



The **Community**
and the **Police Service**

THE **PATTEN REPORT** | UPDATED IMPLEMENTATION PLAN

2001



Northern Ireland Office

**REPORT OF THE INDEPENDENT
COMMISSION ON POLICING FOR
NORTHERN IRELAND**

UPDATED IMPLEMENTATION PLAN

August 2001

SECRETARY OF STATE'S FOREWORD

Introduction

It is over three years since the Good Friday Agreement and approaching two years since the publication of the report by the Independent Commission on Policing (the Patten Report) which had its origins in that Agreement. The vision in both is clear - a new beginning to policing in Northern Ireland.

2. The Government fully accepts, as it says in the Good Friday Agreement, that it is

Essential that policing structures and arrangements are such that the police service is professional, effective and efficient, fair and impartial, free from partisan political control: accountable, both under the law for its actions and to the community it serves; representative of the society it polices, and operates within a coherent and cooperative criminal justice system, which conforms with human rights norms.

3. That remains the Government's steadfast goal. It is determined to see a police service that is efficient and effective in maintaining law and order, is representative of the community it serves and enjoys the confidence of all sections of that community.

4. This in no way diminishes the Government's permanent debt of gratitude to the members of the Royal Ulster Constabulary for their resilience, commitment and, in all too many cases, sacrifices. They have continued, amid considerable uncertainty, to play a vital role in protecting the public and tackling criminality. It is vastly to its credit that the need for change as set out in the Patten report has been accepted by the service. I am deeply grateful for that.

5. The Patten report recommended a change programme unprecedented in scale. To bring about the vision set out in the Good Friday Agreement and the report requires the active participation of:

- Government
- those who are now in the police service
- political and other community leaders
- individuals, mostly young men and women, who are prepared in the future to serve their community as police officers
- many other individuals and bodies both within Northern Ireland and outside it.

It also requires the support of all in Northern Ireland.

6. The Government has sought to lay the groundwork. Last year it enacted the Police (Northern Ireland) Act 2000, and published an Implementation Plan. Since then discussions have continued with a wide range of interested parties. The Government acknowledges that a range of concerns have been expressed. In dealing with these issues, the Government has sought to be faithful to the principles and objectives set out in the Patten report. At a time of tension, it is all the more important that objectives are clearly identified and measured progress is made towards delivering them.

7. The purpose of this updated Implementation Plan is to set out how the Patten programme is being taken forward. Significant progress has already been made in many areas, for example:

- the office of the Ombudsman came into operation on 6 November 2000;
- Tom Constantine was appointed in June 2000 as Oversight Commissioner and produced his first report, based on Patten, in January 2001;
- Police District Commanders took up post on 1 April and on the same date Special Branch and Crime Department were brought together under one Assistant Chief Constable;
- the Consensia agency has run a campaign to select new recruits who will join the service this autumn on a 50:50 basis;
- just on 1000 officers have now left under the special severance scheme.

8. But this Plan is about looking forward. It sets out, with specific target dates where possible, how the new arrangements will be brought into operation. It signals the small minority of the recommendations, which can only be fully implemented when the security situation has further improved. Developments in other areas, as set out in the Good Friday Agreement, have a positive part to play in completing the delivery of the new beginning to policing.

9. The Plan has been updated to take account of points raised by the parties and of the substantial work, which the Chief Constable and his colleagues have done to prepare for the new service, against a tight timetable and in the face of continuing policing pressures. Further steps will take place shortly. The Policing Board will meet in October and appointments can then be made to District Policing Partnerships. They (and their sub-groups in Belfast) will interface with the Police District Commands established in April. The objective is to bring about effective community policing and the DPPs will play an important role in achieving this.

10. This Implementation Plan provides a clearer timetable for increasing the Part-Time Reserve, and sets out the position on the Full-Time Reserve, which will be phased out when the prevailing security situation and policing requirements allow. Gough holding centre will close in September. The aim is for the redeployment of Special Branch support units to take place this year and for a new tenure policy to be operational by the autumn. The Plan makes plain the commitment to establish a human rights-based approach to policing, accountable against defined standards, which the Board has a statutory duty to monitor. The Plan also sets out the Government's position in relation to the symbolic issues which are so important, both for members of the service itself and for the wider community.

11. The Government is now taking steps to set up a Policing Board representative of the community in Northern Ireland. The Policing Board will, alongside the Ombudsman, have powers that are without precedent in the United Kingdom, in the Republic of Ireland, in Europe or America. It will determine objectives for the policing of Northern Ireland and it will issue the policing plan. It will be able to call for reports from the Chief Constable on matters connected with policing, including performance against the policing plan, and to initiate inquiries.

12. All these steps are part of a process of change. The Government will want to keep the effectiveness of the new arrangements under close and constant review. The Oversight Commissioner will monitor progress on implementation and is required to report at least three times a year. He will shortly publish the performance indicators that he will use as the basis on which he will monitor progress.

13. In addition, the Government will ask the Oversight Commissioner to carry out a review starting in March 2002, on the basis of experience during the first year of the Board's operation, and report by October 2002. In conducting his review, the Oversight Commissioner will consult with the Policing Board, the Chief Constable, Her Majesty's Inspector of Constabulary, District Policing Partnerships, political parties and other interested parties. Legislation will be introduced as soon as practicable thereafter.

14. The Government has indicated a number of areas where it intends to amend the legislation, following the review. They are identified individually in this Plan, but include the core function of community policing, the tripartite arrangements for accountability and the powers of the Policing Board, as well as the role of the Ombudsman. The Government will also introduce legislation to provide for exchanges of police personnel between the Police Service of Northern Ireland and the Garda Síochána, on a reciprocal basis.

15. This review process and the scale of the work set out in this Plan both underline that completing the process of change will take a number of years. Within the new Police Service, it will pose significant management challenges. I do not under-estimate the requirement that it places on an operational service who have at the same time to go on, seven days a week, fifty two weeks a year, with their unremitting task of upholding the law and safeguarding the public. I pay sincere tribute to all those who continue to bear that burden on behalf of us all. And I reiterate my commitment to providing them with the resources they need to do so.

16. The Government has done its part, the police are doing theirs. It is essential that all those with an interest in the future of policing work together to end the uncertainty and division that have understandably sapped police morale and held up the implementation of parts of the reform agenda. Now is the time for the whole community to demonstrate commitment to the new beginning to policing. That calls for unequivocal support for and co operation with the new police service, and the encouragement of young people to join the police. By participating in this way, the whole community can together help to shape the future.



RT HON DR JOHN REID
SECRETARY OF STATE FOR NORTHERN IRELAND

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HUMAN RIGHTS

RECOMMENDATION 1

HUMAN RIGHTS BASED APPROACH TO POLICING

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

Accepted. The Chief Constable in conjunction with the Policing Board will develop, consult upon and implement a comprehensive programme of action to focus policing in Northern Ireland on a human rights-based approach. The police will be consulting with a wide range of bodies, including the Human Rights Commission and the Equality Commission during the drafting process. The police see this consultation continuing after the programme is published.

In addition, the Police (Northern Ireland) Act 2000 provides that, in carrying out their functions, members of the police service will be guided by a Code of Ethics to be issued by the Policing Board (see recommendation 3). The Code of Ethics will lay down standards of conduct and practice for police officers, and will make them aware of the rights and obligations arising out of the European Convention on Human Rights. As part of the need under this recommendation to highlight the application of human rights to policing the Chief Constable has arranged a major conference in October on "Human Rights and Policing". A wide range of speakers including the Human Rights Commissioner and the Police Ombudsman have been invited to address the conference.

Timescale: Programme of action to be published by January 2002. Legislative provision for elements of the programme has been included in the Police Act.

RECOMMENDATION 2

NEW POLICE OATH

There should be a new oath, taken individually by all new and existing police officers, expressing an explicit commitment to upholding human rights. The text might be as follows -

'I hereby do solemnly and sincerely and truly declare and affirm that I will faithfully discharge the duties of the office of constable, and that in so doing I will act with fairness, integrity, diligence and impartiality, uphold fundamental human rights and accord equal respect to all individuals and to their traditions and beliefs.'

Lead responsibility: Chief Constable/Policing Board

Partly accepted. The Act sets out the importance of the new oath for both serving and new police officers. A new police oath, as suggested by Patten, will be taken by new recruits to the police service. Existing officers have already been attested as constables and cannot be required to take the new oath. However, the Chief Constable is obliged by section 38(2) of the Police Act to bring the terms of the new oath to the attention of serving officers. He must also ensure that they understand it and understand the need to carry out their duties in accordance with it. A record will be kept. In addition, the new Code of Ethics for the police service will incorporate the same values and a similar commitment to upholding and respecting human rights as is contained in the new oath (see recommendation 3). Section 52(2) of the Police Act specifically recognises this by requiring the Chief Constable and the Board to have regard to the terms of the oath in drawing up the Code of Ethics.

The wording of the new oath is contained in section 38 of the Police Act.

Timescale: Legislative provision has been included in the Police Act, at section 38. The new oath will be taken by entrants, and will be brought to the attention of existing officers from September 2001 onwards. For example, from September a major training programme is being run to ensure that all officers are aware of their responsibilities in relation to the new oath.

