

Mrs Collins

303/93
623/93

FROM: MRS C COLLINS
Police Division
22 November 1993

Mrs Collins

ASST SEC 384/11
25 NOV 1993
CENT - MBW SEC

- cc PS/PUS (B&L) - B
- PS/Mr Fell - B
- Mr Legge - B
- Mr Thomas - B
- Mr Lyon - B
- Mr Steele - B
- Mr Bell - B
- Mr Watkins - B
- Mr Wood - B
- Mr Martin
- Mr Leach - B
- Mr Marsh - B
- Mr Dodds - B
- Mr Maccabe - B
- Mr Brearley - B

Mr Maccabe 923/11
24 NOV 1993
CENT SEC

1. PS/Sir John Wheeler (B&L) - B [I endorse the broad thrust of the approach set out here. I have discussed the paper with Mrs Collins to suggest that we emphasise the multi faceted environment of accountability which exists in 1994 eg (HMIC Auditor General, Home Affairs Select Committee etc] J.W 23/11

2. PS/Secretary of State (B&L) - B

POLICING REFORMS: HANDLING PLAN

Background

Now that the initial phase of bringing the Police Authority and the Chief Constable into play has been achieved, and given the strong adverse reaction of the Authority (and consequent media speculation) we need to plan for, and manage, the next few weeks until the publication of outline proposals, (currently scheduled for mid December). This will involve both proactive and reactive briefing of interested parties. It would, however, be prudent to wait until after the meeting with the Police Authority, currently planned for the end of the month before initiating a new round of contacts, at Ministerial or official level as appropriate, with the key players, to explain the Government approach.

The key players

2. The political parties, no doubt distracted by broader issues, have not yet sparked. But it will be necessary to let the party leaders and security spokesmen know, fairly soon and in general

terms, both what lies behind our thinking and our intentions on handling. In this, we must aim to reassure: important elements being that we do not intend to nobble the Chief Constable - nor yet establish a police state. To go one step further - we do intend there to be a genuine, local community role; and we would wish there to be the fullest possible political representation - including that of the SDLP.

3. Similarly, the Trade Unions need to be brought into the loop - their participation in the new structure would represent a considerable prize, politically and presentationally. The Trade Union movement has maintained a rigorously anti-sectarian and anti-terrorist line, and their support has been helpful to Government; their absence from the Police Authority has been a major problem. Early contact with the Trade Unions might help in achieving this, in giving them more thinking time, and by providing an earnest of the Government's sincerity.

4. The Irish have already been told the outlines on a confidential, Government to Government basis; they have a special locus under the A-I Agreement, and will wish to make their views known in due course. Their attitude may be an influence on the SDLP (and vice versa), so tactful handling will be needed.

5. But the press speculation - and Police Authority lobbying? - have excited curiosity in a wider audience - much of it ill founded, which may also need to be discreetly but firmly damped down. So, for example, SACHR have been contacted by Liberty, asking them to raise the issue: SACHR have declined - but registered the fact with ESL. There may be others in a similar position, who need to be given some generally reactive reassurance at this stage: some examples are given in Annex A.

6. Not least importantly, those we approach currently (see list at Annex B) for suggestions for nominees to the Police Authority (including all 26 District Councils, one Bar Council, Law Society and CBI, and the Trade Unions) will receive in the next few weeks

letters asking for their suggestions, as part of the normal process of re-appointing the Police Authority, which has to be completed by June 1994. These letters can be expanded to make reference to future developments - so getting effectively (but unobtrusively) to a section of the grass roots, and providing an opportunity for discussion to be opened with those bodies. In addition, we normally write to the leaders of the constitutional parties, informing them that the process is underway. The letters on this occasion can refer to proposals for reform - and offer a meeting with the Minister or Secretary of State, in due course.

