified candidates who accept other employment.

Grafton Recruitment consistently completes its selection processes and is able to provide the Police Service with merit pools well within six months.

Recommendation I25: Disqualification from Entry into the Police Service

Patten Recommendation:

I25. Young people should not be automatically disqualified from entry into the police service for relatively minor criminal offences, particularly if they have since had a number of years without further transgressions. The criteria on this aspect of eligibility should be the same as those in the rest of the United Kingdom. There should be a procedure for appeal to the Police Ombudsman against disqualification of candidates.

Lead Responsibility: NIO/Chief Constable/Policing Board



Recommendation Status

Compliance with this recommendation has been achieved.

History

The Police Service established a Vetting Panel and the Secretary of State appointed an Independent Assessor in May of 2001 to validate decisions on disqualifications. The Police Service has regularly provided the oversight team with data describing the number and reasons why applicants are disqualified during each competition, which has been reported on in earlier reports. A recent review of collective data for campaigns 4 through 11 indicates that due to vetting issues, including the presence of convictions/cautions, failure to disclose convictions, motoring records, family background, integrity, tattoos, drugs and others, 630 applicants were referred to the Vetting Panel for review. Following reviews by the Vetting Panel, by the Independent Assessor, and individual determinations made by the Chief Constable, only 230 were rejected. There appears to be no predisposition to disqualify applicants on the basis of community background.

Recommendation 126: Registration of Interests

Patten Recommendation:

126. All officers - those now in service as well as all future recruits - should be obligated to register their interests and associations. The register should be held both by the police service and by the Police Ombudsman.

Lead Responsibility: Chief Constable/Police Ombudsman

Recommendation Status

Full compliance with this recommendation has not yet been achieved (Substantial Progress).

History

The Independent Commission received a number of submissions suggesting that the Police Service should not be allowed to be members of loyal orders or secret societies. Recognising that police officers, like anyone else are entitled to join these organisations, although their overriding loyalty must rest with the Police Service, the Independent Commission elected to recommend the registration of interests in these organisations consistent with the position of transparency and openness it had advocated throughout its reports. The Government accepted this recommendation in its August of 2001 Implementation Plan and included the authority to implement the recommendation in section 51 of the Police (Northern Ireland) Act 2000.

Following several delays, the Police Service issued General Order 17/2004, including the resolution of legal issues and a requirement to prepare guidance books. This order, which had been reviewed and approved for compliance with legal requirements, required that police officers register their memberships in seven specified organisations or for any other organisation "proclaiming/holding views on race, ethnicity or national identity which may be perceived to be in conflict with section 32 of the Police (Northern Ireland) Act 2000 and section 75 of the Northern Ireland Act 1998." The order also prohibited the disclosure of registration information except for specific official reasons.

Police officers began returning completed forms in sealed envelopes in April of 2004. However, after receiving over 4,500 registration forms by June of 2004, the registration process was suspended because two police officers were granted leave for Judicial Review of the process. The Judicial Review request was withdrawn in November of 2004 when the Police Service received yet more legal advice to the effect that the legislation (the Act) was outside of what is legally permissible and terminated the Registration of Notifiable Membership process.

The Police Service identified a lack of clear authority in section 51 of the Police (Northern Ireland) Act 2000 to enforce the objective registration requirement contained in General Order 17/2004. Accordingly, the Chief Constable in November of 2004 requested that the Secretary of State seek corrective legislation. The Northern Ireland Office indicated in its response in March of 2005 to this request that it was presently unable to amend the legislation to address the deficiency.

The Police Service again commenced implementation of a registration process using as its authority amended guidance. This reflected the subjective test described at section 51(5) of the Police (Northern Ireland) Act 2000 requiring officers to register memberships in organisations that they individually “believe may affect their ability to discharge their duties effectively and impartially”. This process, clearly recognised as subjective, was completed in 2006 with part-time constables, full and part time reserves and regular officers returning their completed forms with 91% reporting no membership in any “organisation which may be regarded as affecting an officer’s ability to discharge their duties effectively and impartially.”

The Police Service, satisfied with the accuracy of the reporting, given its subjective nature, published the results in the Chief Constables Annual Report. This produced a number of enquires and requests for information from politicians and members of the public. In light of these enquires and requests, the Police Service, early this year (2007), commenced further consultation regarding the list of organisations that should require the notification of interests. The Police Service still holds the view that the present legislation should be amended suggesting that the subjective test in section 51 (5) of the Act should be replaced with a list of organisations, membership of which is clearly Notifiable to the Chief Constable. Absent new legislation, the Police Service must be credited with facing the challenges presented as it has done its best to implement this recommendation.

Remaining Issues

While the Police Service has fulfilled its duty and displayed openness and transparency, the lack of an appropriate legislative framework, by replacing the subjective test with an objective list of organisations that require notification has diluted the impact of this recommendation. It will be up to Government to decide if it wants to pursue this through a change to legislation.



Recommendation 127: Identify and Recruit Northern Ireland Catholic Officers

Patten Recommendation:

127. The recruitment agency should seek to identify Northern Ireland Catholic officers in other police services, including the Garda Síochána, contact them and encourage them - particularly those in more senior ranks - to apply for positions in the Northern Ireland police.

Lead Responsibility: NIO/Chief Constable/Recruitment Agency/Policing Board

Recommendation Status

Full compliance with this recommendation has not yet been achieved. (Minimal progress)

History

The Independent Commission recognised that while the recruitment of Catholic and Protestant police officers on an equal basis would address the overall imbalance of community representation in the police service, and in particular in the lower ranks, it would take some time before the upper ranks would be affected. Clearly it would take some time for those new officers to work their way to those upper ranks. The Independent Commission understanding that there were Northern Ireland Catholics serving in other police services, but for various reasons were either unwilling or unable to serve in Northern Ireland, recommended that the recruitment agency identify and contact such officers, especially in the senior ranks, and encourage them to apply.

Section 45 of the Police (Northern Ireland) Act 2000 provides legislative authority, for the Policing Board in respect to senior officers and the Chief Constable in respect to other ranks, to seek applicants from other police services, including the Garda Síochána. However, the Police Service has provided no evidence demonstrating an effort to identify Northern Ireland Catholic officers in other police services.

Remaining Issues

The identification and recruitment of Northern Ireland Catholic officers in other police services in order to bring substantial change in the composition in the senior ranks - Superintendent and above - is a remaining issue. In 1999, there were 27 (16%) Catholic officers in those ranks, however, 23 of those left under the voluntary severance scheme. In April of 2007, there were 13 (or 12%) Catholic officers holding those ranks. This will not be an issue in the long term, as a result of recruiting on the front end. The Policing Board will have to reflect on whether or not is a practical issue for the intervening years, and direct appropriate action from the Police Service if deemed necessary.

Recommendation 128: Lateral Entry of Experience Officers

Patten Recommendation:

128. Lateral entry of experienced officers from other police services, and secondments or recruitments from non-police organisations should be actively encouraged.

Lead Responsibility: NIO/Chief Constable/Recruitment Agency/Policing Board

Recommendation Status

Full compliance with this recommendation has not yet been achieved. (Substantial progress)

History

The Independent Commission, suggesting that the infusion of diverse talent from elsewhere is beneficial to any police service, recommended that regardless of religion, lateral entry and secondments for the Police Service from non-police agencies should be encouraged. The Government introduced new regulations to facilitate the entry of serving police officers at the rank of constable into the Police Service without having to undergo recruit training. In February of 2005, the Chief Constable and the Commissioner of the Garda Síochána signed a protocol setting forth procedures for the secondment of police officers between the two agencies.

The notion of lateral entries has not been a priority for the Police Service. The procedures and authority to do so, even on the limited basis proposed between the Police Service and the Garda, have not been acquired in a timely manner (Recommendation 127). Furthermore, while the Police Service has accepted 72 constables and 41 ranking officers since 2001 from Great Britain forces, including the Chief Constable, and the lateral entry of police officers at the rank of sergeant and above is ongoing, there is no evidence of a broadly based programme that would aggressively recruit and laterally accept and appoint to the Police Service experienced police officers from other police services at levels commensurate with their training and experience.

Remaining Issues

While it is accepted that morale issues could result from denying promotional opportunities to serving members of the Police Service, or offering positions to 'outsiders', that should not be a barrier to seeking the best qualified police officers to provide a service to the communities of Northern Ireland. By foregoing the search for experienced lateral entries, the Police Service is effectively closing the door on the infusion of new ideas and talents that could provide better policing. The Policing Board may want to consider this issue from a strategic perspective for the workforce of the future, particularly given the looming experience gap that will emerge as the new cohort of police officers moves to management ranks.

▶▶ **training, education and development**



A. Chapter Summary

Background

The Independent Commission recognised training as the cornerstone for creating, and reinforcing, an effective and modern police service capable of achieving acceptance and sustaining community support from the citizens of Northern Ireland. Fifty-one (51) of the recommendations relate directly or indirectly to training.

In addition, the Independent Commission recognised that securing a fundamental and lasting change to the police service centred on the ability of the organisation to sustain momentum and build the capacity for effective change; identified timely, relevant and effective training are fundamental to preparing police officers and civilian staff to deal with the operational and legal complexities of policing in a modern era; and reinforced the concept of dedicated funding strategies for training, as well as an organisational commitment to continuous investment of resources in the training enterprise.

As Her Majesty's Inspectorate of Constabulary (HMIC) has rightly pointed out¹, training is fundamental to any organisation and of the utmost importance in ensuring that employees have the skills and knowledge to perform the tasks for which they were recruited. On a daily basis, police officers on the front-line are confronted with a multitude of complex issues, many requiring split-second decisions that lead to second guessing by the community, interest or advocacy groups and others. The need to take the right decisions in the face of unanticipated events requires on-going training. In addition to efforts to better understand the existing and historically diverse cultures in Northern Ireland, the Police Service has recognised the changing diversity of the community and is attempting to ensure that training is provided to support a better understanding of the culture, ethos and, at times, the language of these new members of the Northern Ireland community.

Progress and Accomplishments

The evolving training enterprise has had to meet major challenges including six Heads of Training in seven years as well as the displacement of police college personnel for a number of administrative reasons including promotions, transfers and retirements. The implications of these realities include changes in style and direction to course content. Despite these impediments, the Police College and the Staff of the Training, Education and Development enterprise (TED) have worked hard and effectively to meet the recommendations of the Independent Commission's report. Innovative learning and development skills sets have been introduced, along with the successful implementation of state-of-the-art information and communication technology, a challenge in and of itself. The progress was made possible, in most cases, by a dedicated team that recognised that cutting edge learning and development is vital to the future of the Police Service. An extensive list of accomplishments, including numerous accredited programmes and links with a wide array of learning institutions, is contained throughout the training recommendation summaries.

¹ HMIC 'Managing Learning, A Study of Police Training', April 1999.

The Police College has recruited almost 2500 new police recruits within the framework of the Independent Commission's emphasis and recommendations on training. The Foundation Programme continues to be progressive with the introduction of modifications to meet the ever increasing demands of a changing societal environment. The Programme had the challenge of developing the training modules for the Police Officer Part-Time (POPT) and this included off-site training through community colleges as well as e-learning techniques. The recent introduction of the Human Rights, Diversity and Equality Training at the Student Officer level meets the intent of the Independent Commission's Report.

The Police Service longitudinal study¹ to determine the views of the Student Officers, Probationary Constables and Early Service Constables is an example of the Police Service seeking critical input such as empirical and anecdotal data to ensure that appropriate changes are introduced in a timely fashion.

Collaborations between the Police Service and other police training facilities continue to progress with exchange programmes in the UK, Republic of Ireland, USA and Canada. The formalisation, through a Memorandum of Agreement between the Police College's Head of Training and his counterpart at the An Garda Síochána Police College, has ensured a number of positive training officer exchanges and the development of effective joint training programmes.

The Police College has progressed on a number of other high profile issues, including openness and transparency. It has published a public prospectus of the training programme and is committed to making it publicly accessible on the Internet; developed a protocol for public attendance at training sessions for which over two hundred individuals have taken advantage; and, established a policy to introduce a Citizen Police Course to familiarise the public with police service procedures and to enable the public to develop an understanding of operational policing and the constraints under which the police operate.

The introduction of state-of-the-art technology, including the Hydra Minerva Simulated Learning System, allows for realistic and immersive training for Senior Investigative Officers dealing with the most serious categories of crime investigations. It allows the students to experience real-time critical decision making in a safe learning environment. Other new technology includes the Firearms Scenario Training System (FATS 4) that emphasises enhanced training in the use of firearms, and the use of force more generally, while at the same time recognising the importance of human rights in all police actions. The acquisition of the portable, next generation of FATS 4 will allow training to be held in the Districts to accommodate different work schedules.

The Police Service and Police College are committed to ensuring that Human Rights, Diversity and Equality Training are embedded into the organisation by having these core themes form an integral part of course standards for all courses from the Foundation Programme to in-service refresher training delivered at all levels. Progress in the implementation of this recommendation was initially slow but more recently has shown substantial progress. New material has been added to the curriculum, including a two-day opening presentation by Professor Ivan Topping, University of Ulster. Two audits have been conducted to determine the extent of the inclusion of human rights

¹ A Repeat Study Monitoring Perceptions of New Officers prior to Attestation, (2004) Perceptions of courses 7/2004; PSNI internal document



in all lesson plans. They are working at ensuring that new trainers at the Police College and DCU Commands will receive training in human rights (See also Recommendation 4). There is a recognised need for a systematic evaluation of training delivery and an evaluation of the impact of human rights training on police behaviour and culture. The recent hiring of a specialist in human rights training is seen as a positive effort to address the above issues as well as being consistent with the intent of the Independent Commission.

The Police College has moved progressively towards an appropriate balance between the number of police trainers and competent civilian trainers. The number of civilian trainers is now 41 compared to 191 police trainers. Concerns have been raised that a number of civilian trainer positions have been filled with retired police officers. While this may be required to acquire certain skill sets, it does raise longer term perceptual issues that will need to be considered, and in particular to ensure that community representation is considered.

The Police Learning Advisory Council (PLAC) (formerly the Learning Advisory Council) was established in October of 2002 for the Executive Leadership Faculty. In March of 2003, it was expanded to cover all learning within the College and across the Police Service. The PLAC represents a cross-section of society and provides a valuable, independent perspective on training initiatives. Following a study by an independent firm, as of April 2006 an improved mandate and operational structure has been put in place to better serve the community and the Police Service. Collectively, these initiatives ensure that public confidence continues to build, and that the broad principles of effective policing form an integral part of the social fabric of the community.

The Northern Ireland Policing Board (NIPB) was established in November 2001 by the Police (Northern Ireland) Act 2000. The mandate of the Policing Board includes specific responsibilities such as the monitoring of the Police College Training Strategy through their Human Resources Committee. The Board and the Police Service have set up a reporting relationship that allows for the Police College to provide an inclusive report to the Policing Board's Human Resources Committee on a quarterly basis. The Policing Board has introduced a monitoring framework that includes eight (8) Key Performance Indicators (KPIs) to monitor the following:

- Northern Ireland Issues;
- Training Needs Analysis;
- Outreach and Openness;
- Service Level Agreements;
- Civilianisation;
- Instructor Tenure;
- Evaluation Training; and
- Budget.

The monitoring framework helps the Policing Board to ensure Police Service accountability for the utilisation/deployment of the human and financial resources needed to ensure the delivery of

training. The Policing Board oversight function will be provided unfettered access to information and evidence that confirms that the overall annual training objectives are met.

The Police College has also demonstrated its capability to deal with emerging issues. For example, in response to the Police Service restructuring ahead of the Review of Public Administration (RPA) changes, the college was proactive in developing a series of five modules to be delivered to the new DCU Commanders and management teams chosen and appointed to head the eight new DCUs. The five modules include intense training for the Commanders and their teams from January to April 2007, followed by a 2-year programme specifically designed to develop individual Commanders and other senior leaders in areas of substantial responsibility. Although the focus of this training is directed at Commanders and other senior leaders, it is also the Police Service's intention to develop learning programmes for the support staff during this major transition.