RECOMMENDATION 3 CODE OF ETHICS

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

Accepted. The Chief Constable is required to draft the Code of Ethics by which all police officers must be guided. It is to be issued or revised by the Policing Board, after consulting the Human Rights Commission, the Police Ombudsman, the Secretary of State, the Police Association and the Equality Commission. It would be open to those bodies to draw on best practice elsewhere in formulating their own recommendations. The Code will be subject to the approval of the Policing Board. The Code of Ethics will emphasise the priority to be given to human rights.

Under the Police Act, the Chief Constable shall take such steps as he considers necessary to ensure that all police officers have read and understood the Code, and that a record is made and kept of the steps taken in relation to each officer. The Chief Constable intends to discuss his proposals for this with the Board which is required to keep these steps under review. The Secretary of State is obliged, as far as practicable, to reflect the Code of Ethics in police discipline regulations (section 52 (10) of the Police Act).

The Police Act enables the Secretary of State to issue guidance - as the Home Secretary has done for England and Wales - on the use by members of the police service of equipment designed for use in maintaining or restoring public order (see recommendation 74). Codes on covert law enforcement techniques are dealt with under recommendation 39.

Timescale: Legislative provision has been included in the Police Act, at section 52. Work has begun by the Chief Constable on preparing a draft Code of Ethics, with the aim of presenting it to the Policing Board in October 2001. The precise date of its introduction is for the Policing Board to determine. The Secretary of State will amend existing regulations, following the Board's adoption of the Code of Ethics.

RECOMMENDATION 4 HUMAN RIGHTS TRAINING

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 dimension should be integrated into every module of police training.

Lead responsibility: Chief Constable/Policing Board

Accepted. The Chief Constable is required under the Police Act to submit a draft training and education strategy for all police officers and civilian staff (see recommendation 129) to the Board for its consideration. The strategy will form part of the Board's policing plan. The intention is that the strategy should cover, for all officers and civilians, training in the fundamental principles and standards of human rights and the practical implications for policing. Consultation on a draft strategy is being facilitated and managed for the police by the director of the Centre for Policing Studies at the University of Ulster. To date the views of over 50 different political, religious, economic, social interest and academic organisations have been sought. There was a 76% response rate. A second phase of consultation, again involving independent assistance, to include the Human Rights Commission and others, will take place shortly and the results of this will be worked into a final draft training and education strategy which will be put to the Policing Board.

It should be stressed that the review of training programmes covers both new recruits and officers in service to ensure that the human rights dimension is integrated into all aspects of such training (see recommendations 137/139 and 141/144).

As a matter of priority, a process was put in place to instruct all police officers on the implications of the Human Rights Act 1998. The views of the Human Rights Commission were sought on the training material and its representatives attended two training sessions as observers. The Commission gave comments on the training material and a brief assessment of the training sessions, noting some concerns in each case. The Chief Constable has responded to these (see recommendation 142).

Timescale: Legislative provision has been included in the Police Act, at section 26(2)(a). The police's draft training and education strategy will be available for consideration by the Policing Board in October 2001.

RECOMMENDATION 5 APPRAISAL OF HUMAN RIGHTS PERFORMANCE

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

Accepted. The Chief Constable will review and adjust the appraisal system in the light of this and other recommendations in the Patten Report (see, for example, recommendations 50, 75, 77 and 156).

The adjustments in respect of human rights appraisal will be made after consultation with the Policing Board - which will have statutory responsibility for monitoring the performance of the police service in respect of human rights (see recommendation 7) - the Human Rights Commission and the Equality Commission.

Timescale: The Chief Constable began work on a new appraisal system in June 2000. This will take account of work already in train for developing a UK-wide competency framework for police appraisal. The new appraisal system will be introduced by April 2002.

RECOMMENDATION 6 APPOINTMENT OF LAWYER WITH HUMAN RIGHTS EXPERTISE

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

Accepted. A human rights lawyer will be appointed to provide comprehensive specialist human rights legal advice to the police service on all aspects of their activity including operations which raise human rights considerations. This will include producing draft policy guidelines and proposed training courses for officers. The Chief Commissioner of the Human Rights Commission was consulted.

Timescale: Post advertised on 31 May 2001.

RECOMMENDATION 7 MONITORING HUMAN RIGHTS PERFORMANCE

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

Accepted. This important monitoring function is conferred on the Policing Board by the Police Act.

Timescale: Legislative provision has been included in the Police Act in section 3(3)(b)(ii) which outlines the functions of the Policing Board. There are also requirements for the Policing Board to assess the effectiveness of the Code of Ethics (at section 3(3)(d)(iv)), to monitor the performance of the police in complying with the Human Rights Act 1998 (at section 3 (3) (b) and to include an assessment of this performance in its annual report (section 75 (2) (a) (ii)).

ACCOUNTABILITY

RECOMMENDATIONS 8 & 9

CREATION OF A POLICING BOARD

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

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

Accepted. The Government regards a representative Policing Board with a majority elected element as a key component in providing new police accountability arrangements. It wants to see the Board established as soon as possible. The statutory functions of the Board will be to secure the maintenance of an efficient and effective police service and to hold the Chief Constable and the police service publicly to account for the performance of their functions. The need for transparency about the role and work of the Policing Board is fully accepted.

Timescale: Legislative provision has been included in Part II and Schedule 1 of the Police Act. Following a supplementary competition, the target date for the Board coming into being is September 2001 at which point the Police Authority will be abolished (section 2).

RECOMMENDATIONS 10, 11 & 12

POLICE PLANNING PROCESS

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.

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.

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

Accepted. The Police Act brings the planning process into line with these proposals - placing the Policing Board at the centre of the strategic planning process. Part IV of the Act requires the Policing Board to set objectives for policing, taking account, as Patten recommended, of longer term objectives set by the Secretary of State.

Part IV also requires the Chief Constable to prepare a draft policing plan which the Board may then adopt or amend before issuing. The policing plan will contain strategic priorities, annual priorities, an assessment of police training needs, the performance targets set by the Board, and other matters as may be prescribed in regulations.

The Government intends, after the planned review, to amend the Act so that the Secretary of State would consult the Board with a view to reaching agreement in setting his long term policing objectives and that the Board would take account of the Secretary of State's objectives in setting its own (sections 24 and 25) and to provide that the Chief Constable should take account of the policing plan in the discharge of his functions (section 33). The Board will be responsible for negotiating the annual policing budget with the NIO (sections 9 and 10 of the Act) and allocating it to the Chief Constable (section 10 of the Act). The Chief Constable will have day-to-day financial management of the police budget within the terms of the allocation made by the Board and in accordance with financial instructions agreed between the Board, the Secretary of State and the Chief Constable.

The Board will monitor police performance against the budget through the policing plan (section 3 of the Act).

Timescale: Legislative provision has been included in Part IV of the Police Act. Planning regulations and financial instructions are to be brought forward for consultation with the Policing Board as soon as it is established. The Board will hold the Chief Constable to account against the 2001/2 policing plan and will finalise the plan for 2002/3 on its appointment.

RECOMMENDATION 13

MONITORING POLICE PERFORMANCE

The Board should monitor police performance against the Annual Policing Plan and the 3-5 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

Accepted. These important monitoring functions have been conferred on the Policing Board by the Police Act. The Police Ombudsman will be responsible for producing the statistical information necessary to enable the Board to monitor patterns and trends in complaints against the police (see recommendation 38).

Section 3 of the Police Act sets out the Board's functions in respect of recommendation 13. It will hold the Chief Constable to account for the performance of his and the police service's functions, including the monitoring of police performance on crime and public order, human rights, in carrying out the policing plan and on training. It will assess the level of public satisfaction with the police including complaints and the effectiveness of the Code of Ethics. It will also assess the effect of measures to make the police service representative of the community in Northern Ireland. Under section 57 of the Act, the Board will be required to report on all of these areas.

The Government intends, after the planned review, to amend the Act to clarify that policing with the community is to be a core function of the police service and its officers and to ensure that the Board monitors this function.

Timescale: Legislative provision has been included in the Police Act.

RECOMMENDATION 14

POLICING BOARD ROLE IN POLICE APPOINTMENTS

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 to the same right to make representations and after consultation with the Chief Constable. The Secretary of State should have 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

Accepted. These functions have been conferred on the Policing Board by the Police Act. Part VI provides for the Policing Board's role in relation to the appointment and removal of senior officers. Section 4 provides for the Board's appointment of senior employees.

Timescale: Legislative provision has been included in the Police Act.

RECOMMENDATION 15

POLICING BOARD CO-ORDINATION WITH OTHER AGENCIES

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

Accepted. The Police Act requires the Policing Board to have due regard to the need to co-ordinate its work with other statutory agencies and to co-operate with them in carrying out its functions.

Timescale: Legislative provision has been included in the Police Act, at section 3(4)(d).

RECOMMENDATION 16, 17, 18 & 19

COMPOSITION OF POLICING BOARD

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.

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.

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.

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

Accepted. The Police Act provides for the Policing Board to be composed on the basis set out in these recommendations. The success of the Board will be dependent on the willingness of representatives of both the unionist and nationalist communities to serve on the Board and support its work in securing the maintenance of the police service and in holding the Chief Constable and the police service to account for the performance of their functions.