The message

7. At this stage, the message to deliver is perhaps a relatively simple one: it is in essence

- that the Government has been considering the management of policing services, and the formulation of policing policies, in view of the concerns frequently expressed about the current system by a wide range of responsible opinion;
- it seems that some changes - to simplify the lines of responsibility and accountability; to give the Chief Constable control over the civilian support and resources he requires to deliver a proper policing service; and to provide for more single-minded focii for formulation of security policy and for representation of community wishes and concerns-are required;
- that the Government therefore intends shortly to publish proposals for reforms to achieve these aims, designed to safeguard the operational independence of the Chief Constable; provide the Chief Constable with more direct managerial responsibility and accountability for the resources made available for the police service by Government; to establish an effective and widely representative forum for the expression of community wishes

and concerns, and to provide mechanisms for these to be translated into published objectives for the Chief Constable, and for the accountability of the Chief Constable (and Secretary of State, where appropriate) for their achievement.

8. The emphasis in delivering the message to different audiences can be varied: broadly, unionists will be anxious to ensure that the police are not shackled - and that their effectiveness and efficiency are increased; whilst nationalist audiences will be concerned to ensure that the Chief Constable is genuinely accountable for delivery of a police service which responds to the community dimension - and the nationalist agenda. To safeguard credibility, the holistic nature of the package of reform must be stressed. However, there are "glosses", and draft speaking notes, attached at Annex C can be drawn on, concentrating as appropriate on the 'efficiency' and 'community dimension' subheads.

Delivering the message

9. Clearly, the party leaders and security spokesmen should be tackled by the Secretary of State and Sir John Wheeler, ideally on a relatively informal basis, perhaps in a series of dinners. Much will depend on the meeting with the Police Authority. If their concerns can be assuaged, then the politicians can be dealt with in a more relaxed manner, whilst if the Authority continues to react adversely, then a more determined and formal round with the politicians will be needed. These briefings can be set up once the meeting with the Authority has been held.

10. An approach can meanwhile be made to the Trade Unions, at official level, offering a briefing - utilising the regular approach made for Trade Union nominees for the Authority. This can be followed up by a Ministerial meeting, to stress the real importance which is attached to the issue, and to Trade Union participation.

M... ..

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Of the other organisations, the Churches merit an explanatory letter from the Secretary of State, along the lines of the draft at Annex D, as a courtesy, in view of their influential community role. Once the proposals have been published a fuller briefing and discussion may be appropriate; but at this stage - unless there is a specific request - the best course seems simply to reassure. Similarly, given that SACHR has expressed an interest, an official briefing can be offered; and that can be repeated with other organisations, as appropriate.

Conclusion

12. Ministers are asked to endorse the broad thrust of the approach set out above. A short discussion of the way ahead, in the immediate aftermath of the meeting with the Police Authority, which will trigger and inform the proactive phase of the process, may be helpful.

13. In the meantime, any opportunities which may arise naturally to provide general reassurance - in the terms set out in Annex C - for Unionist and Nationalist audiences, should not be lost.

Signed

C R COLLINS

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Manuscript

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ANNEX A

OTHER INTERESTED PARTIES

1. The Churches

- Church of Ireland
- Roman Catholic Church
- Methodist
- Presbyterian

2. SACHR

[Any other NDPBs which might be interested?]

3. Committee for the Administration of Justice

[Any other pressure groups?]

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 Secretary Association of Local Authorities
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Mr W Proctor
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Mr John Quinliven
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The Director
Mr D Guilfoyle
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PROPOSALS FOR REFORMS OF POLICING STRUCTURES:

SPEAKING NOTE

Background

- Has been media speculation about Government intentions on reform of policing structures in NI - Government has initiated discussion with the Police Authority and the Chief Constable, and will publish a memorandum, setting out its views shortly.
- In the meantime, can reassure you that the Government does not intend to establish a police state; or to fetter the Chief Constable.
- Clear, from the views expressed by a range of responsible opinion, that the current structure - which is some 23 years old - is far from satisfactory.
- There are changes being made to policing structures elsewhere in the UK and Northern Ireland deserves to share in the benefits of such changes, although simply importing English solutions to English problems will not address the Northern Ireland situation.
- It is essential that policing structures should ensure the full operational effectiveness of the police in the interests of the safety and security of everyone in Northern Ireland.
- That requires us to maintain the operational independence of the RUC. Indeed that independence needs to be reinforced by giving the Chief Constable proper management responsibility for all the resources he needs to fulfil his operational objectives.
- It requires us also to strengthen the RUC's accountability to the community - the RUC cannot act effectively without that.