Remaining Areas of Concern

The organisational restructuring undertaken by the Police Service, in anticipation of the RPA restructuring of council boundaries, is having a major impact on the capacity to provide the required training particularly at the District Command Units (DCUs). Amalgamation of a large, complex organisation from 29 districts to eight DCUs will have an impact on the workload of District Trainers, who are expected to provide specific and on-time delivery of crucial training modules to larger geographic areas. However, it will also provide opportunities to improve services and interoperability, taking advantage of the economies of scale. It will be important for the Policing Board to specifically monitor the impact of the RPA changes on the delivery of training.

There are four recommendations that remain incomplete and follow-up by the Policing Board will be needed to ensure compliance. The first recommendation deals with Service Level Agreements and the devolvement of training to the DCUs (Recommendation 132). The Service Level Agreements that are currently in place will need to be modified to reflect the new organisation structure of the new eight DCUs established to meet the future proposals of the RPA.

The second recommendation relates to the completion of the new Police College recommended by the Independent Commission. The February of 2007 announcement by the Northern Ireland Secretary of State that the £130 million new-build Police College was going ahead was welcome news for all parties concerned. The official approval by the Treasury is still required so that an announcement of start-up of the build site and a prospective opening date for the new Police College for Northern Ireland can be made. It is now almost nine years since the Independent Commission's recommendation and seven years since government acceptance of this initiative and assurance that it will be implemented. As we have continually noted in previous reports, it remains an important symbol and practical need to demonstrate the progress and acceptance of normalised policing in Northern Ireland. An estate condition survey was conducted and presented in April of 2007. It risk-assessed the impact of the on-going delay of the new training facility. The cost of repair and maintenance of a decaying estate makes it imperative that the new purpose



built training college is expedited.

The third recommendation deals with the on-going roll-out of Information Technology and the associated training needs that have a cross-over effect on the whole of the organisation. This relates to recommendation 144 and is an area of risk in view of the high cost associated with this type of specialised training (see also Recommendation 93). The Police College has major responsibility to provide the necessary skill-sets to meet the introduction of state-of-the art IT equipment and subsequently requires the resources to maintain this capacity.

The fourth incomplete recommendation relates to Recommendation 149, the Pilot Citizens course to assess demand in Northern Ireland. While a small recommendation in its own right, the intent was to display openness and transparency, and engage with the community. In light of the new political disposition, it may be timely to reconsider it.

Other remaining concerns include:

- The importance of the Policing Board maintaining an effective system of governance over the Police Service. This includes timely access to reliable, accurate information from the Police Service. Conscious efforts must continue to be made to evaluate the quality and timeliness of information provided by the Police Service. If there are impediments to any access, they should be analysed and raised at the most senior levels of the Police Service to ensure they are dealt with expediently.
- The need for operational training for firearms will require the deployment of a number of resources to complete the re-qualification standards on an on-going basis. At the same time, it may also be useful to review opportunities to maximise range use to meet training needs through innovative training methods, such as extended hours and weekend use. The organisation will be expected to dedicate time and effort to meet long-term training needs.
- One of the single largest strategic concerns of both the Police Service and Policing Board is the capacity to meet current operational and emerging training needs. As restructuring occurs, there will be a need to carefully manage the change process. This includes ensuring the timeliness of training to meet organisational needs and to ensure that police officers on the front-line remain a priority.

Future Issues and Directions

1. The assumption is that organisational changes originating from the Independent Commission's recommendations have been institutionalised over the past seven years and are sufficiently well embedded to survive future challenges. That will be the situation only if there is a continuous learning environment and ethos created and supported by a properly focused, skilled and resourced training regime. All this speaks to capacity and sustainability and the Policing Board's oversight in this area to ensure that training does not become focused on discrete outputs, as opposed to the outcomes envisioned by the Independent Commission. It is also worth noting that the young cohort that has been trained since 2001 represents the future of policing in Northern Ireland and this investment must continue to be developed according to what is

expected of the future police officers and leaders of that future.

2. Accordingly, an important issue is Human Rights training which is essential to the development of a human rights-based philosophy in policing. As a matter of principle, the Police Service has made every effort for ensuring that a Human Rights component is embedded in all training courses. Human Rights training must not only continue to be mandatory but it must be seen as a natural consideration by all members of the Police Service. The Policing Board is responsible to ensure the continuity of Human Rights training as well as the implementation of measures to quantify and qualify progress in this area.
3. The demographics of the Police Service indicate that in 2007 there will be over 2,500 new police officers with six years or less service, combined with an anticipated retirement of a large number of experienced police officers, which will necessitate increased training at all levels. This anticipated experience gap will need a strategic training plan to enable the Police Service to develop and train an officer corps with relatively limited experience, along with a substantial number of new middle managers that need management development programmes and follow-up in-service training. The capacity to meet this challenge should be a major focus of effort for the Policing Board and the Police Service.
4. The Policing Board and the Police Service need to provide reassurance to the communities across Northern Ireland that there is indeed a strong connection between how police officers are trained, how they exercise their public duty, and how they interact in all situations with the public they serve. When things go wrong, the measure of a successful organisation is how they respond to the identified training and learning needs. In the case of the Police Service, it could be the identification of a training need by the Police Ombudsman to ensure that remedial or new training is undertaken to avoid similar mistakes. This issue again reflects on the capacity of the Police College to undertake newly identified training needs in a timely manner.

B. Recommendation Summary

Recommendation I29: Training, Education and Development Strategy

Patten Recommendation:

I29. A training, education and development strategy should be put in place, both for recruit training and for in-service training, which is linked to the aims of this report and to the objectives and priorities set out in the policing plans. These plans should incorporate training and development requirements.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Police Service's Training, Education and Development Programme has undergone significant



change since the Independent Commission's report in 1999. It is a credit to the men and women dedicated to the mission of delivering the Training, Education and Development Programme that the Police Service introduced a training strategy that not only supports organisational and operational capabilities but continues to build on it. The trainers at the Police College and in the respective DCUs are responsible for this fundamental change in methodology and culture.

The collective effort to provide leadership in the learning field throughout the Police Service has ensured positive progress from a hierarchical organisation necessarily focused on security to a more open and dynamic police service with a mission to serve the public. This is entirely consistent with the Independent Commission's view that training is essential to the vision of a "New Beginning" to policing in Northern Ireland.

The genesis for the future development of the Police Service's Training, Education and Development Strategy was the Primary Reference Document completed in January of 2001. This was subsequently added to and refined through releases of strategies for 2003-2004 and 2004-2005. A renewed Training Needs Analysis (TNA) was completed in January of 2004, and its recommendations were assigned to the Police College's faculty heads for implementation in their respective programmes.

The Police Service's TNA for 2006-2007 is an inclusive document incorporating the Training Strategy, specifications of the Training Requirement and the Costed Training Delivery Plan for 2006-2007. This was the first annual training strategy for Police Service based on the National Model. In 2004-2005, a Police College Prospectus was completed and is available internally on the Police Service's Intranet. It is presently under review and any changes will be accessible to the public on the Police Service's website in the near future. The Policing Board has the primary responsibility to monitor the design, delivery and effectiveness of the training, education and development being delivered by the Police College and the TED enterprise throughout the Police Service.

To achieve this, the Police College has a training monitoring framework that focuses on five key areas:

- 1) Learning and Development, including the annual training strategy, costed training plan, business plan, finance, personnel and training committee; learning and development policies; and quality assurance and evaluation;
- 2) Training Activities Outside of the Police College, including District Training; the Learning Advisory Council; the Exchange Programme with other Forces, Organisations and Universities and Colleges;
- 3) Human Resources issues, including civilian recruitment; award and recognition; tenure policy; and career development and promotion;
- 4) Finance and Budgets including the Police College annual budget; capital expenditures; maintenance issues; and income generation; and,
- 5) Reviews and Observations, including Diversity training in the Foundation Programme; Policing Board Human Rights and Human Resource Committee reviews; Oversight

Commissioner's reports; EFQM and other HMIC reviews; and development of a Single Improvement Plan.

Through its monitoring framework, the Policing Board assesses the Police College Training Strategy to determine if it meets the objectives set out in policing plans, the Police Service's annual policing plan, as well as linkages to the wider aims of the Independent Commission's vision for policing in Northern Ireland.

The monitoring framework process focuses on holding the Police Service accountable for the delivery of the TED strategy and agreed-to course delivery standards. The Policing Board's monitoring of the TED Strategy ensures that Board members gain a better understanding of the purpose of its monitoring framework and that its application develops confidence that the Police College and the TED Enterprise are being managed in an efficient and effective manner. The monitoring system is, in our opinion, achieving its intended purpose.

The Policing Board has also been a firm and consistent advocate for the new purpose-built Police College. The initial specifications for the state-of-the-art training complex were completed in 2003 and have since been refined in a second Outline Business Case in November of 2005. A 210-acre site for the College has been designated for the Desertcreat outskirts of Cookstown, County Tyrone (see Recommendation 131). As a consequence of the delays, the condition of the existing estate is increasingly experiencing physical deterioration or "rust-out" and this will continue to worsen as funding is directed only to essential maintenance in anticipation of the new Police College.

A £35 million budget for the Police Service's training component, both at the Police College and in the DCUs, represents a significant investment in financial and human resources and is 3% of the overall Police Service budget. Training is provided through the primary site at the Police College in Garnerville, with seven other satellite sites also delivering training throughout Northern Ireland.

The Police College is responsible for administering 259 programmes and courses of study, from induction through Foundation Programme training, in-service skills development, including human rights training for serving officers, and other courses that cover most aspects of operational policing.

Police Service specialist training has attracted considerable notice within the international police training community. The College hosts an increasingly diverse array of groups from policing agencies around the world, both for short visits and full courses of study (see also Recommendation 170).

The Police Service employed the national costing model, as recommended by HMIC, to assist in the development of the training strategy. This enabled more accurate forecasting of funding needs for future training. Several initiatives have also been taken to maximise the use of modern technologies, such as the Hydra Minerva Simulated Learning System facilities at the Steeple Campus. This provides virtual reality applications for different training exercises including those



for critical incident training, crime and public order training, and firearms commander courses. The recent acquisition of a mobile “HydraLite” system now means the portability of the new system will make it available to DCUs for on-site training.

Through the training strategy, the Police College also recognises the benefits of increased openness, accessibility and transparency for the training programme. They have expanded its links with outside training institutions, as well as increasing the public’s access to training facilities.

One initiative to increase openness was the establishment of the Learning Advisory Council (LAC) in October of 2002, now known as the Police Learning Advisory Council (PLAC), in order to contribute outside expertise to learning programmes, materials and delivery methods. The PLAC is a valuable forum for the exchange of information between communities and the Police Service. PLAC also monitors the Service Level Agreements (SLAs) with DCUs, providing quarterly reports that are dealt with at District Training Seminars.

The PLAC is comprised of public, private and academic partners, as well as Police Service managers from DCUs and Headquarters. The participation of close to 50 dedicated individuals from outside the Police Service has enhanced the exchange of information with the community as well as ensured an organised approach to training observation and reporting. The PLAC has formed a sub-group called the Training Strategy and Steering Group that provides a review of the training needs of the Police Service. This access and input into training by the PLAC provides openness and transparency to outside organisations.

Recommendation 130: Training, Education and Development Budget

Patten Recommendation:

130. A total training and development budget should be established, covering all aspects of training, and this should be safeguarded against transfers to other sub-heads.

Lead Responsibility: NIO/Policing Board/Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Independent Commission recognised the need to protect, or ring-fence, training financial resources from transfer to other sub-heads as this would send a strong signal throughout the Police Service that training and its important influence on organisational change were to be given priority.

The recent Costed Training Plan is based on the Training Strategy for 2007-2008 and the Home Office National Costing Model based on the National Intelligence Model (NIM). It reflects the National Standards set out in the ACPO National Strategic Assessment Policy. The assessment is prepared for senior management by the Internal Analysis Centre and is shared with the Policing Board. It is updated monthly and its aim is to identify, using the best available evidence, the main challenges facing the Police College. The report highlights two main purposes: to identify priority-

policing issues, which require attention and should be included in the College Control Strategy. These training requirements are identified through consultation with all DCUs and Departments and synthesised to develop a Training Plan that is subsequently translated into a Costed Training Plan. The College Training Group (CTG) monitors it so that a comprehensive picture of current, emerging and longer term policing priorities can be acted on. The methodology is professional in scope and draws on information from a wide range of sources including Regions and Headquarters, Faculty Heads, Home Office and other government agency research material as well as open source material.

Fiscal year financial reporting has improved with the acquisition and implementation of software to enable better tracking of TED costings. This technology is providing a clear costing forecast for budgetary purposes. The Police Service also benchmarked the budget to similar police services using the National Costing Model. As a consequence, the ability to identify variances and to make appropriate adjustments for greater budgetary control and analysis is expected to ensure appropriate budgetary reporting to the Policing Board based on realistic forecasting. The oversight team is satisfied that the Independent Commission's intent is being achieved.

Recommendation 131: New Police College

Patten Recommendation:

131. The Northern Ireland police should have a new purpose-built police college and the funding for it should be found in the next public spending round.

Lead Responsibility: NIO/Chief Constable/Policing Board

Recommendation Status

Full compliance with this recommendation has not been achieved (Substantial progress).

History

The Police Service, NIO and Policing Board are members of the tri-partite Estates Committee dealing with the promotion and planning of the purpose-built new police college. The construction plans and timelines for completion, once construction is launched, are in place for this new-build on the outskirts of Cookstown, County Tyrone.

In February 2007, the government announced its commitment to the construction of the Police College. The College will share combined training facilities with the Fire and Rescue Service and Prison Service. It will be a purpose-built complex valued at £130 million. Notwithstanding this announcement, an optimistic projection envisions building start-up in two years and occupancy in 2011. Unfortunately, this Independent Commission recommendation will have passed its ten year anniversary without the new Police College being realised, with consequential effect on the existing training delivery (see Recommendation 129).

Remaining Issue

While the Secretary of State for Northern Ireland has announced the funding commitment, the actual funding delivery via the Treasury awaits confirmation. It remains for Government to live up



to the commitment they made in the August of 2001 Implementation Plan. ,

Recommendation 132: Service Level Agreements

Patten Recommendation:

132. There should be service level agreements between police districts/departments and the police Training Branch setting out what the Branch is expected to deliver to the district or department concerned.

Lead Responsibility: Chief Constable

Recommendation Status

Full compliance with this recommendation has not been achieved. (Substantial Progress).

History

After much delay, Service Level Agreements (SLAs) were introduced through General Order 13/2005 dated 17 May 2005. The Police College introduced the concept of SLAs in order to make the training enterprise seamless across the organisation. The prolonged introduction of the SLA concept has been difficult, nevertheless there is a strong commitment to make it a viable solution because of the apparent disconnect between training efforts at the District level and the centre of training excellence at the Police College.

The naming of the Head of the Police College as responsible for all training initiatives across the Police Service¹ is a welcome move as it focuses force-wide training issues to a single-point policy centre. The naming of the SLA Coordinator is an effort to provide effective advice and support to the District Trainers.

The Police College introduced a quarterly Service Level Agreement (SLA) monitoring process through the independent Police Learning Advisory Council (PLAC). The PLAC has submitted four quarterly audit reports on the progress being made with SLAs. The recent audit report highlighted the fact that there was a greater sense of integration of training to operational needs.

Remaining Issue

The restructuring from twenty nine District Command Units to eight will have a major impact on the delivery of training at the DCU level and the Police College is reviewing the matter. Renewed SLA's will be required to assure standards of delivery and common understanding of training commitments.