The Government concluded it was also right to take reserve powers to compose the Board on an alternative basis in the event of the absence of a Northern Ireland Executive. These reserve powers have been provided in the Police Act.

Timescale: Legislative provision has been included in the Police Act, in Schedule 1. The Northern Ireland Policing Board (Prescribed Period) Regulations 2001 which prescribe the period for nomination of political members came into force on 2 February. Applications for independent members have already been invited and the Government's aim is to establish the Board by the end of September, following a supplementary competition. The appointments process is being conducted under the guidance issued by the Commissioner for Public Appointments.

RECOMMENDATIONS 20 & 21

DEVOLUTION OF RESPONSIBILITY FOR POLICING

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

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

Accepted. In a Government statement on 26 October 2000, relating to the report of the review of the Criminal Justice system, the Secretary of State said that “The report envisages that responsibility for the justice system should be transferred to the Assembly. The Government intends and is willing to devolve responsibility for policing and justice functions, as set out in the Good Friday Agreement. We need first to pave the way by completing the implementation of the policing reforms and giving practical effect to the decisions made on the Criminal Justice Review. Thereafter, devolution will follow as soon as practicable.”

As part of the process of devolving responsibility for policing, the overall balance of powers within the tripartite arrangement would need to be reviewed to ensure that appropriate powers are retained by the Policing Board.

Timescale: The next stage in taking forward the review of the Criminal Justice system is the publication of legislation and an implementation timetable. This will be done shortly.

RECOMMENDATION 22

SIMPLIFICATION OF ROLES IN TRIPARTITE ARRANGEMENT

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

Accepted. The Police Act simplifies and clarifies the roles of the Secretary of State, the Board and the Chief Constable in relation to the principles and strategic direction of policing, giving the lead role to the Board (Part IV of the Act). The Board will set strategic and annual priorities (the former was the responsibility of the Chief Constable under previous legislation and the Act confines the Secretary of State’s role to setting long-term objectives). The Act also simplifies the legislation by allowing the Secretary of State to set out in regulations - following consultation with the Board and the Chief Constable - the matters to be included in the policing plan. This does not allow the Secretary of State to intervene in the Board’s role of what appropriate targets and objectives should be - it only requires that the Board should set targets and performance indicators and other matters. The Government intends, after the planned review, to amend the Act to clarify the relationship between the Secretary of State and the Board in setting objectives for the police service (sections 24 and 25).

Timescale: Legislative provision has been included in the Police Act, sections 24-26.

RECOMMENDATION 23 REPEAL OF POWER TO ISSUE GUIDANCE TO THE POLICE

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

Accepted. Section 39 is repealed by the Police Act.

Timescale: This has been included in the Police Act, in Schedule 8.

RECOMMENDATION 24 OPERATIONAL RESPONSIBILITY

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

Accepted. Section 33 of the Police Act, which deals with the Chief Constable's operational responsibility and the discharge of his functions in relation to the policing plan and any code of practice under section 27, provides that the police shall be under the direction and control of the Chief Constable. It is a fundamental principle that the police are impartial and free from political control. This principle was set out in the Good Friday Agreement.

The corollary of this is that the Government accepts that the Policing Board needs to have adequate powers to hold the Chief Constable and the police service to account for the performance of their functions - and that such accountability should extend to explaining operational decisions. The Act provides greatly enhanced powers for the Policing Board to require reports from the Chief Constable and to initiate inquiries into matters connected with policing (sections 59 and 60).

The Government intends, after the planned review, to amend the Act to provide that the Chief Constable shall take account of the policing plan.

Timescale: Legislative provision has been included in the Police Act.

RECOMMENDATIONS 25 & 26

POWERS TO REQUIRE REPORTS AND INITIATE INQUIRIES

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.

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

Accepted. The Government accepts that the Policing Board needs these powers to enable it to hold the Chief Constable and the police service to account. The Act sets out these unique powers and the safeguards on their use.

The Policing Board will be able to request the Police Ombudsman, Her Majesty's Inspectorate of Constabulary, the Audit Office or, with the agreement of the Secretary of State, any other person to conduct an inquiry into the police service on the Board's behalf.

The initial provisions in the legislation were amended during the passage of the Bill to take account of representations made to Government. The Government has said that it will consider very carefully any request from the Policing Board for additional in-year funding for an inquiry. It should be noted that the Secretary of State is not obliged to overrule the Policing Board if the Chief Constable refers the Board's decision to him - he will consider each case very carefully on its merits. Moreover, where the Policing Board considers an inquiry should be held, by reason of the gravity of the matter or exceptional circumstances, the Secretary of State would not envisage overruling the Board without discussion with it. He would also give his reasons to the Board.

The Government intends, after the planned review, to remove the ground of appeal in section 59(3)(d) and 60(3)(d) and to substitute "sensitive personnel" for "sensitive personal" in section 59(3)(b) and 60(3)(b), while adding a new definition which covers potentially vulnerable individuals, whether police personnel or members of the public. It also intends, after the review, to provide that the number of members present and voting for a proposal for an inquiry should be eight so long as that is the majority of those present and voting.

The Government will issue a best practice code setting out how the Secretary of State would approach proposals from the Policing Board for inquiries (under section 60 of the Act). The Government has not yet prepared the code in detail, but would envisage it covering areas such as :

- arrangements for requests for additional funding for inquiries;**
- arrangements for the Board to give reasons why it considers something should be the subject of an inquiry;**
- the manner in which the Secretary of State might seek further information or give his reasons for refusal;**
- consideration, with the Board, of options short of an inquiry if the Secretary of State is inclined to refuse a board request;**
- consultation of others with an interest, before reaching a judgement;**
- the possibility of the Board making further representations.**

Timescale: Legislative provision has been included in the Police Act, at sections 59 and 60.

RECOMMENDATION 27

CREATION OF DISTRICT POLICING PARTNERSHIP BOARDS

Each District Council should establish a District Policing Partnership Board (DPPB), 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 DPPB should be held by an elected member, with rotation between parties from year to year.

Lead responsibility: NIO/Policing Board/District Councils

Accepted, though with appointments by the Board. These new bodies will be called 'District Policing Partnerships'.

The Government regards the District Policing Partnership as a fundamental component of the new beginning and as a vital element of the accountability arrangements envisaged by Patten. The Good Friday Agreement terms of reference for Patten sought "clearly established arrangements enabling local people and their political representatives to articulate views and concerns about policing and to establish... policing priorities and influence policing policies..." subject to safeguards.

The District Policing Partnerships will serve as important forums for consultation between the community and the police on policing objectives, priorities and concerns at District level. Patten referred, para 6.29, to DPPs having an advisory, explanatory and consultative role and the Act provides for this. Under the legislation, they will provide views to district commanders on policing matters, and monitor police performance in carrying out policing plans in the district. They will also be responsible for making arrangements for obtaining the views of the public about matters concerning the policing of the District, and the co-operation of the public with the police in preventing crime. The success of the DPPs will be crucially dependent on the willingness of representatives of both the unionist and nationalist communities to serve on them and support their work.

The appointment arrangements for the DPPs follow those recommended by Patten. The Secretary of State will issue a Code of Practice on appointments after consultation with the District Councils, the Policing Board and the Equality Commission.

Timescale: Legislative provision has been included in Part III and Schedule 3 of the Police Act. The Code will be available for consultation with the Board in October 2001; it will be based on the guidance issued by the Commissioner for Public Appointments. Appointments to DPPs will be made by the Councils and Board. The operation of, and continued need for, the disqualification provision for independent membership (Schedule 3, paragraph 8(2)) will be considered further as part of the planned review and the Government would be prepared to include any necessary amend in the subsequent legislation.

RECOMMENDATION 28

ARRANGEMENTS FOR BELFAST

The District Policing Partnership Board in Belfast should have four subgroups, covering North, South, East and West Belfast.

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

Accepted. The legislation provides for the district council for Belfast to establish a sub-group (also called a sub-committee in the Patten Report) of its DPP for each police district in Belfast. The Chief Constable has stated that it is his intention that there shall be four police districts in Belfast and he appointed four District Commanders who took up post on 1 April. If the Chief Constable were at some stage in the future to propose changing that arrangement he would not envisage doing so without first speaking to the Policing Board and the district council. The function of each sub-group shall be to provide views to the District Commanders and the Belfast DPP on any matter concerning the policing of that police district.

The functions of the Belfast sub-groups will be considered further as part of the planned review. The Government would be prepared to include any necessary amendment in the subsequent legislation.

Timescale: Legislative provision requiring the district council for Belfast to establish a sub-group of its DPP for each police district has been included in the Police Act, at sections 20-21.

RECOMMENDATIONS 29 & 30

METHOD OF OPERATION OF DPPBs

There should be monthly meetings between the DPPB 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 DPPBs 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.

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

Lead responsibility: Policing Board

Accepted. The method of operation of DPPs and the Belfast sub-groups will be included in a Code of Practice which the Policing Board must issue on the exercise of DPP functions. Legislation requires the views of DPPs to be taken into account by the Policing Board in the formulation of policing plans and strategies (section 25) and by the District Commander before issuing a local policing plan (section 22). Section 19 requires the Policing Board's Code of Practice to include the arrangements for submission by or to a DPP of reports and other documents. The Board and District Commanders, insofar as it does not affect operational independence or, for example, ongoing investigations, will provide relevant information to DPPs relating to the district. This would include statistics and general information on crime trends.