Our aim is, by disentangling some of the complex, often overlapping, lines of responsibility and accountability between the Secretary of State, the Police Authority and the Chief Constable, to establish clear duties, more focussed responsibilities, and stronger and more direct lines of accountability, and free-up resources by ending duplication.

- The present policing structures have hampered the operational effectiveness of the police and have failed to secure the necessary level of accountability to the community. Both the RUC and the Police Authority have recognised this.

Operational independence

- Crucial to safeguard the operational independence of the Chief Constable and his force, whose primary task is impartially to uphold and enforce the law.
- The new proposals are designed to improve the operational effectiveness of the police and to strengthen lines of accountability to the community.
- In a system such as ours, the impartiality of the police, and their freedom from political interference, is a vital part of the fabric of civil liberties - and it is not our intention to dismantle that operational independence.
- The Government's national policy is to improve the link between the police and the public. It is right and necessary that we should do this also in Northern Ireland, taking account of our particular circumstances here.
- Have no intention of second guessing the professional judgement of the Chief Constable and his officers.

Security policy

The Secretary of State has overall responsibility for security policy and law and order generally: and is directly accountable to Parliament for these issues.

- Important that security policy objectives should be clearly established, and that both the Chief Constable and Secretary of State can be held to democratic account for their respective roles.
- Clarification of objectives in this important area will be a valuable element in increasing the effectiveness of the struggle, against terrorism in particular and crime generally.

Efficiency/Effectiveness

- We continue to need a tripartite structure to provide the necessary balance between the police, the state and the community. But the roles of each need redefining and reallocating if the structure is properly to support more effective policing in Northern Ireland.
- The duplication of roles between the Northern Ireland Office, the Police Authority, and the Chief Constable - especially in the provision of resources and support services - is wasteful and inefficient.
- We intend to find means of giving the Chief Constable more direct managerial responsibility for the considerable resources which are provided by Government, of ensuring that those resources are used to best effect, and of accounting for them, ultimately to Parliament and the taxpayer.
- We intend to tackle the bureaucracy - and to free resources currently entangled in red tape for productive use in fighting crime.

responsiveness/the community dimension

- Essential in our society that the police should have the confidence and support of the community, and be responsive to community needs.
- This is well recognised by all levels in the police; and by the community at large.
- Our aim is to ensure that the community is fully and publicly represented and able to hold the Chief Constable to account for policing services. To do that, a body representing the community must be freed from having also responsibility for managing police services and resources. These executive responsibilities have compromised the effectiveness of the Authority as an accountability body.
- Cannot rely solely on informal methods to achieve dialogue between the community and its police service - vital though such everyday contacts are. Must have formal, widely accepted channels of dialogue; consultation; and accountability.
- Unique problems of a divided society in NI mean that English models are not the automatic answer; need to work to gain the respect, trust and support of the whole law abiding community.
- Clear expression by a local representative body to the Chief Constable of wishes and concerns of whole community, and clear objectives for the type of policing services required, is one essential. Clear accountability of the Chief Constable to that local representative body, for the delivery of those services is another, equally important element.
- A body, representative of the whole local community, and with the focussed objectives of establishing a genuine dialogue with the police service, setting community policing objectives, and

holding it to account for achieving them, would be a step forward in the process of building trust and a police service truly rooted in the community, and supported by it.