Additionally, the concept for Professional Development Units (PDUs) provides a coordinated professional development process for both Police Officers and support staff throughout their career. The proposed PDUs, if accepted, will see the establishment and the professionalism of tutor training, probationer management, local district training, and professional development of staff in districts across the eight new DCUs. This activity will need to be outlined in the new Service Level Agreements between the Police College and District Commanders.

Recommendation I33: Civilian Input into Recruit Training

Patten Recommendation:

I33. There should be a high degree of civilian input into the recruit training programme. The director of the training centre (and the new college when this is opened) should have both academic qualifications and management expertise. Civilian instructors should be employed, or brought in as necessary to conduct as many elements of the training programme as possible. Some modules of recruit training should be contracted out to universities and delivered on university premises, ideally together with non-police students.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Independent Commission envisioned input by a civilian component in the training enterprise in order to encourage linkages between the police community and the new recruits to the police service. The Police College developed a policy paper on the “Civilianisation of the Police Trainer Posts within the Police College” which is a blueprint for civilianisation efforts.

In late 2006, the Police College had a complement of 41 (17%) civilian trainers and 197 (83%) police trainers. Civilian trainers are now operating within the Foundation Programme and are involved in delivering the following: Student Officer Training Programme Student Officer Personal Safety Programme, Student Officer Physical Training, Police Staff/Civilian Induction, Student Manual Handling Training, Police Officer Part-Time Initial Training, and Station Enquiry Officer Civilian Training.

The Police Service received approval for a further 20 civilian positions for the Police College and most have now been filled. A number of key positions that were civilianised include a Quality Assurance Co-ordinator, Course Evaluator, Firearms Instructor, District Training Co-ordinator and four civilian Foundation Trainers. A number of the civilianised positions have been filled with retired police officers. Although this creates a perceptual problem, it can be appropriate for a transitional period to hire in individuals with existing skills, as long as the 50/50% hiring guidelines are respected and there is conscious acknowledgement that retired police officers are filling these positions. This practice should continue to be monitored by the Policing Board to ensure that there is no abuse and it does not breach any severance rules.

The Police College maintains a number of formal arrangements with higher learning institutions, including: the Open University Certificate in Police Leadership, Queens University Certificate upon finalising the Probationer Training Programme, University of Ulster accreditation of the Student Officer Programme to Certificate level; and, University of Christ Church Certificate in Education for Trainers.

¹ PSNI Police College Training Strategy, ‘Specification of the Training Requirement’, Costed Training Delivery Plan 2006-2007.



The Police Service delivered modules of the Police Officer Part-Time (POPT) course at local colleges in partnership with the Association of Northern Ireland Colleges (ANIC). The move towards the introduction of Police Community Support Officers (PCSO) provides an opportunity to develop a partnership whereby some training of these new officers would occur at the local colleges and universities. The training process for PCSO's off-site will further strengthen the intent of the Independent Commission's recommendation to have some components of Student Officer training being provided off-site.

Recommendation I34: Training of Civilian Recruits

Patten Recommendation:

I34. Civilian recruits to the police service should also attend the police college, and do some of their training together with police officer recruits.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

The integration of civilian support staff within the Recruit Training Programme has been piloted in a number of areas. The Independent Commission recommended this initiative to assist in familiarising police and civilian staff with each others' respective roles and challenges within the Police Service.

The Police Service developed a policy to meet this recommendation and the Recruit Training Programme piloted a 6-day training module dedicated to new civilian staff that is integrated with a number of sessions with police recruits. This includes integrated training in areas such as Data Protection, Health and Safety, and Courses on History, Culture and Politics. Lessons also include training in Human Rights, Equality and Diversity.

Recommendation I35: Achievement of Academic Qualifications By Recruits

Patten Recommendation:

I35. Recruits who do not already have degrees should be encouraged to acquire appropriate academic qualifications during the first two years of their career. Encouragement should be given to those officers who wish to go on to study further relevant qualifications.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

In order to address the Independent Commission's intent of having the Police Service see itself as an organisation that values education and academic advancement, a number of initiatives were undertaken.

The first programme that was initiated was in partnership with the University of Ulster and was based upon the cadet's graduation from the recruit training programme. In this programme, a Certificate in Police Studies from the University of Ulster was presented. This programme has been in place since November of 2001 and probationary constables are encouraged to continue their academic studies during their first two years of probationary service, towards earning a University of Ulster Diploma in Police Studies.

Unfortunately probationers are not participating in expected numbers. It is reported that this is mainly due to complicating factors, including a lack of free time to devote to after-duty studies, heavy operational workloads, currently holding degree status in other disciplines and the disruption of shift schedules. Training Branch is aware of this reality and is revisiting the accreditation process.

In addition the Police College has:

- an Advanced Diploma in work-based learning;
- a Postgraduate Certificate in work-based learning for the Senior Investigation Officer (SIO) Programme at Queens University; and,
- an Advanced Certificate in Education Programmes with the University of Canterbury Christ Church and Oxford Cambridge Royal Society Arts.

It is also of note that the Police College completed plans for the ANIC Colleges to participate in delivering Part-Time Police Officers Training. The Police College continues to be innovative in partnerships with outside higher learning institutions.

Recommendation 136: Timing of Attestations as a Constable

Patten Recommendation:

136. Attestation as a police officer should take place only upon successful completion of the recruit training course. A sufficiently rigorous standard should be required for success in that course; and completion of the course should be marked by a graduation ceremony.

Lead Responsibility: Chief Constable/Policing Board/NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Independent Commission recommended that police recruits be attested as Constables at the completion of their training rather than at the beginning, to ensure that attestation marked a meaningful achievement rather than a given.

In addition they recommended that the training involve rigorous standards, marking successful completion with a formal graduation. The Foundation Training Programme:



- is a twenty-one week intensive learning programme that develops the skills and judgment of police recruits; and,
- has as its objective, as stated in the Police College's 2004-2005 Prospectus, to prepare students to demonstrate the competencies, values, attitudes and behaviours required of police officers in Northern Ireland in an operational environment.

Achieving success within the programme also results in the award of a University of Ulster Certificate in Police Studies. The Course Document Assessment Strategy provided a definition of the "sufficiently rigorous standard" that is being applied. The assessment of academic and testing standards used in recruit training were developed in conjunction with the University of Ulster's standard practices. The policy on the separation from service, based on physical fitness and firearms qualifications, is contained in the PSNI's Student Regulations.

Recommendations 137, 138 and 139: Contents of Recruit Training Programme

Patten Recommendations:

137. The hours spent on drill should be considerably reduced.

138. Problem-solving and partnership approaches should be central to the recruit training course, and scenario exercises should be further developed as training tools.

139. Community awareness training for police recruits should be developed to include representatives of all the main political and religious traditions in Northern Ireland. Community awareness should not be seen as a stand-alone element of recruit training; it should be integrated into all aspects of training.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with these recommendations has been achieved.

History

Shortly after the release of the Independent Commission's recommendations, the Police Service significantly reduced the time allotted to military drill within the Recruit Training Programme from eighty hours to the present twenty hours.

The Police College also introduced the SARA (Scanning, Assessing/Analysing, Response, Assessment) problem-solving model which encourages Student Officers to adopt problem solving and partnership approaches to front-line policing. It is an approach that has recently merged with the Conflict Management Model (CMM) to add to the police officers' ability to respond to situations. At the centre of both models is a customer service orientation. In addition, the adoption and incorporation of scenario-based training has made training and learning more realistic and thereby better prepares police recruits for the challenges and rigours of operational policing.

Community Awareness Training is a central theme for training with 43 external community organisations having input to the Student Officer programme. In September 2006, the Police College created, in partnership with the Northern Ireland Council for Ethnic Minorities, a fifteen-

hour Awareness and Language Learning Programme.

The languages of the three biggest ethnic minority cultural groups in Northern Ireland are introduced in the programme: Chinese Mandarin, Polish and Portuguese. This is intended to complement the Human Rights, Diversity and Equality training at the Police College.

Recommendation 140: Tutor Officer Scheme

Patten Recommendation:

140. The Northern Ireland police should introduce a comprehensive tutor officer scheme. Tutor officers should be carefully selected, according to their commitment and adaptability to the new style of policing, and trained.

Lead Responsibility: Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

The tutor officer programme was formally established by General Order 3/2002, Tutor Constable Scheme, released in February of 2003. As noted in previous oversight reports, this scheme has proven to be an extremely useful and rewarding programme for both probationers and tutors, adapting over time to needed changes. The Programme has been reviewed internally and by the Police Learning Advisory Council. As a result, a number of recommendations have been advanced to ensure that the Programme remains effective and provides the required on-site experienced training by Tutor Constables to the Probationary Constables.

The programme is now operated through two Tutor Constable Units for urban and rural DCUs. Once the new eight DCUs are established, the programme will reflect the present urban model. This approach will provide a more standard model for tutoring and will be beneficial to the Probationary Constable and the organisation in the long term.

The oversight team is satisfied that the Independent Commission's intent has been achieved. Nonetheless, tutor workloads have increased significantly since the programme's inception and, as a result of organisational restructuring it is a programme that should be monitored by the Policing Board to ensure its sustainability.

Recommendation 141: Course on Constitutional Arrangements

Patten Recommendation:

141. Every member of the police service should have, as soon as possible, a course on the impact on policing of the new constitutional arrangements for Northern Ireland, the new policing arrangements set out in this report, and the reforms of the criminal justice system.

Lead Responsibility: Chief Constable/Policing Board



Recommendation Status

Compliance with this recommendation has been achieved.

History

Following a lengthy period of preparation and a concerted effort, the Police Service delivered its Course for All to over 12,000 police and civilian staff by December of 2003, a figure well over established targets. The course included material dealing with new constitutional arrangements, new policing arrangements, other criminal justice reforms and the evolving impact of human rights legislation.

The Police Service deserves credit for this significant effort, notwithstanding certain shortcomings that were identified by the Policing Board Human Rights advisors. Action was taken to address the issues i.e. such as the introduction of the Diversity, Human Rights and Equality courses in the Foundation Training Programme.

The oversight team considers the intent of the recommendation to have been achieved, in part through the Course for All and the on-going training in this subject. The general awareness by the Probationary Constables, staff and seasoned police officers of the constitutional arrangements, human rights and diversity issues, and policing arrangements flowing from the Independent Commission's report, are significant and provide reassurance that there has been a continued impact from the on-going training.

Recommendation 142: Course on Human Rights Acts

Patten Recommendation:

142. As a matter of priority, all members of the police service should be instructed in the implications for policing of the Human Rights Act 1998, and the wider context of the European Convention on Human Rights and the Universal Declaration of Human Rights.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

As noted in Recommendation 141 the Course for All was a start in addressing human rights issues as well as related legislation including Human Rights Act 1998, the European Convention on Human Rights and the Universal Declaration of Human Rights. A more recent report, released by the Policing Board's Human Rights Advisors in March of 2005, also refers to the impact of the Course for All. The report notes that the Police Service has no plans to run a similar course or one specifically focused on human rights since Human Rights training is viewed by the Police Service as embedded in existing course curricula

When designing new courses, trainers must ensure that Human Rights issues within the lesson plan are addressed and are evident to anyone reading the Lesson Plan. New Lesson Plans cannot

be used unless they have first been quality assured and Human Rights audited. The appointment of a Human Rights Training Advisor in October 2006 will assist in meeting these challenges. Within the context of this recommendation and the Course for All, the oversight team considers the Independent Commission's intent to have been achieved (see also Recommendation 4).

Recommendation 143: Management Training

Patten Recommendation:

143. All police managers should have management training, as appropriate, and every manager should at some stage of his/her career do a management course in a non-police environment, such as a business school or university. Use should be made of management workshops, so that managers can discuss and develop with each other how best to reshape the police organisation.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Independent Commission envisaged a different style of management within the Police Service. The vision encompassed devolved budgets, authority and decision making to middle managers, with senior levels focused on strategy rather than micro-management. In response to this need, the Police Service developed a Centre for Leadership designed to provide an understanding of the leadership perspective, to promote empowerment and to encourage exceptional performance management.

The Core Leadership Development Programme and the Senior Leadership Development Programme are aligned to National Occupational Standards, written at a national level, supported by Police College or National Training Officers and where appropriate, edited to reflect Northern Ireland and Police Service legislative and organisational needs. These programmes are recognised and accredited through the Chartered Management Institute.

In addition:

- The Core Leadership Development Programme (CLDP) was introduced in mid-2005.
- Over 700 modules were offered to frontline constables, sergeants, and inspectors in operational or staff positions.
- The Police Service has now linked the CLDP training to support the career development and promotion process to inspector rank.
- The CLDP, Senior Development Programme (SDP) and Senior Command Course (SCC) are now being offered to civilian members of the Police Service. They have innovatively offered officers enrolled in the programme one hour of uninterrupted, protected study



time at the work site to complete the workbook exercises or use the on-line guide to the programme, available on Police Net.

- The Training Department has an entirely new programme to develop first line managers within Police Service. A training needs analysis is being completed to include a proposal for introducing a self learning package to be developed by the Police Service Training department, and a five-day package covering core management responsibilities.
- Mandatory modules from the CLDP are to be completed prior to first line supervisors (Sergeants and Inspectors) existing probation. This programme is expected to be operational by September of 2007.

The Training Department is delivering training to the new DCU Commanders appointed to lead the eight new DCUs. The Programme for District Commanders and teams is in four phases that stretch over a two year period. This training programme deals with areas of substantial responsibility including human resource and financial management of major budgets. There will be modules that develop leadership, mentoring and coaching skills for Commanders and they will deliver these same skill sets to team members.

Recommendation 144: IT Training

Patten Recommendation:

144. Every officer and civilian in the service should undergo adequate training in information technology.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Full compliance with this recommendation has not yet been achieved. (Substantial progress)

History

The Independent Commission realised that the new Police Service would need to make quantum leaps to bring the Information, Communication and Technology to present day standards. The Police Service undertook this and continues to roll-out of state-of-the-art technology in the fields of communication and information processing

The Police Operational Development Faculty is aggressively pursuing an Information Communication Technology Training Plan at the Police College. The Information Communication Technology Training Unit, which is accredited by the Institute of Information Technology, offers 40 separate IT courses to officers and support staff and that has resulted in over 800 individual courses being delivered to 3500 people in calendar year 2006.

There are a number of training programmes for specific IT roll-outs, including the NICHE custody, SAPs personnel system, EDRMS Electronic Data Records Management System and a number of other inter-linked systems. The vast majority of the specialised courses are provided by external companies having recognised expertise in these specialised training areas.

Remaining Issue

(see also Recommendation 93)

The PSNI Information and Communication Services (ICS) Strategy Implementation Plan has been modified subsequent to HMIC programme review and the Police Information Technology Organisation (PITO) validation process. Training will play a critical role in ensuring that the current and future technology capacity of the Police Service is optimised. In view of the high cost of these projects and the risk of developing skill deficits through lack of training, the Policing Board will need to maintain its oversight of this training area.

Recommendation I45: Joint Training with Civilian Analysts

Patten Recommendation:

I45. Opportunities should be taken for joint training with civilian analysts, and members of other police services.

Lead Responsibility: Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

The programme for joint training with civilian analysts and police personnel is well established in two areas in particular, serious crime and crime reduction. Joint training with the Jill Dando Institute of Crime Science in London was also undertaken. In addition, analysts have trained with other police services in the United States and Canada. A Memorandum of Understanding exists between the Scottish Police Crime Patterns Analysis and Serious Crime Investigators that covers shared training.

Recommendation I46: Neighbourhood Policing Training Programme

Patten Recommendation:

I46. The Northern Ireland police should draw on the success of neighbourhood policing in such places as the Markets area of Belfast in developing a neighbourhood policing training programme for all members of the police service. Standard training for neighbourhood officers should include modules on such community problems as domestic violence, child abuse, rape, drugs and youth issues and this training should be updated as necessary.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.