DPPs are required in the legislation (section 17) to submit an annual report simultaneously to both the District Council and the Policing Board. They may make other reports on policing at any time.

In carrying out their work, the Government would expect the Board's code to contain guidance for DPPs on how to co-ordinate its role with other agencies (para 6.29 of the Patten Report).

Timescale: Legislative provision has been included in Part III and schedule 3 of the Police Act. A Code of Practice will be issued by the Policing Board; the target date is January 2002, although the precise date will be a matter for the Board.

RECOMMENDATION 31

ADMINISTRATION COSTS OF DPPBs

The approved administration costs of the DPPB 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

Accepted with safeguards. Paragraph 11 of Schedule 3 of the Act provides for the Policing Board to pay three quarters of the expenses incurred by a council in connection with a DPP, although under section 15 the provision of a grant will be linked to a DPP being properly established.

Timescale: Legislative provision has been included in the Police Act.

RECOMMENDATION 32 EXPENDITURE BY DPPBs

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 DPPB to purchase additional services from the police or other statutory agencies, or from the private sector.

Lead responsibility: NIO/Executive Committee

For further consideration. DPPs will have a consultative role, and legislative provision has been made for this in the Police Act. The Criminal Justice Review recommended that the DPPs should be developed into Community Safety and Policing Partnerships (CSPPs), charged with a wider community safety role, and that district councils be given the power to contribute an amount initially up to the equivalent of a rate of 3p in the pound, for the purpose of resourcing community safety initiatives (subject to clear guidelines about the raising of such funds and the use to which they might be put). The nature of CSPPs and the extent of their functions is being considered as part of the follow-up to the Criminal Justice Review. Details will be set out in the draft Criminal Justice Bill which will be published for consultation and the Implementation Plan which will be published at the same time. As local government finance is now a transferred matter, however, it should fall to the Executive Committee to agree whether a new rate power should be given to district councils.

Timescale: The immediate priority is to get the DPPs up and running with widespread support. The Government plans to publish the Criminal Justice Bill and Implementation Plan shortly. As noted above, the Executive Committee should be responsible for changes in the revenue raising powers of councils.

RECOMMENDATION 33 CONSULTATIVE FORUMS AT LOCAL LEVEL

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

Accepted. The Government and the Chief Constable want to see an increase in the number of, and local areas covered by, consultative forums at local level, below the District Policing Partnerships. Such forums have a continuing and important role to play in maintaining and enhancing contact and consultation between the police and local communities and neighbourhoods. The Act enables DPPs, with the approval of the Policing Board, to make arrangements to facilitate consultation by the police service with local communities within their districts, under section 23.

Success in creating such forums will be crucially dependent on the willingness of communities to meet with the police and to co-operate with them in agreeing local policing priorities, in solving problems and in reducing crime.

Timescale: Legislative provision has been included in the Police Act.

RECOMMENDATION 34 CONTACTS BETWEEN POLICING BOARD AND DPPBs

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

Lead responsibility: Policing Board/DPPs

Accepted. The Policing Board is required by the Act to issue a Code of Practice which is to include guidance on relationships between the Board and the DPPs.

Timescale: Legislative provision has been included in the Police Act at section 19. A Code of Practice will be issued by the Policing Board; the target date is January 2002, although the precise date will be a matter for the Board.

RECOMMENDATION 35 MEETINGS OF THE POLICING BOARD

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

Lead responsibility: Policing Board/Chief Constable

Accepted. Paragraph 19 of Schedule 1 requires the Policing Board to meet in public as recommended and to receive regular reports from the Chief Constable.

Beyond holding a monthly meeting in public, the Government believes that it should be for the Board and the Chief Constable to work out the detailed arrangements for meetings and other contacts between them.

Timescale: Legislative provision has been included in the Act.

RECOMMENDATION 36 MEETINGS OF THE DPPBs

District Policing Partnership Boards 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

Accepted. The Policing Board is required by the Act, at section 19, to issue a Code of Practice setting out best practice on the operation of DPPs. The Code is, by virtue of section 19(3), to include procedures for meetings, the holding of public meetings by DPPs and the arrangements for enabling questions to be asked.

Timescale: Legislative provision has been included in the Police Act. A Code of Practice will be issued by the Policing Board; the target date is January 2002, although the precise date will be a matter for the Board.

RECOMMENDATION 37 OPENNESS OF THE POLICE SERVICE

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

Accepted. The Freedom of Information legislation will apply, when the relevant provisions are commenced, to the police and the Policing Board. It will give important new rights to those seeking information. Access will be based on a presumption of disclosure.

The Chief Constable will undertake a review of police arrangements for communication with the public and with the media. He will consult the Policing Board on the review. The review will address the transparency and openness of information about police work.

In addition, the Code of Ethics (see recommendation 3) and new codes of practice on covert law enforcement techniques (see recommendation 39) and any guidance issued by the Secretary of State on the use by members of the police service of equipment designed for use in maintaining or restoring public order (see recommendation 74) will be made publicly available.

The Freedom of Information Act 2000 received Royal Assent in November 2000 and commencement will be rolled out, starting with central government, from summer 2002.

Timescale: Review of arrangements for communication to be reported by September 2001. Implementation thereafter.

RECOMMENDATION 38

ROLE OF THE POLICE OMBUDSMAN

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 issues emerging 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 on the RUC.

Lead responsibility: Police Ombudsman

Accepted. The Government has enacted legislation creating the office of Police Ombudsman and is ensuring that the office is adequately staffed and resourced. The Ombudsman has power to initiate an investigation, even if no specific complaint has been received, where she believes that a criminal or disciplinary offence may have been committed by police officers (section 55 of the Police (NI) Act 1998). The Ombudsman is responsible for compiling data on trends and patterns in complaints. She is required to do so under section 64 of the Police Act. A sophisticated computer system has been installed to enable her to do this. Such information will be reported to the Chief Constable and the Policing Board for any necessary action (see recommendation 13).

The Act, section 63, provides for the Ombudsman to report on police policies and practices which are perceived to give rise to difficulties, where the Ombudsman identifies these as a result of complaints investigations, even though the conduct of officers may not itself be culpable, by sending a report to the Chief Constable and the Policing Board for any necessary action. Moreover, under section 63, the Ombudsman may carry out research into any matter which may be the subject of such a report, and has a research team to do this. The Ombudsman will also be given such information by the Chief Constable and the Policing Board as may be required for the purposes of, or in connection with, the exercise of any of the Ombudsman's functions (section 66).

The Government intends, after the planned review, to amend the Act so that the Ombudsman "investigates" police policies and practices and to make a related amendment to police conduct regulations so that "obstruction" of such an investigation is a disciplinary offence.

The legislation provides, at section 65, for regulations to set out the circumstances in which the Ombudsman may deal with complaints arising before her office was established. The regulations came into operation in May 2001. Under these the Ombudsman may investigate a case:

- (a) if it is not substantially the same as one previously investigated and she believes there may have been a criminal or disciplinary offence and she considers it grave or exceptional; or**
- (b) if there is new evidence (even if the case had been considered before) and she believes there may have been a criminal or disciplinary offence and she considers it is grave or exceptional (unless it had already been the subject of disciplinary or criminal proceedings).**

Timescale: Legislative provision has been included in the Police Act, in addition to the existing provisions in the 1998 Police Act. The Police Ombudsman's Office became fully operational on 6 November 2000. The regulations under section 65 were made on 2 May 2001.

RECOMMENDATIONS 39, 40 & 41

COVERT LAW ENFORCEMENT

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.

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

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

Accepted. The Regulation of Investigatory Powers Act makes provision for the regulation of covert policing techniques. This new legislation is compliant with the ECHR, and underpinned by Codes of Practice on the use of such techniques. The Act also provides for Commissioner oversight and for a single UK-wide Complaints Tribunal.

The Regulation of Investigatory Powers Act 2000 was introduced to coincide with the introduction of the Human Rights Act on 2 October 2000. The Act provides for the Surveillance Commissioners, appointed under Part III of the Police Act 1997, to provide statutory oversight for the use of the covert policing techniques covered by the RIP Act. The Rt Hon Sir John MacDermott serves as Commissioner with responsibility for Northern Ireland and has oversight responsibility for the police in Northern Ireland. A Complaints Tribunal has also been appointed to coincide with the introduction of the Act. Sir John Pringle serves as the Northern Ireland member on the Tribunal.

The Tribunal considers complaints about use of intrusive investigatory powers, and would look at the action taken, the authorisation, proportionality and necessity, before making a judgement about appropriateness. It may quash the authorisation or order compensation, the destruction of records etc.

Separately, where the conduct of an officer amounts to a possible criminal or disciplinary offence, the Police Ombudsman has a role under the Police (Northern Ireland) Act 1998.

Timescale: The Regulation of Investigatory Powers Act was introduced on 2 October 2000. Codes of Practice under the Regulation of Investigatory Powers Act which will apply to Northern Ireland will be published in their final form later this year.