The way ahead

- The new structures must continue to reflect the Secretary of State's responsibility for security policy and for resourcing decisions. The RUC should be accountable for the management of its resources to the Secretary of State. That properly reflects the current position - with the Chief Constable bidding for resources and the Secretary of State providing them. Because of the vital role which the Chief Constable plays in implementing security policy, it also makes sense that the Secretary of State should decide on his appointment, after consultation with the body representing the community. The Secretary of State needs to be more clearly accountable to the community body and to Parliament for these matters.
 - The Chief Constable must continue to be operationally independent. In addition, to sustain that independence, he needs to have full responsibility for the management and deployment of his resources. He needs to continue to be responsible to the Secretary of State for the implementation of security policy and he should be accountable to him for implementing national policing objectives. He should also be accountable to the policing body for delivering agreed policing priorities established by that body on behalf of the community. The aim is to balance increased responsibilities for the police by clearer and more effective lines of accountability.
- establish clear duties, more focused responsibilities, stronger and more direct lines of accountability and to free-up resources by ending wasteful duplication.

DRAFT LETTER TO CHURCHES

Following recent media speculation about the Government's intentions on reforms of policing structures, I thought it might be helpful if I set out very briefly, and at this stage necessarily in general terms, our current thinking.

I must say at the outset that there is no intention to establish a police state; or to fetter or interfere with the Chief Constable in his duty of impartially upholding and enforcing the law. However, it has become clear, from the views expressed by a range of responsible opinion that the current structures - which are some 23 years old - are far from satisfactory. Changes are being made to rationalise policing structures elsewhere in the UK, and Northern Ireland deserves to benefit also from such changes, although I recognise that simply importing English solutions to English problems will not address the unique Northern Ireland situation.

My overall aim is, by disentangling some of the complex and often overlapping lines of responsibility and accountability between the Secretary of State, the Police Authority and the Chief Constable, to establish clear duties, more focussed responsibilities, stronger and more direct lines of accountability and to free-up resources by ending wasteful duplication.

Private discussions have recently been initiated on the subject with the Police Authority and the Chief Constable, and I intend shortly to publish a memorandum, setting out views on the way ahead. This will be followed by formal proposals for the necessary legislation; this is an inevitably lengthy process, and any changes are unlikely to come into effect until 1996.

I am conscious of the need for a strong and representative local input into these processes, and I would be particularly value your thoughts, in due course, on how best this might be achieved.

PROPOSING: REPORT OF THE TRIPARTITE STRUCTURE

You asked for views/suggestions on the title of the proposed body. Perhaps I can divide this vexed problem as follows:

- (a) The word to replace "Authority". I note PUS comments "Commission" on the grounds it implies a body operating under central direction. For my part, I have reservations about "Committee" which strikes me as conveying a rather weak and bureaucratic flavour. This leaves "Council" or perhaps "Board".
- (b) The description of the body's function. For clarity I think it is desirable to include "police" or "policing"; accountability is an important concept but there are various forms of accountability in each of the relationships in the tripartite structure, so it may be better to avoid the word; and it would be useful (as PUS notes) to include a reference to the community. However, not being an old police hand, I will have the temerity to suggest that these days "Community Watch" may risk confusion with "Neighbourhood Watch".

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ASST SEC 352/11
2 NOV 1993
CENT MBW SEC

REC 3
393/93
623/93

DHSB/3929/16.15

FROM: J M LEGGE
22 November 1993

cc PS/PUS (B&L) - B
PS/Mr Fell - B
Mr Thomas - B
Mr Legge - B
Mr Lyon - B
Mr Steele - B
Mr Bell - B
Mr Blackwell - B
Mr Leach - B
Mr Cooke - B
Dr Rosborough - B

14959

914/11
cc Mr [redacted]
[redacted]

MRS COLLINS - B

POLICING: REFORM OF THE TRIPARTITE STRUCTURE

You asked for views/suggestions on the title of the new police body. Perhaps I can divide this vexed problem in two parts:

- (a) The word to replace "Authority". I note PUS dislikes "Commission" on the grounds it implies a body operating under central direction. For my part, I have reservations about "Committee" which strikes me as conveying a rather weak and bureaucratic flavour. This leaves "Council", or perhaps "Board".
- (b) The description of the body's function. For clarity I think it is desirable to include "police" or "policing"; accountability is an important concept but there are various forms of accountability in each of the relationships in the tripartite structure, so it may be better to avoid the word; and it would be useful (as PUS notes) to include a reference to the community. However, not being an old police hand, I will have the temerity to suggest that these days "Community Watch" may risk confusion with "Neighbourhood Watch".

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2. Bottom line: While I dislike OFPOL (unhelpful connotations of OFWAT etc), the variant "Council for Policing and the Community" would meet most of my prejudices.

3. I have resisted any temptation to play with acronyms!

Signed JML

J M LEGGE

Ext 21838

ID 50012

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368/11
ASST SEC 368/11
22 NOV 1993
CENT MBW SEC
22 NOV 1993
393/93
SEC 3

DUSB/3928/

ASST./ SEC
23 NOV 1993
220/11
C.C.R.U.

FROM: J M LEGGE
22 November 1993

1. to the [unclear] 22.11
2. to the [unclear]
[Signature]
23.11

cc PS/PUS (B&L) - B
PS/Mr Fehl - B
Mr Thomas - B
Mr Lyon - B
Mr Steele - B
Mr Maccabe - B
Mrs Collins - B

925/11
23 NOV 1993
C

PS/SIR JOHN WHEELER (B&L) - B

cc Mrs Watkins

MINORITY REPRESENTATION IN THE RUC

In commenting on Mr Leach's paper of 8 October, the Minister suggested that consideration should be given to the setting up of a small working party to consider the under-representation of the minority community in the RUC. I attach a paper which has been prepared by Police Division which sets out the background to the problem.

2. The paper sets out in detail the action which the police, in consultation with the Fair Employment Commission, have been taking. It is a fairly formidable list - but despite this recruitment remains unacceptably low. The paper also refers to matters which have been identified by the nationalist community as being necessary to render the RUC acceptable, in particular changing its name. However this would be extremely unpopular with the majority community and the police themselves and could probably only be considered in the context of an agreed political settlement.

3. Against this background, I doubt whether a working group would provide the best vehicle for making progress. It would cut across the ongoing relationship between the RUC and the Fair Employment Commission and of course an added complication is that the Police Authority would expect to be involved in an issue such as this. Instead the Minister might be interested in visiting the Equal

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Opportunities Unit and Recruitment Branch of the RUC to hear at first hand the efforts which have already been made to address the problem and to serve as the basis for a discussion with officials of whether there are any additional steps which might be taken by Government to address the problem.

Signed JML

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REASONS FOR THE LOW NUMBER OF CATHOLICS IN THE RUC

The main reason for the low level of representation is the attitude of the minority community towards the police which in turn is a product of minority attitudes towards the state of Northern Ireland and experience of unionism. This alienation from the police cannot be dismissed as simply a product of IRA violence - Catholics did not join the police in large numbers even during the early sixties when there was no IRA campaign. (The Prison Service is similarly regarded and shares an equally low minority community representation (7.3%)). Even Catholics who are satisfied with the performance of the police, and Catholic middle class families living in mixed residential areas, in general, do not want their sons and daughters to join the RUC. Some families go so far as to reject totally sons or daughters who join the police.

Having said that, Catholic RUC recruitment has not been helped by the IRA campaign. Catholic RUC officers are potentially very vulnerable, particularly if they are from nationalist areas. The IRA has, in the past, deliberately targeted Catholic RUC and UPR members as part of their campaign of terrorism. For a Catholic from a difficult area the inevitable consequence of joining the police is moving home and restricting contact with his or her family.

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