History

The Independent Commission recommended that policing with the community become the core function of the Police Service and every police station. The implications are far reaching and cover the structure of the Police Service, management, training, culture, and recruitment. The Police Service must have the evaluation information to enable the re-definition of training priorities so that the desired results and outcomes are achieved. The emphasis must not only be on the methodology but also on the impact or end results of the training exercise.

The Police Service, under the Operational Development Programme, delivers the Beat Officer Course that was purpose-designed for Sergeants and Constables assigned to Neighbourhood Policing Teams. This course was developed in part to encourage local decision making by front-line officers and to include the use of problem solving and partnerships as tools to assess root causes of criminal activities.

The Policing with the Community Strategy has been revised and a number changes have been introduced that have had an impact on the training programme. For instance, the number of Neighbourhood Officers trained over the last twelve months was only thirty six. The restructuring of the Police Service to eight DCUs and the introduction of PCSO's will have an impact on the utilisation of Neighbourhood Officers. A training needs' analysis will be required to reassess the training programme. This is an area that needs close monitoring by the Policing Board to ensure that progress reached to date in support of the core function of Policing with the Community is sustained.

Recommendation 147: Publication of Training Curricula

Patten Recommendation:

147. The training curricula for the police service should be publicly available, and easily accessible, e.g. on the Internet.

Lead Responsibility: Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Police Service has assessed all course standards and in 2003-2004 developed an effective, all-inclusive prospectus describing the programmes and courses being offered to both police and civilian staff. While the course prospectus and training curriculum are available to the public in hard copy and available on the PSNI Intranet, they are not yet available to the public on the Police Service's website. This is expected to come on-line later in 2007.

The electronic availability of the training prospectus/directory could be used as an example of the Police Service's increasing commitment to external scrutiny and the organisational openness and transparency requirements envisioned by the Independent Commission. The Policing Board may want to flag this to ensure it is accomplished (see also Recommendation 38).

Recommendation I48: Public Attendance at Police Training Sessions

Patten Recommendation:

I48. Some training sessions should be open to members of the public to attend, upon application, priority being given to members of the Policing Board or District Policing Partnership Boards, Lay Visitors, or other bodies, statutory or non-governmental, involved in working with the police.

Lead Responsibility: Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Independent Commission's intent was to ensure that the Northern Ireland public, and in particular the Policing Board and DPPs could have access to some of the Police Service's training. This would respond not only to the need for transparency, but it would also facilitate learning exchanges between the police and the public.

A Police Service policy is in place that applies to all Police Service training establishments as well as other establishments carrying out training on behalf of the Police Service. The policy document coincides with the Terms of Reference for Public Observation of Training Education and Development within the PSNI. Both these documents were developed subsequent to reviews conducted by the Police Learning Advisory Council. Requests to observe any session are made through the Head of Training and priority for applications to observe training is allotted to:

- Members of the Policing Board;
- Members of a District Policing Partnership Board;
- Custody Visitors;
- Members of statutory bodies involved in working with the police;
- Members of non-statutory bodies involved in working with the police;
- Other members of the public involved with working with the police; and,
- Other applications from interested parties are considered on their merits.

The Police Service has provided an impressive list of close to 200 individuals who have observed training during the 2006 training year alone. The Police College has introduced a number of initiatives that allow for a new era of openness and transparency including public observation of courses, shared resources and Memorandum of Agreements with outside learning institutions, material and exchange programmes, and learning open-house days.



Public interest in visiting the Police College to observe training complements the Independent Commission's intent to encourage access to the training enterprise and consequently to build on the growing openness and transparency characteristics of the new Police Service.

Recommendation 149: Pilot Citizen's Course

Patten Recommendation:

149. The new police college should offer a pilot citizens course, to assess demand in Northern Ireland.

Lead Responsibility: Chief Constable

Recommendation Status

Full compliance with this recommendation has not been achieved. (Limited progress)

History

The Independent Commission recommended that the Police Service should introduce a Citizen Course similar to that which is a current practice in a number of overseas jurisdictions. It was the Independent Commission's intent to support increased transparency and further demystify policing for the citizens of Northern Ireland. The courses were to include the context of the environmental setting, as well as the judicial framework, including the constraints that exercise control on policing in the 21st century.

The Police College studied several citizens courses offered in England, Bosnia and the USA and it has settled on a course that aims to familiarise the public with police procedures, and define the legal environment which the Police Service operates. The intent is to explore the time and resource constraints that affect police response, to demonstrate how community-police partnerships can work most effectively, and how citizens can be actively involved in localised policing and problem solving.

The proposal is to build on the overlying theme of partnerships and problem-solving during a 12 week period with three weekly sessions. The course will be run at the Garnerville Police College. They expect to partner with Colleges of Further Education via consultation with ANIC; 50% police input and 50% partner input is anticipated and consideration will be given to running courses at local colleges. Accreditation will be obtained through a number of options such as University, Open College Network (OCN), National Vocational Qualifications (NVQ) and Award Scheme Development Accreditation Network. Following approval from the Training Strategy Steering Group, implementation is expected no later than September of 2007.

The Policing Board should monitor this to ensure it happens. With an improved political climate, this would be an excellent programme to enhance openness of the police training regime.

▶▶ **culture, ethos and symbols**



A. Chapter Summary

Background

The Independent Commission defined the culture and ethos of an organisation as the way in which it sees itself, the way in which it manages itself internally, and the way in which it sees and interacts with its clients and others outside the organisation. Culture and ethos are hard to measure and judgements about culture and ethos are inevitably subjective. The tone of the recommendations endeavoured to respect the pride in professionalism of the force as it then existed and the way in which the police faced up to the security challenges of the 30 years previously, while reorienting policing towards a human rights based approach where service is delivered in a more flexible and accessible manner, subject to accountability mechanisms, both local and central. A high degree of transparency of operation was envisioned.

Progress and accomplishments

The change of name to the Police Service of Northern Ireland (PSNI) was made effective on 4 November 2001. Following a brief transition period, changes were reflected in all identifying marks of the Police Service including correspondence, police vehicles and property. The new badge and symbols were approved by the Policing Board on 5 April 2002 by authority of the Police Emblems and Flags Regulations (N.I.) 2002. The Union flag is no longer displayed on police buildings, except for the unique circumstance of a visit of the British Head of State, and then only for the duration of that visit.

The Independent Commission proposed that the traditional colour of the police uniform should be retained, but a new, more practical style of uniform should be provided to police officers. A Police Service design for a new, more practical style of uniform was endorsed by the Policing Board and conversion was accomplished in a single day, 5 April 2002. The uniform features identifying numbers for officers as required by Section 55 of the Police Act (N.I.) 2000. A style guide governs the proper wearing of uniform. In succeeding years, several features of the uniform were modified and the design improved.

The Independent Commission recommended that police memorials in police buildings should remain as they were and where they were. This recommendation is respectfully observed throughout Police Service buildings. They also recommended that the maintenance of a neutral working environment should become the responsibility of all levels of management, and a General Order issued 3 April 2003 formally mandated this objective. Maintenance remains a command and supervisory responsibility throughout the Police Service and the Code of Ethics holds all officers responsible for complying with orders.

Remaining Areas of Concerns

There are no immediate concerns. The Independent Commission recommendations applying to culture, ethos and symbols were satisfied by June of 2005. The organisational culture of the Police Service of Northern Ireland is well established and the goals of the Independent Commission in this respect have been accomplished.

Future Issues and Directions

1. Organisational culture consists of those shared assumptions which have an active shaping influence upon ideas, attitudes and experiences connoting a whole way of life of a social group. Culture and ethos are constantly evolving, influenced by experiences both positive and negative. The process of cultural change is measured in months and years and is not necessarily affected by events that have a brief period of prominence or popularity. The Police Service has demonstrated a commitment to embedding human rights into the core of operations, as described in the chapter on Human Rights. The Chief Constables' management team and a committed cadre of DCU commanders, supervisors and front line officers have displayed enthusiasm and innovation in efforts to ensure that policing with the community should be the core function of the police service.
2. The continuing process of cultural change and adaptation will require the resolute and unremitting support of police leadership at all levels and the constant vigilance of the Policing Board, before it may be well and truly recognised that the full intent of the recommendations of the Independent Commission have been inculcated. One issue negatively impacting the positive changes, but outside the control of either the Police Service or the Policing Board, is the impact of allegations of collusion by the security forces, including the RUC, during the period know as The Troubles. While there is no immediate solution for these societal issues, the failure to see the Police Service and the increasing numbers of officers engaged since 2001 as a new organisation has a deleterious affect on establishing a new culture and ethos.

B. Recommendation Summary

Recommendation 150: Name of the Police Service

Patten Recommendation:

150. While the Royal Ulster Constabulary should not be disbanded, it should henceforth be named the Northern Ireland Police Service.

Lead Responsibility: NIO

Recommendation Status

Compliance with this recommendation has been achieved.

History

The change of name to the Police Service of Northern Ireland became effective on 4 November 2001. Following a brief transition period, changes were reflected in all identifying marks of the Police Service including correspondence, police vehicles and property.



Recommendation I51: New Police Badge

Patten Recommendation:

I51. The Northern Ireland Police Service should adopt a new badge and symbols which are entirely free from any association with either the British or Irish States.

Lead Responsibility: NIO/Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

The new badge and symbols were approved by the Policing Board and the changes made official on 5 April 2002, by authority of the Police Emblems and Flags Regulations (NI) 2002. In reaching its decision, the Policing Board described its choice as reflecting the notion of inclusiveness and parity through the simple stylistic representation of a variety of symbols of diversity, hope, and the desire to mutually respect and protect differences through policing. Symbols represented in the crest in equal prominence include scales of justice, a harp, a torch, an olive branch, a shamrock and a crown. The centre-piece houses the Cross of Saint Patrick which places all six symbols in the context of Northern Ireland. The sunburst surrounding the roundel represents a new beginning or new dawn for the new Police Service. The rendering of these symbols in a neutral format of things that both unite and divide reflects an inclusive society where all values, common interests and differences are recognised, celebrated and protected.

Recommendation I52: Flying the Union Flag

Patten Recommendation:

I52. The Union flag should no longer be flown from police buildings.

Lead Responsibility: NIO/Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

The official flag of the Police Service of Northern Ireland was adopted on 5 April 2002 by authority of the Police Emblems and Flags Regulations (NI) 2002. The Union Flag is displayed on a police building only during a visit by the UK head of state, for the duration of the visit.

Recommendation I53: Flying of PSNI Flag

Patten Recommendation:

I53. On those occasions on which it is appropriate to fly a flag on police buildings, the flag shown should be that of the Northern Ireland Police Service and it, too, should be free from associations with the British or Irish States.

Lead Responsibility: NIO/Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

General Order 25/2002 containing the flag, crest, and uniform code amendments placed the Police Service in compliance with this recommendation, with appropriate design components embedded in the design of the police crest and flag.

Recommendation 154: Police Uniform

Patten Recommendation:

I54. The colour of the current police uniform should be retained, but a new, more practical style of uniform should be provided to police officers.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

A Police Service design for a new, more practical style of uniform was endorsed by the Policing Board and the conversion accomplished in a single day, 5 April 2002. The uniform features identifying numbers for officers as required by section 55 of the Police (Northern Ireland) Act 2000. A style guide governs the proper wearing of the police uniform.

Recommendation 155: Police Memorials

Patten Recommendation:

I55. Police memorials in police buildings should remain as they are and where they are.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Compliance with this recommendation has been achieved.

History

This recommendation is respectfully observed throughout Police Service establishments.

Recommendation 156: Neutral Working Environment

Patten Recommendation:

I56. The maintenance of a neutral working environment should become an assessed management responsibility at all levels of management.

Lead Responsibility: Chief Constable



Recommendation Status

Compliance with this recommendation has been achieved.

History

General Order 7/2003, Neutral Working Environment, was issued on 3 April 2003. This Order formally mandates the maintenance of a neutral working environment.

A comprehensive site inspection of the police estate was conducted in 2002. A follow up audit of 11 DCUs by the Change Management Team, during the first quarter of 2003, found police premises to be compliant, with two minor exceptions; these were immediately corrected. Maintaining a neutral work environment is a command and supervisory responsibility throughout the Police Service. The Code of Ethics holds all officers responsible for complying with orders.

▶▶ **cooperation with other police services**



A. Chapter Summary

Background

The Independent Commission was asked to make proposals concerning the scope for structured cooperation with An Garda Síochána and other police forces. The Independent Commission's discussion in this area recognised the excellent operational cooperation between the (then) Royal Ulster Constabulary and other police agencies around the world. However, it noted that cooperation could be improved. The Independent Commission also noted that the globalisation of crime required police services around the world to collaborate with each other more effectively, and that the exchanges of best practices and other cooperative measures between police services would ultimately increase the effectiveness of domestic policing.

This imperative has not changed from the 1999 analysis of the Independent Commission, indeed global policing cooperation and networks are more prevalent today since the increased threat of global crime and terrorism. The need for structured cooperation is therefore greater today than in 1999.

Progress and Accomplishments

There continues to be good international policing cooperation by the Police Service, focused both on a north/south basis between the Garda Síochána and the Police Service of Northern Ireland, and between the Police Service and other UK and police services internationally. An inter-governmental agreement was signed by the British and Irish governments in April of 2002, allowing formal cooperation. Primary legislation followed, in Northern Ireland in 2003 and in the Republic of Ireland in 2004, allowing protocols of operation and personnel exchanges between the two police services. Although there have not been long term specialist personnel exchanges, short-term exchanges in the training area do regularly occur. Some shorter-term exchanges have also occurred in specialised areas. Annual conferences followed the formal agreements and have now evolved into structured topic meetings (e.g. organised crime). One border area joint disaster planning exercise was conducted, and this has been followed by a November of 2006 table top exercise concerning a border area train derailment.

Remaining Areas of Concern

The recommendations of the Independent Commission surrounding this chapter are not so much an area of direct concern, as they are a reminder. In 1999 the Independent Commission recognised that the (then) Royal Ulster Constabulary was well known and respected internationally for its skills and experience in the security and public order domains. The Independent Commission felt however that they would need to do more as a new Police Service that would be increasingly focused on policing with the community efforts and dealing with 'ordinary crime'. The Police Service has accomplished a great deal with enhanced north/south partnerships and agreements and protocols in both training and operations. They have established and sustained training links with the UK, the Republic of Ireland and other countries. More can be done on exchanges and secondments, for the simple strategic reason that the next generation of police officers requires development and experience in the increasingly global policing networks.

Future Issues and Directions

Following from the preceding comments, Northern Ireland will not be immune from the increasingly sophisticated international organised crime, nor international terrorist activities, and having a cadre of police officers and civilian staff familiar with working and cooperating in an international venue will be important. The Policing Board should ensure such a culture is nurtured and supported.

B. Recommendation Summary

Recommendations 157: Written Protocols with Garda Siochana (Cooperation)

Patten Recommendation:

157. The Northern Ireland police and the Garda Siochana should have written protocols covering key aspects of cooperation.

Lead Responsibility: British and Irish Governments/Chief Constable/Garda Commissioner

Recommendation Status

Compliance with this recommendation has been achieved.

History

An inter-governmental agreement was signed by the British and Irish governments in April of 2002. This generated a need for primary legislation in each jurisdiction. Primary legislation was in place for Northern Ireland in May of 2003 and in the Republic of Ireland by September of 2004. Various protocols of operation and personnel exchanges between the two police services now exist. Actual police officer exchanges are now occurring for short-term opportunities.

Recommendations 158: Annual PSNI/Garda Siochana Conference

Patten Recommendation:

158. The present pattern of meetings between the police services in Northern Ireland and the Republic should be enhanced by an annual conference, designed to drive forward cooperation in areas of common concern.