RECOMMENDATION 42

STRENGTHENING OF FINANCIAL ACCOUNTABILITY

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

Accepted. The Police Act (Part V) provides for a substantial strengthening of financial accountability by placing on the Board the requirement to achieve continuous improvement in the way in which its own and police functions are carried out with a view to securing economy, efficiency and effectiveness. The Board has to make arrangements to meet this requirement including carrying out reviews of its own and police functions. In conducting the latter it must involve the Chief Constable. It is also required to produce a performance plan containing targets and benchmarks showing what it intends to achieve and how it has performed in terms of previous plans.

The 'Best Value' arrangements require the systematic involvement of the National Audit Office and HMIC to examine, investigate and assess the Board's and police resource management. To enable the Board to carry out these functions the Government envisages it having a strong internal audit department. Staffing will be a matter for negotiation with the Board.

As the provider of all the funds for policing in Northern Ireland, the Secretary of State will retain a default role in respect of efficiency matters which can be triggered following independent, expert assessment.

It is the Government's and Chief Constable's aim that there should be a fully costed policing plan.

The Board will retain overall financial accountability for police resources. The Act places ownership of police land, buildings, equipment and funds in the hands of the Board and removes some of the Secretary of State's detailed controls which existed in earlier legislation. The Board will delegate the day-to-day management and control of police resources (except the acquisition of land) to the Chief Constable (see also recommendation 12) who is responsible for delivering the policing service.

Timescale: A Memorandum on financial relationships between the Government and the Policing Board will be ready for introduction when the Board is established. Legislative provision on 'Best Value' has been included in Part V of the Police Act.

RECOMMENDATION 43

DESIGNATION OF CHIEF CONSTABLE AS SUB-ACCOUNTING OFFICER

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

Accepted. The Police Act requires the Board to keep proper records and accounts of police expenditure and to delegate this function to the Chief Constable (section 12). This enables the Chief Constable to be designated as accounting officer for the police grant while retaining the Board's overall responsibility. As two accounting officers cannot have the same responsibility for a single grant (ie the same amount of money), the Government will designate the Chief Constable as accounting officer for the annual grant for police purposes, while the Chief Executive of the Board will be similarly designated for the Board's resources. The Chief Constable in carrying out his accounting officer role will have his own internal audit service.

The change in the designation of accounting officer does not affect the Chief Constable's accountability to the Policing Board for police expenditure.

Timescale: Once the Board is established the Chief Constable will be the accounting officer for the police grant.

POLICING WITH THE COMMUNITY

RECOMMENDATION 44

COMMUNITY POLICING AS A CORE FUNCTION

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

Accepted. The Government and Chief Constable accept the importance of community policing and that the Police Service of Northern Ireland should be at the leading edge of developments in community policing. Section 32(5) of the Police Act provides that police officers should, so far as practicable, carry out their functions in co-operation with, and with the aim of securing the support of the local community. It will be for the Chief Constable to make community partnership policing operational.

The Policing Board's responsibility in section 3(3)(d) for making arrangements for promoting the co-operation of the public with the police in preventing crime will give the Board an important role in helping to make community partnership policing a reality. The DPPs will also have an important role to play. They must obtain the views of the public about policing issues in their district and the co-operation of the public with the police, and act as a general forum for discussion and consultation on policing (section 16).

The Government intends, after the planned review, to amend the Act to clarify that policing with the community is to be a core function of the police service and its officers and to ensure that the Board monitors this function.

Timescale: Legislative provision has been included in the Police Act.

RECOMMENDATION 45

DEDICATED NEIGHBOURHOOD POLICING TEAMS

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

Lead responsibility: Chief Constable/District Commanders

Accepted. This is a highly desirable objective and a core element of community partnership policing. (See also recommendation 48.)

The police have already established a number of pilot schemes of neighbourhood policing teams and their strategic review of District Command Units and Regional Headquarters structures concludes that sergeants should be assigned to specific neighbourhoods.

Timescale: The new structure of District Commands was created on 1 April (see recommendation 94). District Commanders are responsible for the establishment, as far as is practicable, of dedicated neighbourhood policing teams within their districts.

RECOMMENDATION 46 SERVICE IN NEIGHBOURHOOD POLICING TEAMS

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

Accepted in principle. This recommendation will be implemented in a sensible and flexible fashion. It will be reflected in the proposed new tenure policy for the police service (see recommendation 83). The new tenure policy will establish 3-5 year postings in neighbourhood policing teams as the objective.

The desirable objective of members of policing teams wearing their names and the name of the locality for which they are responsible displayed on uniforms will be reviewed regularly and implemented when the security situation allows.

Timescale: Introduction of a tenure policy is dealt with under recommendation 83. Progress on wearing of names and locations is dependent upon the security situation.

RECOMMENDATION 47 POLICE PROBATIONARY TRAINING

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

Lead responsibility: Chief Constable

Accepted. The Chief Constable will require all probationers to undertake a significant part of their training in neighbourhood units and policing teams. But it is important that probationers also spend time getting wider relevant experience.

Timescale: The Chief Constable will introduce the necessary arrangements by March 2002.

RECOMMENDATION 48 PATROLLING ON FOOT

Where practicable, policing teams should patrol on foot.

Lead responsibility: Chief Constable/District Commanders

Accepted. It will be for individual District Commanders to determine the practicability of patrolling on foot in neighbourhoods within their districts. Neighbourhood policing teams will normally patrol on foot, depending on the size of the neighbourhood, the duties to be performed and the security situation prevailing at the time.

Timescale: Progress will be security dependent, though a number of pilot schemes have already been established.

RECOMMENDATION 49 ROLE OF NEIGHBOURHOOD POLICING TEAMS

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

Accepted. District Commanders will empower neighbourhood policing teams to work on this basis. Neighbourhood priorities and objectives should also be integrated with the district policing plan.

Timescale: A new structure of District Commands was created on 1 April (see recommendation 94).

RECOMMENDATION 50 CRIME AND COMPLAINT PATTERN ANALYSIS

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

Accepted. Crime and complaint pattern analysis are key supporting elements of a problem-solving approach to community policing. Training on problem-solving approaches will be provided for officers within the context of the new training and education strategy (see recommendation 129). Priority will be given to training beat managers and their teams. The police have already recruited a number of analysts and the process to recruit additional ones is in hand. They are being supplied with appropriate IT systems.

In addition, their strategic review of District Command Units and Regional Headquarters concluded that there should be a Crime Manager in each District to manage crime. Crime Management Units would be developed in each District to manage information particularly that assisting a problem solving approach.

The police appraisal system will also be reviewed and adjusted to require officers who are in positions where these skills are applied to be regularly appraised as to their performance in applying a problem solving approach to policing (see also recommendations 5, 75, 77 and 156).

In order for a problem solving approach to achieve its full potential, other agencies in the public, voluntary and private sectors will need to be prepared to work in partnership with the police and to contribute to crime reduction and the resolution of quality of life issues. Success will also be dependent on the willingness of communities to welcome the police into their neighbourhoods and to co-operate with them in solving problems and reducing crime.

Timescale: Legislative provision on training and education strategy has been included in the Police Act at section 26. The draft training and education strategy will be available for consideration by the Policing Board on its appointment. Work began on developing a new appraisal system in June 2000, to be implemented by April 2002.

RECOMMENDATION 51

ATTENDANCE AT POLICE TRAINING COURSES

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

Lead responsibility: Chief Constable

Accepted. The Chief Constable intends to extend the opportunity to attend such training courses to other relevant agencies in the public, private and voluntary sectors (see also recommendation 148).

Timescale: To be taken forward in the context of the new training and education strategy for the police service (see recommendation 129).

POLICING IN A PEACEFUL SOCIETY

RECOMMENDATIONS 52 & 53

APPEARANCE OF POLICE STATIONS

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.

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

Accepted in principle. The Government and the Chief Constable are fully committed to implementing these recommendations. Implementation will be dependent on the security situation. The issues will be addressed through the development of a comprehensive strategy for the development of the police estate (see recommendation 92). The strategy will address both the interior and the exterior of police buildings. The Government is committed to funding the implementation of the programme of change. The use of civilians in public reception areas remains under consideration and will be pursued as part of a strategy on civilianisation (see recommendation 90).

Timescale: Implementation of these recommendations is dependent upon the security situation and will clearly be subject to scrutiny by the Oversight Commissioner. The police are preparing a comprehensive strategy for the development of the police estate and the Policing Board will be involved in this, when appointed.

RECOMMENDATION 54

DEVOLVED AUTHORITY OF DISTRICT COMMANDERS

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

Accepted. Under the new arrangements for District Commands, District Commanders will have high levels of devolved authority (see recommendations 94, 95 and 96). This will include decision-making on deployments. Consultation with the community is good practice before deployment plans are made. District Commanders will consult their respective District Policing Partnerships on district policing plans. Final responsibility for operational deployments must remain with the District Commander.

Timescale: A new structure of District Commands was introduced on 1 April 2001. It will take some time to provide the necessary support services and structures for the District Commands.

RECOMMENDATIONS 55, 56 & 57

POLICE VEHICLES

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.

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 reserve for use in public order policing for as long as this contingency may be required.

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

Lead responsibility: Chief Constable/Policing Board

Accepted. There has already been progress in substituting police cars for Landrovers. The Chief Constable's aim is to reach a position where Landrovers are moved to depots and kept in reserve.

Timescale: The programme of reliverying police Landrovers has been completed - all now carry the word 'Police' and over a quarter of these have been repainted white with battenburg livery. By November 2000, 50% of Landrovers were not being used for daily patrol. A programme to replace Landrovers with other vehicles is being implemented and over 100 vehicles have been purchased. Decisions on future purchases are dependent on the security situation and will clearly be subject to scrutiny by the Oversight Commissioner.

RECOMMENDATION 58

ARMY SUPPORT - SECURITY DEMANDS

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

Accepted. Army support to the police has already been greatly reduced and will continue to be reduced, in line with the level of security threat. Patrol levels have been reduced by two thirds since the Good Friday Agreement. Routine military patrolling has been reduced by over 50% since the Good Friday Agreement. Currently police routinely patrol without military support in 28 of the 29 District Command Units. However, on a number of occasions military support has been utilised for specific purposes. Leaving aside additional support required for Drumcree etc, there are currently under 13,500 troops in Northern Ireland, the lowest level since 1970.

Timescale: Further progress will depend on the Chief Constable's ongoing assessment of the security threat.

RECOMMENDATION 59

ARMY SUPPORT - PUBLIC ORDER DEMANDS

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

Accepted. The need for Army support to the police in meeting public order policing demands is kept under continuous review.

Timescale: To be kept under review by the Secretary of State on the advice of the Chief Constable. Progress dependent on improvements in the public order situation.

RECOMMENDATION 60 EMERGENCY LEGISLATION

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

Accepted. The new Terrorism Act became law in summer 2000 and came into force on 19 February 2001. The re-positioning of the Northern Ireland emergency powers within UK-wide legislation underpins the Government's commitment to removing these powers as soon as the security situation allows. The measures for Northern Ireland are temporary, time-limited to 5 years and subject to annual review and renewal.

Timescale: To be kept under review by the Secretary of State. The Northern Ireland-specific special powers can be phased out by Order, as soon as the security situation allows.

RECOMMENDATION 61 RECORDS ON THE USE OF EMERGENCY POWERS

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

Accepted. The necessary legislative provision has been made in the Terrorism Act. This will require the Chief Constable to make arrangements for securing that, insofar as it is reasonably practicable to do so, a record is made of each exercise by a constable of stop and search powers and other emergency powers. The necessary arrangements for implementing the legislation have been made by the Chief Constable.

Timescale: Legislative provision was included in the Terrorism Act which came into force on 19 February 2001. Monitoring of stop and search will begin in September.

RECOMMENDATION 62 HOLDING CENTRES

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

Accepted. Castlereagh holding centre closed on 31 December 1999 and Strand Road holding centre closed on 1 October 2000. The Government and the Chief Constable have accepted that the holding centre at Gough barracks should close as soon as is practicable.

Timescale: Castlereagh and Strand Road holding centres have already been closed. The holding centre at Gough barracks will close in September. Alternative temporary arrangements are being made for holding all suspects in a custody suite based in Lisburn Police Station. The next step will be to provide long-term facilities, built for the purpose, at Antrim Police Station - these are scheduled to be available in late 2002.

RECOMMENDATION 63 VIDEO RECORDING IN PACE CUSTODY SUITES

Video recording should be introduced into the PACE custody suites.

Lead responsibility: NIO/Chief Constable

Accepted. Section 72 of the Police Act adds an important additional safeguard for detainees in PACE custody suites. The Police Act introduced the requirement for video recording in PACE custody suites and for a Code of Practice to be issued by the Secretary of State. Planning for the introduction of video recording in PACE custody suites is being taken forward.

Timescale: Legislative provision has been included in the Police Act, at section 72. The facilities will be installed in a phased programme.

RECOMMENDATION 64 INSPECTION OF CUSTODY AND INTERROGATION SUITES

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

Accepted. The role of Lay Visitors will be extended to cover inspection of the conditions of detention of all suspects. The change will be introduced once arrangements for holding all suspects in custody suites based in police stations have been made. Their role and the Board's responsibility for lay visiting have been placed on a statutory footing.

Further consultation is needed with the Board and its Lay Visitors about the function of observing interviews with detainees on camera. This is a function currently performed by the Independent Commissioner for the Holding Centres, who may also conduct interviews with persons detained (if they so desire) and attend interviews between persons detained and police officers. The Independent Commissioner will continue to undertake his functions until the Board is in place and decisions made about Lay Visitors. His role will then be reviewed.

Timescale: Extension of the role of Lay Visitors is dependent on the completion of arrangements for holding all suspects in custody suites based in police stations and on discussions with the Board. Legislative provision has been included in the Police Act, at section 73.

RECOMMENDATION 65 OBJECTIVE OF AN UNARMED POLICE SERVICE

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

Accepted. There has already been a significant reduction in the carriage of firearms by police officers. Further progress is dependent upon the level of security threat and the need for an armed response to wider criminal activity.

Timescale: To be kept under review. Progress dependent upon the security situation.

PUBLIC ORDER POLICING

RECOMMENDATION 66

PUBLIC ORDER EMERGENCIES

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

Accepted. It will be for the Policing Board to ensure that the police have the resources to meet the public order and other demands placed upon them. The need for Army support to the police in meeting public order demands is kept under continuous review (see recommendation 59).

Timescale: To be kept under review by the Policing Board on advice from the Chief Constable.

RECOMMENDATIONS 67 & 68

CONDITIONS FOR THE APPROVAL OF PARADES

It should be a condition for the approval of a parade that the organizers should provide their own marshals, and the organizers 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.

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

Accepted in principle. Marshalling is primarily a matter for the Parades Commission. The Commission is considering the issues arising from these recommendations and will report its conclusions to the Government.

Timescale: The Commission intends to respond by the end of August.

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).

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

Accepted. The Government is fully committed to these recommendations. Its clear objective is to find or develop a replacement for baton rounds that meets the criteria in the Patten report. It launched a research programme in July 2000. The research has two main purposes; to find an acceptable, effective, and less potentially lethal alternative, and to provide the police with a broader range of public order equipment, items of which may provide a substitute for baton rounds in certain situations. Terms of reference for the project, the first phase of which was completed in March 2001, were made public. The steering group reports directly to the NIO Minister of State, Ms Jane Kennedy.

Phase II of the programme is half way through. It involves a number of strands, including a needs analysis of the policing context, assessments of the views of interested parties and of the approach adopted in comparable jurisdictions, evaluation of equipment and the identification of further research to be taken forward as part of Phase III. It also includes a series of Ministerial meetings with outside interested parties.

As soon as the Policing Board is in place, arrangements will be made to ensure close co-operation between it and the project board for the research programme.

The Policing Board is among the bodies to be consulted before the Secretary of State issues guidance on the use of equipment for maintaining or restoring public order. While the project is ongoing, further safeguards have been introduced by the police on the use of baton rounds. For example, each officer deployed with the equipment is accompanied by another officer who is responsible for keeping a record of the circumstances in which any rounds are fired. In addition, every incident is reported to the Ombudsman, who carries out an investigation if it is in the public interest.

No newly recruited officers will be trained in the use of the equipment either during their initial two year probationary period or during the following two years in the service.

Timescale: Phase I of the research programme was completed earlier this year. A summary of the literature survey together with a framework document was published on 2 April. It is the intention to produce a further report by the end of October. This area will be subject to scrutiny by the Oversight Commissioner.

RECOMMENDATIONS 71, 73 & 74

POLICE PERFORMANCE IN PUBLIC ORDER SITUATIONS

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.

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.

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

Accepted. UK guidelines on the deployment and use of baton rounds have already been fully adopted by the police. Authorisation for the issue of baton rounds currently lies at Assistant Chief Constable level.

The Police Act requires the Policing Board to monitor police performance in public order situations (see recommendation 13), as part of which the Board will be provided with a report on every occasion PBRs are used by the police. Such reports will also be made available to the Police Ombudsman, who carries out an investigation if it is in the public interest (see also recommendations 69 and 70).

Section 53 of the Act enables the Secretary of State to issue guidance on the use by members of the police service of equipment designed for use in maintaining or restoring public order. Such guidance will be subject to consultation with the Chief Constable, the Policing Board, and the Ombudsman.

Timescale: Legislative provision has been included in the Police Act, at section 53.

RECOMMENDATION 72

POLICE OFFICERS' IDENTIFICATION NUMBERS

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

Lead responsibility: Chief Constable

Accepted. Under section 55 of the Police Act, a statutory duty is placed on the Chief Constable to require officers to wear a unique and readily identifiable number at all times on uniform or protective public order clothing. The Chief Constable is making the necessary arrangements for implementation.

Timescale: Legislative provision has been included in the Police Act. Implementation is scheduled for September 2001. Arrangements have already been made for officers, of all ranks, to have their serial number on their riot helmets.

MANAGEMENT AND PERSONNEL

RECOMMENDATION 75

POLICE MANAGEMENT OF CHANGE

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

Accepted. The Chief Constable has established a change management team, led at Assistant Chief Constable level. The Chief Constable's strategic review of police headquarters concluded that this post should continue for the time being, with a review in 3 to 5 years, with responsibility eventually falling to a new Corporate Development Branch under the direction of the Deputy Chief Constable. The team has available to it specialist support in change management, and is employing external consultants as necessary to assist.