Lead Responsibility: British and Irish Governments/Chief Constable/Garda Commissioner

Recommendation Status

Compliance with this recommendation has been achieved.

History

This is now a regularised event which has evolved in format, moving from an annual conference to planned themed meetings. The first conference was held at the Garda training college in Templemore in April of 2002, and the second in Templepatrick. The conferences were an effective medium for exchanges of information and the identification of common policing strategies. The



format now deals with high-level operational meetings focusing on topics like organised crime, roads policing, training and human resources. The last meeting was in May of 2006.

Recommendation 159: Programme of Long Term Specialist Personnel Exchanges

Patten Recommendation:

159. There should be a programme of long-term personnel exchanges, such as fixed-term secondments, between the Northern Ireland police and the Garda, in specialist fields where cooperation between the two services is most needed, such as drugs, and in areas such as training.

Lead Responsibility: British and Irish Governments/Chief Constable/Garda Commissioner

Recommendation Status

Full compliance with this recommendation has not yet been achieved. (Moderate progress)

History

The Independent Commission's recommendation envisioned specialist police officers exchanging experiences and knowledge through personnel exchanges of longer duration. Particular areas of focus might include organised crime, drug enforcement and training. This was intended to enhance north-south cooperation, develop police personnel and assist in the exchange of information in key operational areas. Legal authorities are now in place to facilitate the envisaged exchanges. The secondment regulations were made in March of 2004, and a consultant began work on determining pension implications in November of 2004. The Chief Constable and the Garda Commissioner subsequently signed an agreement protocol in February of 2005.

Remaining Issues

The first personnel posting by the Garda commenced on 10 October 2005 for a two month period. This represented a good first step and two further Garda postings were scheduled to start in March. The Police Service report three officers on exchange, with another 18 identified for future exchanges. It is noteworthy that the functional relationships in speciality areas such as drug enforcement, organised crime, training and others, are working extremely well and achieving positive results (see also Recommendation 168).

Recommendation 160: Exchange of PSNI/Garda Liaison Officers

Patten Recommendation:

160. Consideration should be given to posting liaison officers from each service to the central headquarters and/or border area headquarters of the other.

Lead Responsibility: British and Irish Governments/Chief Constable/Garda Commissioner

Recommendation Status

Full compliance with this recommendation has not yet been achieved. (Moderate progress)

History

The Independent Commission envisaged liaison officers from each police service working at each police headquarters and in border areas. Liaison officers were not intended to substitute for other direct links and contacts, but would facilitate the development of functional relationships at management levels, as well as represent an important symbolic presence in their respective headquarters. This recommendation is closely linked to Recommendation 159 above.

Remaining Issues

The exchange of liaison officers has not yet occurred and it is the view of the police agencies that it is not needed at this time because of the excellent relationships. While there are no specific concerns, since cooperation at leadership levels and in operations remain strong, the long-term practical and developmental benefits of implementing this recommendation should not be overlooked. The Policing Board should continue to monitor this recommendation which remains valid.

Recommendation 161: Structured PSNI/Garda Cooperation in Training

Patten Recommendation:

161. There should be structured cooperation between the two police services in training.

Lead Responsibility: British and Irish Governments/Chief Constable/Garda Commissioner

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Independent Commission noted that joint training opportunities would be valuable in building up a framework of cooperation between the Police Service of Northern Ireland and the Garda Síochána. It saw the development of working relationships, particularly in operations, the sharing of expertise and possible economies of scale in training as worthwhile objectives. In November of 2004 the Chief Constable and the Garda Commissioner announced a joint training effort in diversity training, which represents one good example of progress. In June of 2005, the Police Service and Garda also signed training Memoranda of Understanding (see Recommendation 168). As well, structured exchanges of training officers continue to occur.

Recommendation 162: Joint PSNI/Garda Disaster Planning

Patten Recommendation:

162. There should be joint disaster planning between the Northern Ireland police and the Garda Síochána and the plans should be tested by regular joint exercises.

Lead Responsibility: British and Irish Governments/Chief Constable/Garda Commissioner

Recommendation Status

Compliance with this recommendation has been achieved.



History

A joint disaster planning exercise was held at the Garda training college in Templemore in March of 2002, with prepared guidelines and a table-top exercise held in November of 2002. A live disaster planning exercise was held in a border area, involving police and emergency services from both sides of the border, in May of 2003. A further table-top exercise took place in November of 2006. This was a multiple-partner, cross-border exercise involving a train derailment. The agencies are working on a joint disaster planning protocol and subsequent joint site emergency plan.

Recommendation I63: Exchange of Officers During Major Cross-Border Incidents

Patten Recommendation:

I63. Consideration should be given to establishing a provision for an immediate exchange of officers and pooling of investigative teams after major incidents with a substantial cross-border dimension, akin to the arrangements which exist between Kent and police services of France and Belgium.

Lead Responsibility: British and Irish Governments/Chief Constable/Garda Commissioner

Recommendation Status

Compliance with this recommendation has been achieved.

History

Since 2001 there have been numerous examples of Garda Síochána and the Police Service cooperating and pooling resources for major cross-border operations. These include organised crime, assets forfeiture, murder, robberies, drugs and cross-border smuggling. Although there is no single structured agreement, there is no concern with cross-border investigation of major incidents.

Recommendation I64: PSNI/Garda Radio/IT Links

Patten Recommendation:

I64. Every effort should be made to ensure that fast, effective and reliable communications are established between the Garda and the Northern Ireland police both through improved radio links and through compatible IT systems.

Lead Responsibility: British and Irish Governments/Chief Constable/Garda Commissioner

Recommendation Status

Compliance with this recommendation has been achieved.

History

While inter-operability of radio systems north/south is still an issue, a modern telephone infrastructure reduces pressure on this recommendation. The Police Service has significantly upgraded their radio capacity and the Garda Síochána are working on theirs (see also Recommendation 93).

Recommendation I65: Joint Database Development with Garda Síochána

Patten Recommendation:

I65. Joint database development should be pursued as a matter of priority in all the main areas of cross-border criminality, such as drugs, smuggling, vehicle theft and terrorism.

Lead Responsibility: British and Irish Governments/Chief Constable/Garda Commissioner

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Independent Commission recommended a common PSNI/Garda data base to cover areas such as drugs, fuel and other smuggling, vehicle theft and terrorism. However, in the interim this recommendation has been largely overtaken by a wider EU initiative, the Schengen agreement interface now in development. This will place all EU law enforcement agencies on a shared data and communication base. The Police Service and Garda both participate in this initiative, with developmental work ongoing. There have not been any reported problems with respect to the routine exchanges of operational information.

Recommendation I66: Personnel Exchanges with GB Police Services

Patten Recommendation:

I66. A determined effort should be made to develop exchanges, and long-term secondments, between the Northern Ireland police and police services in Great Britain.

Lead Responsibility: Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved.

History

The Police Service continues to exchange police officers with other GB policing services. As previously noted, there have been a greater number posted out than received. There are currently 22 police officers on various exchanges. The Police Service should not overlook civilian employee secondments as well. The objective of seconding police officers out to acquire different policing experiences remains an excellent objective for future development within the Police Service, and is something that the Policing Board will want to monitor and encourage.

Recommendation I67: Training Exchanges/Joint Training Between PSNI/Great Britain

Patten Recommendation:

I67. There should be training exchanges and some joint training between the Northern Ireland police and police services in Great Britain.

Lead Responsibility: Chief Constable



Recommendation Status

Full compliance with this recommendation has not yet been achieved. (Moderate progress).

History

The Independent Commission noted the wider organisational benefits of training exchanges and some joint training between the Northern Ireland Police and Police Services in Great Britain. They noted that it was senior officers who were most likely to benefit from outside training and exchange opportunities.

Remaining Issues

Ties between the Police Service and the Police Services in Great Britain have always been strong for historical and operationally practical reasons. The Independent Commission package of training recommendations was designed to expand training exchanges and training beyond Great Britain and the Police Service is increasingly successful in doing this.

As with Recommendation 166, the Policing Board should keep oversight of the training exchanges to ensure that officers are provided development opportunities that will benefit the Police Service in the future.

Recommendation 168: Links with Training Establishments in British Isles

Patten Recommendation:

168. Consideration should be given to structured links between the four principal police training establishments in the British Isles, namely Bramshill (England), Templemore (Republic of Ireland), Tulliallan (Scotland), and Garnerville or the proposed new police college in Northern Ireland.

Lead Responsibility: Chief Constable/NIO/Other Government Departments

Recommendation Status

Full compliance with this recommendation has not yet been achieved (substantial progress).

History

Agreements have been approved for joint training between the Police Service and the principal training establishments in the British Isles (Bramshill, Templemore, and Tulliallan). The agreement with the Garda Síochána, signed 3 June 2005, calls for the sharing of curriculum materials, joint training, especially in leadership, awards to top students, and exchange of trainers. A similar MOU was signed with the Scottish police college later in the year. The Police Service has also approved memoranda of understanding for joint training with the Ontario Police College and the New Jersey Police College.

The cooperative training with Templemore involves meetings between the heads of Foundation and Inspectors Programmes, limited student exchanges for three days at a time twice a year, and Foundation trainers' exchanges for one week at a time. In 2006 there were four exchanges with the Ontario Police College and five with the New Jersey Police College. No exchanges have been made so far with Tulliallan.

The Police Service and the Garda have developed a joint training programme in diversity, including how to overcome stereotypes and addressing the divided nature of Irish society. This venture is funded by money from the European Union's Peace One initiative. Following pilot testing in late 2005, the training is being given to 600 police officers from the Garda and the Police Service respectively who are serving in border counties. The training takes on one day and is given to batches of twenty officers by one trained non-police instructor supported by a police facilitator from each service.

Remaining Issues

These are no specific issues, other than leaving oversight of this recommendation to the Policing Board. It will remain important for the Board to monitor and ensure continuing progress.

Recommendation 169: International Training Exchanges

Patten Recommendation:

169. International training exchanges should be further developed, focusing in particular on matters where the police in Northern Ireland need overseas police cooperation and on best practice developments in policing worldwide. There should be cooperation with other police services in the field of research.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Full compliance with this recommendation has not yet been achieved (substantial progress).

History

In addition to exchanges with major police colleges in the UK, the Police Service sends officers for training with the U.S. Federal Bureau of Investigation and the Royal Canadian Mounted Police. Similarly, people from a variety of UK and foreign forces attend specialised courses at Garnerville.

In addition, staff from the Crime Analysis Centre have consulted and provided training over the last four years in Australia, Canada, Estonia, New Zealand, and the United States. Furthermore, a "Best Practice" data base has been created that is available to Police Service personnel on its internal network. The site provides links to the Home Office, the Police Executive Research Forum (Washington, DC), and the problem-solving data base of its own Community Safety Branch.

Remaining Issues

This area shows continual progress. It remains open only so that the Policing Board continues to monitor and encourage of progress.



Recommendation 170: Training Other Police Officers

Patten Recommendation:

170. The police should develop opportunities to provide more training for overseas police services in their areas of excellence.

Lead Responsibility: Chief Constable/Policing Board

Recommendation Status

Full compliance with this recommendation has not yet been achieved (substantial progress).

History

Due to the peace process and the growing reputation of the Police Service for democratic and accountable policing, the number of police coming to the Northern Ireland for training has increased. For example, the Police Service has recently provided training in operational subjects to police from 33 police forces, mostly from England and Scotland, but some from as far away as Australia, Canada, and the United States. The most ambitious programme occurred in 2005 when a delegation of police from Shanghai, China, spent two weeks at Garnerville. Delegations have also visited the Police Service from Bulgaria, Georgia, and Iraq.

Remaining Issues

As with Recommendations 168 and 169, it will be important for the Policing Board to monitor and encourage progress.

Recommendation 171: UN Peacekeeping Participation

Patten Recommendation:

171. The Northern Ireland police should be ready to participate in future United Nations peacekeeping operations.

Lead Responsibility: NIO/FCO/Policing Board/Chief Constable

Recommendation Status

Compliance with this recommendation has been achieved

History

As a matter of operational policy the Police Service has decided to scale back its participation in international missions. This was done with the concurrence of the Policing Board in order to concentrate resources on local law-enforcement needs. In November of 2002 the Police Service had 64 police officers serving with international missions in Bosnia, East Timor, and Kosovo. By April of 2007 the number of officers participating in international missions had fallen to two - one in Afghanistan and another in Abu Dhabi.

Although the Police Service has reduced its participation in UN missions during the last five years, it has the capacity to deploy people abroad who have special skills or have served in overseas missions. It has done so selectively. For example, it sent eleven experts in body identification and

recovery to Southeast Asia after the tsunami in December of 2004. We conclude, therefore, that they have met the criterion of the Independent Commission that it be "ready to participate" in UN missions. It is important for the Police Service and the Policing Board to maintain a strategic view of the benefits to be achieved from international experience.

▶▶ oversight commissioner



A. Chapter Summary

Background

It was the belief of the Independent Commission that an Independent and eminent person, from outside the United Kingdom or Ireland, should be selected to oversee the implementation of its recommendations. The governments agreed and Mr. Tom Constantine was selected, accepted and was duly appointed in May of 2000 for an initial 3-year term. Mr. Constantine was the former head of the United States Drug Enforcement Administration (DEA), and previously the head of the New York State Police. Statutory backing for the Oversight Commissioner is found in Sections 67 and 68, and in Schedule 4, of the Police (Northern Ireland) Act 2000. Mr. Constantine retired on 31 December 2003 and was replaced by his Chief of Staff Mr Al Hutchinson, a retired Assistant Commissioner of the Royal Canadian Mounted Police. The Oversight Commissioner's mandate was extended until 31 May 2007, at which time the role ceases with the end of the legislative mandate.

Areas of Concern

There have been no concerns. The government has supported the role from the beginning with appropriate resources and respect for independence.

Future Issues and Directions

It is appropriate that the majority of the remaining unfulfilled recommendations, and some of the completed recommendations, fall within the oversight remit of the Policing Board as part of their governance role.

B. Recommendation Summary

Recommendations 172, 173, 174 and 175: Oversight Commissioner

Patten Recommendations:

172. An eminent person, from a country other than the United Kingdom or Ireland, should be appointed as soon as possible as an oversight commissioner with responsibility for supervising the implementation of our recommendations.
173. The government, the police service, and the Policing Board (and DPPs) should provide the oversight commissioner with objectives (with timetables) covering their own responsibilities, and should report on the progress achieved at the periodic review meetings, and account for any failures to achieve objectives.
174. The oversight commissioner should in turn report publicly after each review meeting on the progress achieved, together with his or her observations on the extent to which any failures or delays are the responsibility of the policing institutions themselves or due to matters beyond their control.
175. The oversight commissioner should be appointed for a term of five years.

Lead Responsibility: Oversight Commissioner

Recommendation Status

Compliance with these recommendations has been achieved

History

Reports and documents were provided as requested by the different agencies in response to the Oversight Commissioner's requests. These were evaluated and supplemented during three annual field visits by the Oversight Evaluation Team, a process that was reduced to twice-annual visits as recommendations were completed.¹ Early in 2003 the Oversight Commissioner's mandate was extended by Government until May of 2005. This was subsequently extended until its conclusion on 31 May 2007.

¹ See Appendix for a complete description of the Methodology and Process of Evaluation.

▶▶ **future challenges**



This final chapter focuses on a strategic overview of the future issues that will face policing in Northern Ireland. While this is beyond my usual exclusive focus on the Independent Commission recommendations of 1999, it does follow on from that time and reflects collective international experience and observations of contemporary policing, and more specifically the Northern Ireland experiences with policing. I hope that these observations will benefit the Policing Board and the Police Service, as well as providing the broader public – the consumers of policing - a glimpse of the future challenges facing policing in Northern Ireland. This provides, in a sense, a reality check against undue expectations.

Community Engagement

In 1999 the Independent Commission correctly identified that community engagement was a key part of providing the kind of policing service that the people of Northern Ireland wanted and deserved. The recommendations relating to District Policing Partnerships, Policing with the Community, and the wide public support and engagement expected from the Composition, Recruitment and Training recommendations, all reinforced the notion that engagement with the community was critical to the success of policing.

Importantly, it also recognised the reciprocal responsibility of communities to engage with the police so that they, within a rule of law, participated in their own policing. It is only recently that Sinn Fein has engaged with the democratic policing process, and I hold great hope that this will ultimately result in increased engagement with policing. In the years prior to this report, the Police Service of Northern Ireland (PSNI) increasingly reached out to the communities that would engage and demonstrated in those areas that they would listen to community concerns. It is also to the credit of the Police Service that they have attempted to reach out to the diverse groups in Northern Ireland, including visible minorities, immigrant populations, and other hate targeted groups such as gays and lesbians.

The Policing Board during its first two terms has demonstrated great success in many areas, but particularly with its commitment to the importance of Policing with the Community. One of the great achievements was the concept of District Policing Partnerships and the Policing Board's implementation and continual improvements to the working of the concept. Despite personal threats against some of the Board and DPP members, these brave community representatives stood together to contribute to policing for the benefit of Northern Ireland's future. There is much more to accomplish, however it has been an impressive start.

I have two concerns relating to the future of community engagement with the police and by the police. My first concern is that the level of engagement will not meet expectations. While it is indeed welcome news that Sinn Fein has endorsed the democratic policing regime, with that comes an expectation that policing alone will solve community problems. The reality of capacity issues such as resource restraints, call and response management, crime and clearance rates, coupled with the time it takes to build trust relationships, all point to an 'expectation gap'. Normalised policing is quite simply a complex, difficult and expensive business that can never fully satisfy client demand. It will take a determined effort over several years, on the part of the Policing Board and Police Service, to improve policing efficiency and effectiveness to the extent that it will be able to cope with demand, and an equal amount of time to build trust relationships with all of the diverse groups, both in and arriving in Northern Ireland.

My second concern with regard to community engagement has two aspects and relates to optimising a finite community capacity to engage with policing. I have noted in this and previous reports the 'role confusion' caused by the plethora of groups representing different communities. The Police Service has reported contact and engagement with over 600 formal groups, which include District Policing Partnerships (DPPs), Community Safety Partnerships (CSPs), and Community Police Liaison Committees (CPLCs). With Sinn Fein now engaging at a Policing Board and local level, this will presumably increase the number of groups.

At one level, this significant engagement is extremely positive and certainly should be applauded. At another level, however, it becomes counter-productive if meaningful results and outcomes do not flow from the engagements. 'Talking shops' do not benefit anyone. The dilemma is that expectations that cannot be met are raised by the very process of the community engagement that policing needs to conduct. There are no simple solutions but the Government, in terms of formal structures for the DPP and CSPs, can take a lead in examining the best statutory structures for the future. The Policing Board for its part should examine this issue to determine the correct mix and balance for community engagement and continue its vital role in prioritising the demands through its Policing Plans, while educating the public on the art of the possible. The Police Service, for their part, needs to keep doing what they are successfully doing. At the same time, they must educate the public on the realities of policing and the realities of what is possible, while not losing their 'can do' attitude which has been so ably demonstrated to date.

The other related aspect is the future role of DPPs. The Independent Commission felt that DPPs were a critical element for representing local community involvement, and they provided a means of engaging local police and holding them to account. The Independent Commission recommended that the DPPs be established coterminous to local district councils and 25 DPPs were established in 2003 to match the police District Commands outside of Belfast with one DPP for Belfast and its four District Commands. I believe DPPs have been a great success, demonstrating increasing benefit as they grow into their roles.

The DPP contribution faces an immediate challenge as a result of the PSNI restructuring to accommodate the anticipated changes to Council boundaries, brought about as a result of the Review of Public Administration proposals. As of 1 April 2007, there are 8 police District Commands and 26 DPPs, meaning that each District Commander has to respond to multiple DPPs. The proposed implementation date for the RPA changes is 2009 and at this stage it is unknown if the seven District Council proposal will remain the wish of the new Northern Ireland Assembly. That is a matter for the political process. The future policing challenge though is twofold: an immediate transitional problem with the Police Service and the DPPs until 2009, and the uncertainty post-2009 whether DPPs will exist. My concern for the future is that the important principle of local community engagement, so carefully crafted by the Independent Commission, will be at risk. The Policing Board, in its governance role, will need to carefully reflect on these issues and provide the appropriate leadership and strategic vision for the right balance of community engagement, for all groups in Northern Ireland.



Sustainability and Capacity

The Independent Commission carefully wove a rich tapestry of 175 recommendations concerning the future of policing in Northern Ireland, which if achieved would make it one of the most efficient, effective and acceptable police services in the world. As this report indicates, there has been tremendous progress toward making that aspirational goal a reality. The question for the future is whether or not the change is sustainable? The ability of the Police Service of Northern Ireland to maintain its focus and growth must endure beyond the Independent Commission's recommendations and the current leadership; in other words the changes not only need to be nurtured, but they must be embedded and sustained.

The following are some examples of the sustainability challenges that require future capacity:

1. The issue with a human rights policing ethos now moves to measuring performance outcomes. This will determine whether or not the ethos is embedded, especially for the future of the cohort of approximately 2,500 police officers recruited and trained to date as a result of the Independent Commission's recommendations. The Policing Board has the capacity, through its Human Rights advisors, to monitor this and it will be important to maintain that capacity.
2. Policing with the Community is another key recommendation and one in which we note good progress. However we also note that it had reached a plateau.¹ It will be important that the Police Service focus capacity on sustaining this initiative, and that the Policing Board retain the capacity to effectively monitor outcomes.
3. The lack of progress in changing the estate, as envisioned by the Independent Commission has been a disappointment², and will now face major fiscal hurdles as a result of the lost opportunity. Nevertheless, it will be important to retain some financial capacity to sustain the changes to the 'bricks and mortar' face of policing and the Policing Board will need the resource capacity to push this agenda.
4. Information technology (IT) is another huge resource drain. Although the Independent Commission intent will not be met³, technology acquisition and training are huge drivers of policing change and the pressure for more acquisition will be relentless, with huge resourcing implications. As such, it will be important for the Policing Board to retain the capacity to govern and manage the strategic process.
5. Another resource intensive challenge relates to the training enterprise. The Independent Commission recognised the importance of training for the process of change, and sustainability of that change, through a number of training recommendations. The risk is that the future fiscal realities, discussed below, will create pressure for a reduction of training funds at a time when they are needed to maintain, develop and sustain the human resources required for policing the

¹ See Thematic Report 'Policing with the Community', Appendix A, Report 12, Oversight Commissioner, December 2004

² See Recommendation 53 of this report.

³ See Recommendation 93 of this report

future of Northern Ireland. The Policing Board will be equally challenged by these fiscal realities because it needs its own capacity to guide the critical training enterprise through the challenges ahead.

To ensure sustainability, all of these areas have one thing in common – the need for human and financial resources. The reality of the future is that the current level of resources is not sustainable and will not be available at levels that currently exist.⁴ This creates a future sustainability challenge for policing in Northern Ireland, including the Police Service, the Policing Board and the Ombudsman. This resource shortfall will not match the expectations of the residents of Northern Ireland. These expectations are no different for other public sectors such as health and education. This ‘expectation gap’ is as much an issue as the actual scarcity of resources. There is no clear or easy resolution to this dilemma but it will be important that the Policing Board have the governance capacity to deal with it through ensuring a more efficient and effective use of resources by the Police Service. At the same time, it must educate the public about the future resourcing challenges in an attempt to reduce the expectation gap.

A second but related aspect of the sustainability challenge relates to the development of skills and learning in those human resources employed in policing. Although not exclusively, this is especially true for the future of the present cohort of almost 2500 women and men engaged as a result of the recommendations flowing from the Independent Commission. They represent the sustainable future and next generation of policing leadership. As previously noted, a common experience in times of fiscal restraint is the reduction of training, learning and development, which is in the end self-defeating. It will be important that the Police Service and Policing Board retain the capacity to develop the current and next generation of police officers, so that there is a sustainable, well-trained and developed cadre for professional policing in the future.

A Choice: Policing the Past, or Policing the Future?

Policing practices of the past are clearly influencing perceptions of present-day policing in Northern Ireland. Some believe that the past security policing methods were appropriate and necessary for the times, bringing the stability enjoyed today; others believe that the methods and styles used, including allegations of collusion, are never appropriate and should be sanctioned. The truth is probably buried in the murky world of those overlapping perceptions. What is undeniable is that many people want many different and often conflicting things: truth, justice, retribution, an opaque wall shielding the past, or simply the end to the financial drain from reliving the past. What is clear to me is that it is an issue hindering the forward progress of policing.

I believe that there is a choice to be made for the future of policing in Northern Ireland, and it is a difficult one. The dilemma is this: Is there going to be a continual debilitating drip-feed of speculation, inquires and investigations into past police practice, or is the majority of the Northern Ireland society willing to move on, in some yet-to-be-defined manner, and regard the Police Service of Northern Ireland as a new organisation that has itself moved on and demonstrated that it has learned from the past? It is a serious question and deserves serious reflection.

⁴ See, for example, the HMIC report 20:20 Vision, A Value for Money Establishment Review of the Police Service of Northern Ireland Post 2010/11, www.nio.gov.uk



I have not previously publicly discussed this issue, simply because it is so emotive and almost defies rational discussion. Who can argue against a search for truth and justice after losing loved ones because of alleged security forces collusion? Who can argue against a search for truth and justice for the thousands of victims and their families, from many communities? As noted recently by the Police Service Superintendents Association, there should not be a hierarchy of victims. This includes the 302 police officers who lost their lives, and their surviving families. How can they be excluded from a search for truth and justice?

I am raising the issue of 'policing the past' from the singular perspective of policing the future of Northern Ireland. I do believe that the Northern Ireland society somehow has to find the proper architecture to deal with the past, and learn from it. The past is a place no longer inhabited, except with our imperfect memories. The future, for our children and grandchildren, should be the destination of choice. I do not have a magical solution or elixir, I wish I did. I do know that organisations such as the Historical Enquires Team and the Ombudsman's office are blunt instruments too narrowly focused to use in a search for truth and justice for societal challenges. While they are simply doing what is required by mandate and law, they raise expectations that cannot be met, and distract from the task of finding a societal resolution to the past.

Following the 8 May 2007 commencement of the Northern Ireland Assembly and the strong sense that Northern Ireland is now in a better place, many people rhetorically asked "What was it all about, then?" I want to avoid that being said of any failure of the policing change in Northern Ireland; therefore my plea is that Government, political and community leaders re-double efforts to establish the architecture and the mechanisms that can deal with these difficult, seemingly intractable issues of the past, from a more global vista. I do believe that all the pieces are in place to deliver the new beginning to policing in Northern Ireland, but that issues of the past have established a barrier in the road toward re-establishing the trust necessary for fully achieving that goal.

Accountability

The Independent Commission did a masterful job of discussing the concept of accountability, and recommending the structures and processes required to breathe life into the idea. I note in this report, as I have in previous reports, that the accountability mechanisms have been delivered and are broadly working as intended. I have high regard for the Policing Board, the District Policing Partnerships, the Ombudsman and her office, and their collective success with the external application of accountability to policing. Of equal importance is the internal accountability of the police leadership and the systems that they have put in place to ensure the integrity of police officers in their daily conduct of business. Of course things can and will go wrong. In that eventuality, the structures and processes of accountability are in place internally and externally to deal with the issues arising.

There are two issues that I see as the future challenges for policing accountability. The first deals with the role of the Ombudsman and is covered in part by my preceding discussion on policing the past. As long as the Ombudsman is engaged, as required by law, in expending so many resources on determining accountability for past policing issues, the office cannot properly focus

on the present and future. The resources are finite and the time, energy and money simply do not exist.

The second issue relates to the Policing Board and its ability and capacity to hold the police to account. To a lesser extent, this also applies to the 'local or grassroots' accountability exercised informally by the District Policing Partnerships. The Policing Board operates under legislated authority⁵ which essentially provides them with overlapping and to an extent conflicting responsibilities. The Board provides governance for the police which includes a positive 'nurturing role' (acquiring and distributing resources, promoting public trust in the police, supporting and rewarding) and a parental 'tough love' role, in other words accountability.

To date, the Policing Board has handled these dual roles appropriately and without difficulty. It will however face two future challenges. The first challenge is the issue of finite resources, as discussed previously under the sustainability and capacity heading. The Board is no different than the Police Service, the Ombudsman or other public bodies who will face decreasing resources. The future issue then becomes the capacity of the Policing Board to give effect to its accountability role. For example, it should have the ability to hire needed expertise as required, or indeed hold inquiries. The second challenge is more subtle but equally important; it relates to what academics variously call the 'capture theory'⁶, or the need to 'operate at a distance'⁷. The essence of these theories is that Policing Boards are over time 'captured' by the agencies they govern, becoming a mere extension of the police agency, and it then becomes increasingly difficult to hold the police to account. This is particularly so if you cannot independently assess performance because you become reliant on police-generated assessments. At the same time, the Police Service does need to self-generate information in a timely, open and transparent manner. It is simply a matter of good practice to communicate their success. The second part of this issue is that the Policing Board needs to 'operate at a distance' from the police agencies they govern and hold to account. It means having the independent resources to assess police performance and community needs – results versus outcomes. While not an immediate concern, it is my opinion that the Policing Board and DPPs need to be continually reminded and cognisant of this subtle trap, if they are going to make accountability a meaningful outcome.

Conclusion

I have highlighted four areas of future strategic importance to the stakeholders of the policing process in Northern Ireland. I consider these to be the driving challenges of the future policing arrangements in Northern Ireland. As is often the case in busy policing organisations, the future is a remote and distant place and it is difficult to contemplate in the face of daily challenges. I hope there will be due reflection and consideration of these issues by decision makers.