The Chief Constable's programme of change will be integrated into the Board's policing plan. There is currently no formal appraisal system for chief officers, though the current "strategic command course" which is a pre-requisite for all chief officers places a heavy emphasis on change management. The Chief Constable will develop an appraisal system which will include assessment of performance in introducing, managing and adapting to change, taking into account UK-wide developments in this area.

Timescale: Work began on developing a new appraisal system in June 2000 (see also recommendations 5, 50 and 77). It will be implemented by April 2002.

RECOMMENDATION 76

DEVOLVED AUTHORITY OF DISTRICT COMMANDERS

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

Accepted. District Commanders will in future have much higher levels of devolved authority - including over the deployment of personnel within their command, budgets, the purchase of goods and services, and the funding of local policing initiatives. Progress is already being made with regard to devolving authority for deployment of personnel and budgetary responsibility for example, transitional guidelines were issued in April 2001. Service level agreements will be established for all Headquarters support departments (see also recommendation 132).

Timescale: Progress on the new arrangements was made in order to support the creation of new District Commands on 1 April 2001 (see recommendation 94). Devolved budgets will be introduced progressively and District Commanders will be provided with appropriate financial training.

RECOMMENDATION 77 POLICE APPRAISAL SYSTEM

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

Accepted. The Chief Constable is reviewing the effectiveness of the police appraisal system. The system will be adjusted to require officers to be assessed on their performance in introducing, managing and adapting to change, and in the light of other recommendations in the Patten Report (see recommendations 5, 50, 75 and 156).

Timescale: Since June 2000, the police have been taking forward work on a new appraisal system. It is taking account of work already in train for developing a UK-wide competency framework for police appraisal. The new system will be fully implemented by April 2002.

RECOMMENDATION 78 ACCOUNTABILITY OF DISTRICT COMMANDERS

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

Accepted. This formalises good practice. Recruitment of a number of additional crime analysts to support District Commanders is underway. New IT systems will be needed to support their work (see recommendation 93).

Timescale: Progress was made to support the creation of District Commands in April 2001 (see recommendation 94). For example crime analysts have been recruited and will be in place in most DCUs by September 2001.

RECOMMENDATIONS 79 & 80 TREND INFORMATION ON COMPLAINTS

An automated trend identification system for complaints should be introduced.

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

Accepted. A suitable system will be identified as part of the new IT Strategy for the police service (see recommendation 93). It will be integrated with the Police Ombudsman's office which has a new system to monitor complaints. Trend and other information on complaints will be made available (under section 64 of the Police Act) by the Police Ombudsman to the Policing Board to support the Board in fulfilling its responsibility for monitoring patterns and trends in complaints against the police (see recommendation 13).

The need for such information to be rigorously followed up by management and the Complaints and Discipline Branch is also accepted.

Timescale: To be taken forward as part of the IT Strategy (see recommendation 93), and partly in legislation.

RECOMMENDATION 81 RANDOM CHECKS ON OFFICERS' BEHAVIOUR

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

Accepted. To be implemented as part of a comprehensive policy on police integrity. The policy will be based on the 'good practice' guidance on police integrity published by HMIC in 1999. The Police Ombudsman will be consulted about the new policy.

Timescale: New policy to be introduced by January 2002.

RECOMMENDATION 82 ENSURING HIGH ETHICAL STANDARDS

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

Accepted. Arrangements for administrative dismissal have been provided as part of new police Unsatisfactory Performance Regulations, which were introduced on 6 November as were new regulations dealing with police conduct.

Timescale: Regulations were introduced on 6 November 2000.

RECOMMENDATION 83 TENURE POLICY ON POLICE POSTINGS

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

Accepted. The Chief Constable will, in consultation with the Policing Board and taking account of the advice of Her Majesty's Inspector of Constabulary, introduce a new tenure policy for the police service, as part of an effective career management policy for all officers. The new tenure policy will set objectives for length of postings for different police disciplines - see also recommendation 102. The Chief Constable expects that the new tenure policy would include, as an objective, periods in post of five to seven years.

Timescale: The police Working Party on tenure plans to report in September. Implementation will follow consultation with the Policing Board.

RECOMMENDATIONS 84, 85 & 86

MANAGEMENT OF SICKNESS ABSENCE

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

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.

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

Accepted. In future officers injured on duty will be treated as a separate category for recording purposes. The Chief Constable has developed a new policy for the management of long-term sickness absence and medical retirements, incorporating enhanced arrangements for out-placement, career counselling, financial and welfare support. As part of this work, a review of the causes of sickness absence is being undertaken. The Policing Board will be expected to monitor progress in this area as part of its responsibility for ensuring an efficient and effective police service.

In addition, the strategic review of District Command Units and Regional Headquarters has concluded that District Commanders should be supported by a Civilian Personnel Officer whose responsibilities will include implementing policies on sickness absence monitoring, career planning and unsatisfactory performance.

Timescale: The new policy was introduced on 8 February 2001.

RECOMMENDATIONS 87 & 88

NEW POLICE FUND/FUNDING FOR WIDOWS' ASSOCIATION

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

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

Accepted. The Government recognises the trauma and suffering endured by injured officers and their families as well as police widows. Ministers accept the case for a substantial fund to help injured officers, injured retired officers and their families, and police widows. The Government also accepts the need to provide funding for the Widows' Association to run their organisation.

In July 2000 the Government asked John Steele, a former senior civil servant, to review the proposal for a new police fund. He reported by the end of October. On 7 November the Government announced that it had accepted the basis for the proposed new fund.

Allied to the Government's acceptance of these recommendations is the provision in the Police Act, section 70, enabling a Royal Ulster Constabulary GC Foundation to be established to mark the sacrifices and honour the achievements of the RUC. The detailed functions of the Foundation are to be set out in regulations.

Timescale: Funding and office accommodation for the Widows' Association were agreed in September 2000. The new fund is to be created by August 2001. Initial lump sum payments to those widows of police officers killed by terrorists before 25 November 1982 have been made. An RUC GC Foundation working group, involving representatives of the police associations, has been set up. The aim is to establish the Foundation by Summer 2001.

RECOMMENDATION 89

REPLACEMENT OF ASSISTANT CHIEF CONSTABLES

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

Accepted. A civilian Director of Finance has been appointed. A civilian Director of Human Resources (to cover both police officers and civilian staff) has also been recruited. There is already a civilian Chief Administrative Officer. The Chief Constable has reviewed all Chief Officer appointments - police and civilian - see recommendation 97.

Timescale: In the course of being implemented.

RECOMMENDATIONS 90, 91 & 92

EFFICIENCY INITIATIVES

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.

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 officers 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.

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

Accepted. The Board's policing plan (Part IV of the Police Act) will include the Chief Constable's and the Policing Board's objectives and plans in relation to efficiency and effectiveness including issues such as civilianisation, the police estate, support services and the management of resources. The "best value" provisions of the Police Act (Part V) provide for the Board to make arrangements to secure continuous improvement in the way in which its own and police functions are exercised with regard to economy, efficiency and effectiveness. These arrangements will include specific "best value" reviews of functional areas of the type listed to ascertain if the function could be better performed in another way, for example, by use of management buy-outs.

A comprehensive strategy for the development of the police estate is being taken forward and will cover the scope for rationalisation (see also recommendations 52 and 53). 'Best value' will provide a basis for challenging staffing arrangements, for example, by examining the scope for greater civilianisation of jobs which do not require police powers or experience.

Timescale: The date for implementation has not yet been set. Initial plans and initiatives are being developed by the Chief Constable. They will be taken forward in liaison with the Policing Board, and through the "best value" methodology.

INFORMATION TECHNOLOGY

RECOMMENDATION 93

DEVELOPMENT OF POLICE IT STRATEGY

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

Accepted. The Government accepts the need for a strategic review of police IT requirements. The review will set in place an IT Strategy to meet police requirements over the next 3-5 years. The strategy will be independently validated.

A tripartite working party has been formed. IT plans and procurement in line with both the Patten recommendations and the evolving strategy are being taken forward. A start has been made with a decision to procure a Northern Ireland-wide communications infrastructure for the police which has the added benefit of improving communications with other emergency services and potentially with the Garda Síochána.

Timescale: Strategic review has now been completed. Strategy to be validated by August 2001. Strategy to be implemented over 3-5 year period.

STRUCTURE OF THE POLICE SERVICE

RECOMMENDATIONS 94, 95 & 96

CREATION OF NEW DISTRICT COMMANDS

There should be one district command for each District council area.

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.

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

Accepted. The Chief Constable has reorganised the police service into District Commands matching District Council areas and geared towards policing in partnership with the community. This has been underpinned by legislation which requires the Chief Constable to appoint an officer as commander for each District Command area which he has also done. District Commanders will have high levels of devolved authority (see also recommendations 54 and 76).

As part of this reorganisation, the Chief Constable has removed the divisional layer of management. District Commanders will have direct reporting lines to the appropriate Assistant Chief Constable, who will be based at police service headquarters.

Timescale: Legislative provision included in the Police Act, at section 20. District Commanders have been appointed and a new structure of District Commands has been created. It will take some time to finalise the necessary support services and structures for the District Commands.