⁵ Police (Northern Ireland) Act 2000 and Police (Northern Ireland) Act 2003

⁶ Prenzler, T (2000) 'Civilian Oversight of Police', *The British Journal of Criminology*, Volume 40, Number 4, pp 659-674

⁷ Chan, Janet B.L. (1999) 'Governing police practice: Limits of the new accountability', *The British Journal of Sociology*, Volume 50 Issue 2, pp 251-270

▶▶ **appendix a**
recommendation progress tables



DEGREE OF PROGRESS	DEFINITIONS	EVALUATION STAGES
<p>Completed</p> <p>(Final results achieved)</p>	<p>Policies and directives that meet the intent of the Independent Commission Recommendation have been fully developed. The directives have been fully disseminated throughout the organisation. Field evaluations have determined that the directives are being adhered to as required. In the case of some of the completed recommendations, the appropriate Institution (PSNI, HMIC, Policing Board, Ombudsman) will in all probability audit compliance in the future.</p>	<p>All Stages Complete</p>
<p>Substantial Progress</p> <p>(Majority results achieved)</p>	<p>Policies or directives are developed, communicated and already into the implementation phases. Field visits and interviews demonstrate wide-spread understanding of changes spelled out in policies or directives. Analysis and evaluation confirm the effectiveness of policies or directives. Verification reveals preliminary adherence in a significant manner.</p>	<p>Evaluation & Verification</p>
<p>Moderate Progress</p> <p>(Some results achieved)</p>	<p>There has been significant progress on the development of policies or directives. The proposed policies generally meet the intent of the Independent Commission Recommendation. The policies and directives have reportedly been disseminated. Initial field evaluations demonstrate a limited level of knowledge, or required follow-up action.</p>	<p>Evaluation & Verification</p>
<p>Limited Progress</p> <p>(Results not achieved)</p>	<p>There has been some progress on the development of policies or directives. The proposed policy may partially meet the intent of the Independent Commission Recommendation, but is deficient in significant areas. Although the policies and directives have reportedly been disseminated, field evaluations reveal a lack of knowledge, or required follow-up accountability.</p>	<p>Administration & Evaluation</p>
<p>Minimal Progress</p> <p>(Results not achieved)</p>	<p>The development of the plans, policies or orders required to initiate the change process has not been completed. In some cases, the plans and policies have been developed but they do not fulfil the intent of the recommendation. There is little or no communication or dissemination of policies across the organisation and/or no obvious means or methods of implementing a policy or directive.</p>	<p>Administration</p>

Human Rights

Chapter & Recommendation	Implementation Status					
	Human Rights	Rec. Completed	Substantial Progress	Moderate Progress	Limited Progress	Minimal Progress
1. Human Rights Based Approach to Policing	✓					
2. New Police Oath	✓					
3. Code of Ethics	✓					
4. Human Rights Training		✓				
5. Appraisal of Human Rights Performance	✓					
6. Appointment of Lawyer with Human Rights Expertise	✓					
7. Monitoring Human Rights Performance	✓					



Accountability

Chapter & Recommendation	Implementation Status				
	Rec. Completed	Substantial Progress	Moderate Progress	Limited Progress	Minimal Progress
8. Creation of Policing Board	✓				
9. Policing Board to Hold Chief Constable Publicly to Account	✓				
10. Policing Board to Set Objectives and Priorities over a 3 to 5 Year Period	✓				
11. Policing Board to Adopt an Annual Policing Plan	✓				
12. Policing Board to negotiate Annual Policing Budget	✓				
13. Monitoring Police Performance	✓				
14. Policing Board Role in Police Appointments	✓				
15. Policing Board coordination with Other Agencies	✓				
16. Policing Board to have 19 Members, 10 of whom should be Assembly Members	✓				
17. The Nine Independent Members of the Board to be selected from a Range of Different Fields	✓				
18. Independent Members of the Board to be Appointed by Secretary of State, in Consultation with First and Deputy First Ministers	✓				
19. A Board Member to be Appointed by Secretary of State to be First Chairman of the Board	✓				
20. Devolution of Responsibility for Policing to Northern Ireland Executive				✓	
21. Powers of the Policing Board to Continue				✓	
22. Simplification of Roles in Tripartite Arrangement	✓				
23. Repeal of Power to Issue Guidance to the Police	✓				
24. Chief Constable deemed to have Operational Responsibility	✓				
25. Policing Board to have Power to Require Chief Constable to Report on any Issue	✓				
26. Policing Board to have Power to Initiate Inquiries	✓				
27. Creation of District Policing Partnerships (DPPs)	✓				
28. Arrangements for Belfast	✓				

Accountability

Chapter & Recommendation	Implementation Status				
	Rec. Completed	Substantial Progress	Moderate Progress	Limited Progress	Minimal Progress
29. Monthly meetings between DPPs and District Commanders	✓				
30. DPPs to submit an Annual Plan to District Councils	✓				
31. Administration Costs of DPPs	✓				
32. Expenditure by DPPs					✓
33. Consultative Forums at Local Level	✓				
34. Contacts Between Policing Board and DPPs	✓				
35. Meetings of the Policing Board	✓				
36. Meetings of the DPPs	✓				
37. Openness of the Police Service	✓				
38. Role of the Police Ombudsman	✓				
39. New Covert Policing Legislation Compliant with European Convention on Human Rights	✓				
40. Commissioner for Covert Law Enforcement	✓				
41. Complaints Tribunal for Cases Involving Covert Law Enforcement Operations	✓				
42. Strengthening of Financial Accountability	✓				
43. Designation of Chief Constable as Sub-Accounting Officer	✓				



Policing with the Community

Chapter & Recommendation	Implementation Status				
	Rec. Completed	Substantial Progress	Moderate Progress	Limited Progress	Minimal Progress
44. Community Policing as a Core Function		✓			
45. Dedicated Neighbourhood Policing Teams		✓			
46. Service in Neighbourhood Policing Teams	✓				
47. Police Probationary Training	✓				
48. Patrolling on Foot	✓				
49. Role of Neighbourhood Policing Teams		✓			
50. Crime and Complaint Pattern Analysis	✓				
51. Attendance at Police Training Courses	✓				

Policing in a Peaceful Society

Chapter & Recommendation	Implementation Status				
	Rec. Completed	Substantial Progress	Moderate Progress	Limited Progress	Minimal Progress
52. Appearance of New Police Stations	✓				
53. (a) Renovation of Police Station Reception Areas (b) Civilian Receptionists			✓	✓	
54. Devolved Authority of District Commanders	✓				
55. Replacement of Armoured Landrovers with Police Cars as Patrol Vehicles	✓				
56. Movement of Armoured Landrovers to Depots	✓				
57. "Police" to be Painted on the Side of all Landrovers	✓				
58. Army Support-Security Demands	✓				
59. Army Support-Public Order Demands	✓				
60. Emergency Legislation	✓				
61. Records on the Use of Emergency Powers	✓				
62. Holding Centres			✓		
63. Video Recording in PACE Custody Suites			✓		
64. Inspection of Custody and Interrogation Suites	✓				
65. Objective of an Unarmed Police Service	✓				



Public Order Policing

Chapter & Recommendation	Implementation Status				
	Rec. Completed	Substantial Progress	Moderate Progress	Limited Progress	Minimal Progress
66. Public Order Emergencies	✓				
67. Provision of Marshals by Organisers of Parades	✓				
68. Development of Marshal Training	✓				
69. Investment in Research into Alternatives to PBRs	✓				
70. Police to be Equipped with a Broader Range of Public Order Equipment	✓				
71. Use of PBRs	✓				
72. Police Officers' Identification Numbers	✓				
73. Monitoring of Police Performance in Public Order Situations by Policing Board and Police Ombudsman	✓				
74. Guidance Governing Deployment and Use of PBRs	✓				

Management & Personnel

Chapter & Recommendation	Implementation Status				
	Rec. Completed	Substantial Progress	Moderate Progress	Limited Progress	Minimal Progress
75. Police Management of Change	✓				
76. Devolved Authority of District Commanders		✓			
77. Police Appraisal System	✓				
78. Accountability of District Commanders	✓				
79. Automated Trend Identification for Complaints	✓				
80. Use of Trend Information	✓				
81. Random Checks on Officers' Behaviour	✓				
82. Ensuring High Ethical Standards	✓				
83. Tenure Policy on Police Postings	✓				
84. Officers Injured on Duty	✓				
85. Policy for Management of Long-Term Sickness Absence	✓				
86. Detailed Review of Sickness Absence	✓				
87. New Police Fund	✓				
88. Funding for Widows' Association	✓				
89. Replacement of Assistant Chief Constables	✓				
90. Rigorous Programme of Civilianisation				✓	
91. Review of Police Support Services	✓				
92. Comprehensive Audit of Police Estate	✓				



Information Technology

Chapter & Recommendation	Implementation Status				
	Rec. Completed	Substantial Progress	Moderate Progress	Limited Progress	Minimal Progress
93. Development of Police IT Strategy		✓			

Structure of the Police Service

Chapter & Recommendation	Implementation Status				
	Rec. Completed	Substantial Progress	Moderate Progress	Limited Progress	Minimal Progress
94. Creation New District Commands	✓				
95. Each District Command to be Headed by a Superintendent and Sufficiently Resourced	✓				
96. Removal of Divisional Layer of Management at HQ	✓				
97. Reorganisation of Police Headquarters			✓		
98. Amalgamation of Special Branch and Crime Branch	✓				
99. Reduction of Numbers Engaged in Security Work	✓				
100. Informing District Commanders about Security Operations	✓				
101. Amalgamation of Support Units of Special Branch	✓				
102. Police Postings in Security Work	✓				
103. Phasing Out of Full Time Reserve			✓		
104. Enlargement of Part Time Reserve			✓		



Size of the Police Service

Chapter & Recommendation	Implementation Status				
	Rec. Completed	Substantial Progress	Moderate Progress	Limited Progress	Minimal Progress
I05.Future Size of the Police Service	✓				
I06.Severance Arrangements for Officers aged 50 or above	✓				
I07.Severance Arrangements for Officers before the age of 50	✓				
I08.(a) Develop Measures for Police Officers Seeking other employment	✓				
(b) Civilians	✓				✓
(c) PRRT Should Have a Role	✓				
I09.Opportunities in GB Police Forces for Reservists		✓			
I10.Opportunities with UN for Reservists	✓				

Composition and Recruitment

Chapter & Recommendation	Implementation Status				
	Rec. Completed	Substantial Progress	Moderate Progress	Limited Progress	Minimal Progress
I11. Transfer of Police Civilian Staff				✓	
I12. Staff of Policing Board, NIO and Police Ombudsman		✓			
I13. Support from Community Leaders	✓				
I14. Gaelic Athletic Association	✓				
I15. Liaison with Schools			✓		
I16. Pilot Police Cadet Schemes					✓
I17. Contracting Out Recruitment of Police Officers and Civilians	✓				
I18. Recruitment Agency Advertising - in Under-represented Areas	✓				
I19. Recruitment Agency Advertising - UK and Republic of Ireland	✓				
I20. Police Officer and Civilian Candidates Required to Meet Specified Standard	✓				
I21. Equal Number of Protestants & RC in Pool	✓				
I22. Opportunities for P/T & Job Sharing	✓				
I23. Child Care Arrangements	✓				
I24. Length of Recruitment Process	✓				
I25. Disqualification from Entry into Police Service	✓				



Composition and Recruitment

Chapter & Recommendation	Implementation Status				
	Rec. Completed	Substantial Progress	Moderate Progress	Limited Progress	Minimal Progress
126.Registration of Interests		✓			
127.Identification of Northern Ireland Officers in other Police Forces by Recruitment Agency					✓
128.Lateral Entry of Experienced Officers		✓			

Training, Education & Development

Chapter & Recommendation	Implementation Status				
	Rec. Completed	Substantial Progress	Moderate Progress	Limited Progress	Minimal Progress
I29. TED Strategy	✓				
I30. Training and Development Budget	✓				
I31. New Police College		✓			
I32. Service Level Agreements on Training		✓			
I33. Civilian Input into Recruit Training	✓				
I34. Training of Civilian Recruits	✓				
I35. Achievement of Academic Qualifications by Recruits	✓				
I36. Timing of Attestation as a Constable	✓				
I37. Reduction of Hours Spent on Drill	✓				
I38. Problem-Solving Should be Central to Recruit Training	✓				
I39. Community Awareness Training for Police Recruits	✓				
I40. Tutor Officer Scheme	✓				
I41. Course on Impact of New Constitutional Arrangements, New Policing Arrangements and Criminal Justice Reforms	✓				
I42. Instruction in Implications of Human Rights Act 1998	✓				
I43. Management Training for Police Managers	✓				
I44. Information Technology Training		✓			
I45. Joint Training with Civilians	✓				
I46. Neighbourhood Policing Training Programme	✓				
I47. Publication of Training Curricula	✓				
I48. Public Attendance at Police Training Sessions	✓				
I49. Pilot Citizens Course				✓	



Culture, Ethos and Symbols

Chapter & Recommendation	Implementation Status				
	Rec. Completed	Substantial Progress	Moderate Progress	Limited Progress	Minimal Progress
150. Name of the Police Service	✓				
151. New Police Badge	✓				
152. Flying of Union Flag	✓				
153. Flying of PSNI Flag	✓				
154. Police Uniform	✓				
155. Police Memorials	✓				
156. Neutral Working Environment	✓				

Cooperation with other Police Services

Chapter & Recommendation	Implementation Status				
	Rec. Completed	Substantial Progress	Moderate Progress	Limited Progress	Minimal Progress
157. Written Protocols Between Police Service and Garda Siochana	✓				
158. Annual Conference for Police Services in Northern Ireland and Republic	✓				
159. Personnel Exchanges			✓		
160. Liaison Officers at Headquarters and Border Areas			✓		
161. cooperation in Training	✓				
162. Joint Disaster Planning	✓				
163. Exchange of Officers and Pooling of Investigative Teams after Major Incidents	✓				
164. Establishment of Communications Between Garda and Northern Ireland Police	✓				
165. Joint Database Development with Garda	✓				
166. Development of Exchanges Between Northern Ireland Police and Police Services in GB	✓				
167. Training Exchanges and Joint Training Between Northern Ireland Police and Police Services in GB			✓		
168. Links Between Police Training Colleges		✓			
169. Further Development of International Training Exchanges		✓			
170. Development of More Training Opportunities for Overseas Police Services		✓			
171. United Nations Peacekeeping Operations	✓				



Oversight Commissioner

Chapter & Recommendation	Implementation Status				
	Rec. Completed	Substantial Progress	Moderate Progress	Limited Progress	Minimal Progress
172.Appointment of Oversight Commissioner	✓				
173.Oversight Commissioner to be provided with objectives and report on progress	✓				
174.Oversight Commissioner to report publicly after each review	✓				
175.Oversight Commissioner appointment for five years	✓				

▶▶ appendix b
the oversight and evaluation team



David Bayley, Ph.D.

Dr. Bayley has responsibility for evaluating Human Rights, Accountability and a portion of Co-operation with other Police Services. A Distinguished Professor at the School of Criminal Justice, State University of New York at Albany, Dr. Bayley specialises in international criminal justice with a particular interest in policing, particularly police accountability and human rights. He has consulted and extensively researched policing and police institutions in Bosnia, Britain, Canada, India, Japan, Singapore, the Ukraine and the United States.

Roy Berlinquette

Mr. Berlinquette has responsibility for evaluating Training, Education and Development. He served as a police officer for 36 years in the Royal Canadian Mounted Police (RCMP) where he finished his career as the Deputy Commissioner responsible for the entire Northwest region of Canada, as well as responsibility for the RCMP's Depot Training Academy in Regina, Saskatchewan. Mr. Berlinquette had a key role to play in a major recent restructuring and change initiative within the RCMP, and has extensive experience in the area of police training. He works within Canada and internationally on other projects.

Gil Kleinknecht

Mr. Kleinknecht has joint responsibility for evaluating Policing in a Peaceful Society, Public Order Policing, Structure, Composition and Recruitment, and Size of the Police Service. He has served as a police officer for over 35 years, and has also held a number of executive positions. These include Chief of Police of St. Louis County, Missouri, and Assistant Director of the United States Marshals Service in Washington, DC. While in Washington Mr. Kleinknecht also served as Treasurer for the International Association of Chiefs of Police (IACP). He currently acts as a professional assessor in the accreditation of police agencies for the Commission on Accreditation of Law Enforcement Agencies (CALEA).

Robert Lunney

Mr. Lunney has responsibility for evaluating Policing with the Community, Management and Personnel, Information Technology, Structure of the Police Service and Culture, Ethos and Symbols. During a 44 year police career beginning with the RCMP, Mr Lunney was Chief of Police in Edmonton, Alberta, Head of Protective Services in Winnipeg, Manitoba, and Chief of Police in Peel Region, Ontario. He currently consults on public safety and community policing, where he has extensive operational and managerial experience. He also coordinated a policing project in Jamaica for the Police Executive Research Forum.

Mark Reber

Mr. Reber was Chief of Staff to the Oversight Commissioner for Police Reform in Northern Ireland. In this role he acts as the principal point of contact in the Oversight Commissioner's absence, and manages the Belfast office and staff. Prior to taking up the position of Chief of Staff, he was the Director of Research for the Oversight Commissioner from January of 2002. Mr. Reber was seconded from the Royal Canadian Mounted Police, where he has held a variety of positions in Internal Affairs, Executive Services, and held the post of Director of Change Management. Mr Reber joined the Garda Síochána Inspectorate in January of 2007.

Charles Reynolds

Mr. Reynolds has joint responsibility for evaluating Policing in a Peaceful Society, Public Order Policing, Structure of the Police Service, Composition and Recruitment and Size of the Police Service. He served as a police officer for 40 years including serving as Chief of Police in four New England communities and as Special Assistant to the Director of Public Safety for the Navajo Nation. Mr. Reynolds is a past President of the IACP as well as a former Commissioner and Vice Chair of the CALEA. He currently consults on police management and also serves as an independent auditor for the United States Department of Justice. In this role he oversees restructuring and change programmes at two police agencies relating to civil rights.

Robert Warshaw

Mr Warshaw has joint responsibility for evaluating Training, Education and Development. Following several years as an officer in the United States Army, he served as a police officer for over 25 years. Mr. Warshaw has extensive experience as a law enforcement executive, and was Deputy Chief of Police in Miami, Florida, and Chief of Police in Rochester, New York. He has also served as the Associate Director of the Office of National Drug Control Policy in Washington, DC. Mr Warshaw currently consults widely on police and corporate management, and serves as an independent auditor for the United States Department of Justice.

▶▶ **appendix c**
the policing oversight evaluation methodology



Introduction

This document was prepared as a historical guide and overview to the process of policing oversight evaluation applied in Northern Ireland. The actual 19 reports, commencing in September of 2001 and ending in May of 2007, can be found at www.oversightcommissioner.org or in the Parliamentary Library, London. This overview is sectioned into Background, Methodology Process, Conclusion and Lessons Learned.

Background

The Independent Commission on Policing for Northern Ireland (commonly known as the Patten Commission) was established as part of the 1998 Belfast Agreement, to review policing arrangements and make recommendations on policing reform. The Independent Commission delivered its 175 recommendations in September of 1999. The recommendations touched on all aspects of policing, including their role in society, organisational efficiency, policing philosophies, acceptability and accountability. The goal was to encourage the development of a police service that was viable and effective “in any imaginable circumstance”.

A key recommendation relating to the implementation was the appointment of an independent Oversight Commissioner from outside the United Kingdom or Ireland. The purpose of this was to provide independent supervision of the implementation measures, and more importantly it created a spotlight of systematic public reporting that could assure the community that all aspects of the reform were being implemented or seen to be implemented. The oversight mechanism was also intended to act as more than a mere stocktaking function, but by its very existence provide a critical impetus to the process of transformation and reform.

Methodology Process

The Development

The Independent Commission did not itself develop specific measures against which progress on its recommendations could be benchmarked or monitored. The first Oversight Commissioner, Tom Constantine, established an evaluation team of experienced law enforcement and academic executives. This experienced team recognised that the evaluation process needed to be equipped with an acceptable degree of scientific rigour, be capable of acquiring all necessary data and entail reporting that needed to be clear, credible and supportable.

Although the Oversight Commissioner was appointed in May of 2000, the substantive evaluation did not commence until September of 2001 with the release of a report detailing the standards of evaluation and performance indicators¹. One of the major reasons for the delay was that the Government did not detail its final acceptance or rejection of the Independent Commission recommendations until the release of its August of 2001 Implementation Plan. There was an earlier government implementation plan that was widely rejected.

¹ This turned out to be fortuitous because one of the 1st 'lesson learned' is to take an appropriate amount of time to set up the evaluation process

The evaluation team had used the intervening time gap to advantage, developing 772 Performance Indicators, which if achieved, would demonstrate that the 175 recommendations were being implemented. The team first researched and analysed all 175 recommendations within the context of best policing practices. The results were subsequently validated by comparison to model policing protocols, existing monitoring programmes and an intensive peer-group review. This also involved high-level consultations with the International Association of Chiefs of Police (IACP). The oversight team then conducted lengthy meetings with the heads of the agencies subject to review, to confirm that all performance indicators were fully understood. This confirmed that for the foreseeable future, the performance indicators as published in 2001 were the ultimate yardstick by which progress would be measured.

The Method

Initially three intensive on-site evaluation visits were carried out per year, usually in April, September and December, each approximately 10 days in length. These were designed to gather information on and verify levels of compliance with the performance indicators. There was strict adherence to the performance indicators and the internal proof system, with the underlying philosophy of 'trust but verify' when dealing with the evidence provided. In addition, the methodological approach of triangulating (multiple sourcing) information was employed. The first level of assessment was conducted by the evaluation team, each with expertise in their respective domains. The ultimate responsibility for accuracy of facts and analysis rests with the Oversight Commissioner who was required by law to publish three reports per year and table them before Parliament.

All information from documents, interviews and field visits was analysed and subjected to peer-group review against a three-stage compliance process:

Stage 1:

Administrative Compliance as evidenced by organisational directives, explicit policy changes, manual revisions, regulations and orders;

Stage 2:

Evaluation of evidence as provided, usually through personal interviews with key officials or teams responsible for amending policy or implementing the change required;

Stage 3:

Verification that the changes actually occurred. This was done by the oversight team during on-site visits, ensuring that the required changes were actually taking place.

Style of Report

The reports were styled to follow the sequential chapter style of the Independent Commission's recommendations, which allowed for continuity and ease of reference. Each report started with a Commissioner's Introduction, followed by a Commissioner's Overview. Each Chapter (for



example, Human Rights, Accountability, Policing with the Community, started with a Background, Progress and Accomplishments, and Areas of Concern. This was followed by a recommendation-by-recommendation update of factual progress. A 'report card' appendix was adopted later to allow an at-a-glance update capability for each recommendation. (See Appendix A of this report).

Process Renewal

One of the original design considerations was that there had to be certainty and stability to the evaluation process over its lifetime – there could not be changing goal posts. The original process was predicated on a fixed term of evaluation (a five year period); however delays in starting the process meant that a full five year evaluation could not be accomplished. As more recommendations were implemented and the newly established Policing Board began to govern, the process of evaluation began to become routine to the stakeholders and started to lose impact.

Two factors intervened that allowed a 'review and renew' opportunity for the evaluation methodology. First, the original Oversight Commissioner Tom Constantine retired after an almost four year commitment. Al Hutchinson, then Chief of Staff, was appointed as the succeeding Oversight Commissioner. Second, Government subsequently asked that the Oversight Commissioner and evaluation team continue their work for a further two years. After consultations with stakeholders and in recognition of the implementations accomplished, the original methodology was expanded to include strategically oriented thematic reports. These were focused on the key recommendations of the Independent Commission and included Human Rights and Accountability, Policing with the Community, Training and Devolution in Policing. Additionally, field evaluation trips to Northern Ireland were cut back to two visits per year to reflect the decreased work load and concomitant implementation of the Independent Commission recommendations. A request to reduce the reporting requirement to Parliament was not successful due to the complexities of changing the legislation, therefore the legal requirement to produce three reports per year for Parliament continued.

Conclusion

The concept of an independent policing Oversight Commissioner was quite tactical on the part of the Independent Commission. They realised through experience several things happen: 1. the recommendations are often put on a proverbial shelf 2. If agencies are left by themselves to implement change, it becomes subject to the leadership of the day, or a more immediate crisis. 3. resource support for the change process is either too limited or not sustained.

Several elements of the Independent Commission's recommendations coalesced to make this concept a success. The fact that they recommended an 'outsider' was important to avoid the perception of bias; the fact that it was a time-limited term was important; the fact that all of the stakeholders were required to supply the Oversight Commissioner with information, and that the Oversight Commissioner was required to consult with all stakeholders, ensured that there was extensive exchange of information. The power of the Oversight Commissioner was, in colloquial terms, merely to 'name and shame'. It proved to be a powerful and effective tool through to the end of mandate. The assembly of an evaluation team who were experts in their domain was

critical to acceptance and judgment on policing progress.

This oversight process provided a change assurance process, and was important for the building of trust in a democratic policing system. There are three pre-conditions needed for success of any process of policing change in post-conflict societies. 1. the majority of residents must want the change 2. government must support the change throughout 3. the police agency must want to change and have the leadership to do so.

Lessons Learned

1. Sufficient start-up time must be factored in, allowing time for an analysis of conditions, time for development of both a strategy and factual delivery plan.
2. Independent oversight should be just that - independent. The oversight leader, and team if there is one, must not display or be perceived to possess any bias, listening to all perspectives.
3. Experience in the domain is essential to credibility with the stakeholders, facilitating information exchange and an understanding of the particular domain culture. The team should be diverse in terms of geography and gender, if possible.
4. A fixed and end-dated term is important for situations such as those found by the Independent Commission. The goal was not to supplant the organisations who would carry out the change process, but to augment the change by keeping a focused public view on progress. It was quite simply 'naming and shaming', or moral suasion.
5. While there should be definitive standards to achieve, and they should be clearly understood. It may be necessary to 'review and review', if appropriate, after some time in the process. Too much structure and rigidity can be counter-productive.
6. It is critical that all information be triangulated (multiple sourced). Our motto of 'trust but verify' throughout field evaluation found several instances where things were not as portrayed.
7. Reporting three times per year is too cumbersome. It does not allow sufficient time for change to happen and is an unnecessary resource expenditure.
8. Oversight has to be conscious of the burden placed on the agencies overseen. We tried to avoid creating a demand for information that was not already collected. There should be recognition that the oversight process could, in business terms, move production to overhead.

▶▶ **appendix d**
ongoing oversight and monitoring issues for NIO
and Policing Board



Northern Ireland Office (NIO)

Recommendation 20 (Devolution of Policing and Justice)

- Ongoing effort to ensure implementation (page 43)

Recommendation 21 (Powers of the Policing Board)

- Ongoing effort to ensure implementation (page 44)
- Ensure powers of policing board not diminished by transfers of power (page 44)

Recommendation 32 (Expenditures by District Council)

- Review in conjunction with Review of Public Administration

Recommendation 112 (Representation)

- Make a concerted effort to achieve representative staff (pages 148/149)

Recommendation 126 (Registration of Interests)

- Government to consider amending legislation (pages 160/161)

Recommendation 131 (New Police College)

- Ensure new funding is delivered (pages 175/176)

Policing Board

Recommendation 4 (Human Rights Training)

- Monitor implementation of three remaining performance indicators (page 28)

Recommendation 5 (Human Rights Appraisal)

- Assess outcomes (pages 28/29)

Recommendation 32 (Expenditures by District Council)

- Review in conjunction with Review of Public Administration

Recommendation 37 (Openness of Police Service)

- Monitor for outcomes (pages 51/52)

Recommendation 44 (Policing with the Community)

- Monitor remaining issues (pages 58-60)

Recommendation 45 (Dedicated Neighbourhood Policing Teams)

- Monitor outcomes (pages 60/61)

Recommendation 49 (Neighbourhood Policing Teams)

- Monitor NPT deployment and outcomes (page 63)

Recommendation 53a (Appearance of existing Police Stations)

- Monitor and actively pursue change (pages 69/70)

Recommendation 53b (Civilian Receptionists)

- Monitor results in conjunction with civilianisation and community representation (pages 70-72)

Recommendation 77 (Police Appraisal System)

- Review results and outcomes of the new appraisal system (pages 101/102)

Recommendation 83 (Tenure on Police Postings)

- Monitor outcomes and re-visit in 3-5 years (pages 98 & 104/105)

Recommendation 90 (Civilianisation)

- Progress this recommendation (pages 108/109)

Recommendation 93 (IT Strategy)

- Monitor and manage funding from a risk assessment perspective (page 116)

Recommendation 94 (Coterminous DCUs)

- Monitor impact on community engagement as a result of police reorganisation pre-RPA implementation (page 121)

Recommendation 95 (Resource of DCU commanders)

- Monitor impact on community engagement as a result of police reorganisation pre-RPA implementation (page 121)

Recommendation 97 (Reorganisation of Police headquarters)

- Monitor and pursue for a reduction on size of headquarters (pages 122/123)

Recommendation 100 (Informing District Commanders of Security Operations)

- Monitor impact of new national security arrangements on the appropriate flow of intelligence to District Commanders (pages 124/125)
- Monitor impact of accountability arrangements on policing in Northern Ireland as a result of National Security transfer of powers from the police



Recommendation 103 (Full time Reserve)

- Pursue goal of phasing out FTR (pages 126-128)

Recommendation 104 (Part-time Reserve)

- Monitor and achieve new PTR goals (pages 128/129)

Recommendation 109 (Opportunities for Reservists)

- Monitor efforts of PSNI to ensure employment opportunities are actively sought in Great Britain (page 136)

Recommendation 111 (Civilian Staff)

- Monitor and pursue police civilian staff recommendations (pages 146-148)

Recommendation 115 (liaison with schools)

- Monitor police engagement with this process because of long-term benefits (pages 150-152)

Recommendation 116 (Pilot Police Cadet Scheme)

- Review for benefits of broader societal impact on youth engagement
- Monitor police engagement with this scheme because of long-term benefits (pages 152/153)

Recommendation 127 (Recruiting Northern Ireland Catholic officers)

- Review necessity for this and direct action if required (page 162)

Recommendation 128 (lateral entry)

- Review necessity for this, in view of experience gap and direct more action if required (pages 162/163)

Recommendation 131 (New Police College)

- Continue to advocate for appropriate funding (pages 175/176)
- Expedite delivery of the new police college
- Monitor impact of increasing obsolescence of existing facilities in the interim

Recommendation 132 (Service Level Agreements)

- Monitor impact on SLAs as a result of the review of Public Administration policing reorganisation (page 176)

Recommendation 140 (Tutor Officer Scheme)

- Monitor to ensure sustainability (page 181)

Recommendation 144 (IT training)

- Monitor outcomes from delivery of IT training (pages 184/185)

Recommendation 146 (neighbourhood policing training)

- Monitor that appropriate training is being delivered in support of the core function of Policing with the Community (pages 185/186)

Recommendation 147 (publication of training curricula)

- Monitor to ensure this is placed on the PSNI web-site (page 186)

Recommendation 159 (long-term specialist personnel exchanges)

- Monitor to ensure this continues, that it is augmented as appropriate and is sustained for the long term (page 198)

Recommendation 160 (exchange of PSNI/Garda liaison officers)

- Although currently deemed not necessary by the police organisations, the Board should review annually to ensure whether or not the need exists (pages 198/199)

Recommendation 167 (Training exchanges between PSNI and police services in Great Britain)

- Monitor annually the results of these exchanges to ensure sufficiency (pages 201/202)

Recommendation 168 (links with training establishments on British Isles)

- Monitor annually to ensure functioning (pages 202/203)

Recommendation 169 (International Training exchanges)

- Monitor annually these exchanges to ensure sufficiency (page 203)

Recommendation 170 (training other police officers)

- Monitor annually to ensure sufficiency (page 204)



General Issues

- Ensuring robust accountability 'operating at a distance' from the Police Service
- DPP's – the future of community engagement is important and the future role of DPP's is unclear. The Board will need to consider and actively shape the discussion, mindful of the 'role confusion' that exists with the plethora of current structures, and burden on community from participation.
- Although the Board cannot and should not second guess the Chief Constables operational judgement on operational security issues, it does have a responsibility to ensure that a 'policing security culture' does not influence Policing with the Community efforts (page 85)
- The hiring of agency personnel who happen to be retired police officers is a practical method of acquiring skills. It does, however pose perceptual problems and may not increase community representation. The Board will need to review the practice by gathering appropriate data, reviewing the policy and directing a decision on the practice. The policy may in fact be a defensible practice for the short term however, it has been raised as an issue and should be reviewed. (page 178)
- Although the Culture and Ethos recommendations have been completed, organisational ethos is a living and evolving concept that needs nurturing and monitoring. The Policing Board should be alive to this and consider periodic cultural audits (page 191)