RECOMMENDATION 97

REORGANISATION OF POLICE HEADQUARTERS

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

Accepted. The Chief Constable will re-organise Police Headquarters to produce a slimmer structure, reflecting the new focus on community policing and the devolution of authority to district commanders. A single Deputy Chief Constable post will continue. The post of Deputy Assistant Chief Constable will be abolished.

The Government and the Chief Constable are not currently persuaded of the case for reducing the number of Assistant Chief Officers to six. The Chief Constable has carried out a strategic review of police headquarters. The review concludes that there should be an interim structure of nine posts given the current stage of development and the environment in which policing is being delivered; there is a need to ensure a resilient and sustainable police senior command structure. The overall structure will be reviewed again in 3-5 years (see also recommendation 89). The rank of Chief Superintendent will be reintroduced in England and Wales in forthcoming legislation. The future of the rank in Northern Ireland is being examined in light of this development and the recommendation in the Patten Report.

Timescale: An internal review has been completed. Implementation of this began in June 2001. Reorganisation of police headquarters is being taken forward in conjunction with the development of the newly established District Commands.

RECOMMENDATION 98

SPECIAL BRANCH

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

Lead responsibility: Chief Constable

Accepted. The Regulation of Investigatory Powers Act, introduced on 2 October 2000, increases the accountability of Special Branch - see recommendation 41.

Timescale: This change took effect from 1 April 2001.

RECOMMENDATIONS 99 & 101

SPECIAL BRANCH

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

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

Lead responsibility: Chief Constable/NIO

Accepted. These recommendations are accepted by the Government and the Chief Constable, and will be implemented in the light of assessments of the security situation, and Patten's conclusion that the police service must remain equipped to detect and deal with terrorist activity, and therefore needs a good intelligence capability. The Patten report identified 850 officers being attached to Special Branch. By March 2001 this figure had already reduced to around 765, a reduction of 10%. The Chief Constable aims, by September 2001, to amalgamate into the wider police service those units commonly referred to as support units. These include support teams, including training, technical units and air support units. This would, by that stage, have reduced the size of Special Branch by around 50%. Unless there is a significant change in the security situation the Chief Constable does not anticipate the future size of Special Branch as being more than around 400 officers over the next five years.

Timescale: The implementation of recommendation 98 is the first step. Progress with these recommendations depends on the security situation. The Chief Constable has said that, subject to this caveat, the support units could be amalgamated into the wider police service by September 2001.

RECOMMENDATION 100

INFORMING DISTRICT COMMANDERS ABOUT SECURITY OPERATIONS

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

Accepted. The Chief Constable will ensure that this recommendation is fully implemented as part of the process of re-organising the police service into District Commands. There will be service level agreements between District Commanders and Special Branch officers.

Timescale: A new structure of District Commands was created on 1 April 2001.

RECOMMENDATION 102

POLICE POSTINGS IN SECURITY WORK

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

Lead responsibility: Chief Constable

Accepted. The question of the length of time which police officers - including those engaged in security work - normally spend in each posting will be addressed as part of the new tenure policy for the police service which is being developed by the Chief Constable who will consult the Policing Board. The new tenure policy will set objectives for length of postings for different police disciplines (see recommendation 83). The Chief Constable expects that the new tenure policy would include, as an objective, periods in post of five to seven years, with a maximum continuous period of the order of seven years for officers in Special Branch.

Timescale: The police Working Party on tenure plans to report in September. Implementation will follow consultation with the Policing Board.

RECOMMENDATION 103

PHASING OUT OF FULL TIME RESERVE

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

Lead responsibility: NIO/Chief Constable

Accepted. Subject to the security situation, the Full Time Reserve will be phased out. Full Time Reserve officers will be given reasonable notice of the non-renewal of their contracts. They will be eligible for inclusion in the severance scheme.

Timescale: The strength of the Full Time Reserve has already reduced by around 800 and there has been no recruitment for three years - the reduction has in effect begun. Discussions with the staff association on the application of the severance arrangements, retraining etc are ongoing. The next implementation step will be notification of the non-renewal of contracts. This will happen subsequent to the first recruits to the Police Service of Northern Ireland completing their training early in 2002, when the prevailing security situation and policing requirements will be reviewed. The Government has accepted the recommendation that the phasing out should happen over a three year period.

RECOMMENDATION 104

ENLARGEMENT OF PART TIME RESERVE

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

Accepted. Section 46 of the Police Act allows the Chief Constable to recruit to the Part Time Reserve on a District Command basis by enabling requirements based on locality to be included in recruitment to the Part Time Reserve. The aim is that recruitment will be targeted on areas where there are currently few Reservists, or none at all, as Patten proposed. However recruitment will be on merit and as Patten said "We emphatically do not suggest that people with serious criminal or terrorist backgrounds should be considered for police service" (para 15.13).

Timescale. Legislative provision has been included in the Police Act, at sections 37, 40 and 46. Regulations on recruitment made under the Act cover the Part Time Reserve, but additional regulations are required covering, for example, terms and conditions. The priority has been recruitment of regulars but the aim is to start the process for the Part Time Reserve as soon as practicable, so that the first trainees start training in early 2002. The aim is to bring the Part Time Reserve up to 2,500 within three years of start-up but this will obviously require community support. Their training needs will be addressed as part of the training and education strategy - see recommendation 129.

SIZE OF THE POLICE SERVICE

RECOMMENDATION 105

FUTURE SIZE OF THE POLICE SERVICE

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

Accepted. The Government accepts that the future size of the police service should be 7,500 full time regular officers, in the circumstances envisaged by Patten. This will leave Northern Ireland with more full time regular officers per head of population than anywhere else in the United Kingdom. This recognises the particular policing requirements in the Province.

Timescale: In an enabling security environment, downsizing to 7,500 full time regular officers will take place over a 3 year period beginning in the second half of the 2000-2001 financial year. The process began with the departure of 483 officers under the first phase of the severance scheme between January and March 2001. A further 825 are to leave in 2001/2.

RECOMMENDATIONS 106 & 107

SEVERANCE ARRANGEMENTS

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 enhancement of 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.

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

Accepted. The severance arrangements were announced following negotiations with the Police Staff Associations. The Chief Constable is responsible for administering the arrangements and managing the severance process. Evaluation and monitoring procedures are in place.

Timescale: Legislative provision has been included in the Police Act, at section 49. Severance arrangements were published in July 2000. Draft regulations for the scheme have been issued for formal consultation. The second phase of the scheme was launched in January 2001. (See recommendation 105.)

RECOMMENDATION 108**RETRAINING PROGRAMME FOR POLICE OFFICERS**

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

Accepted. A comprehensive retraining programme developed in consultation with the Police Association, RUC management and the Police Authority and delivered by independent consultants is now in place. Officers can take up the extensive support services including retraining, job search and financial counselling. The Police Retraining and Rehabilitation Trust and other providers will help deliver these services in partnership with the chosen consultants. A working group comprising RUC, PANI, NIO and The Police Federation is currently examining the training needs of Full Time Reserve officers.

Timescale: Implementation of agreed arrangements was achieved by September 2000.

RECOMMENDATION 109**OPPORTUNITIES IN GB POLICE FORCES FOR RESERVISTS**

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

Accepted. The Government and the Chief Constable will continue to bring to the attention of police recruiting agencies in Great Britain the experience of RUC reservists and their potential as a source of recruits for police services in Great Britain.

The police's Voluntary Severance Support Unit has made contact with all GB forces to indicate a potential recruitment base for them from former members of the RUC and the RUC Reserve. There have already been a number of interest visits, and contacts will continue.

Timescale: Further action will coincide with the decision to begin the process of phasing out the Full Time Reserve.

RECOMMENDATION 110**OPPORTUNITIES WITH THE UN FOR RESERVISTS**

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

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

Accepted. The RUC is already playing a significant role in UN efforts in Kosovo. The RUC enjoys a deservedly high reputation in supporting international initiatives for peace. The Government has made changes to policing legislation to allow serving Reservists to take up opportunities that were previously only open to regular officers. Work is in hand on the possibility of officers leaving the police service contributing to UN missions. The Government recognises that for the vast majority of Reserve officers this will not be a possibility because of family commitments.

Timescale: Legislative provision has been included in the Police Act, at sections 8 and 50 to enable serving Reserve officers to participate in international initiatives. Arrangements to be negotiated.

COMPOSITION AND RECRUITMENT OF THE POLICE SERVICE

RECOMMENDATION 111

TRANSFER OF POLICE CIVILIAN STAFF

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

Lead responsibility: Chief Constable/Policing Board/NIO

Partial acceptance. The Government supports the principle of fair participation in the civilian workforce within the police service, as within the Northern Ireland Civil Service generally (where fair participation has now been achieved in almost all occupational groups). While many of the existing police civilian employees are technically members of the Northern Ireland Civil Service, given their grade mix and geographical distribution it would not be readily practicable - either for the staff themselves or for the Departments concerned - for them simply to be absorbed into the Northern Ireland Civil Service. The Government believes that it will be preferable to effect the necessary changes in the composition of the police support staff by a package of measures, the cumulative effect of which will be to produce a more representative civilian workforce and one which is more effectively integrated into the police service.

These measures will include:

- As a matter of policy, police support staff will in future be recruited directly by the Chief Constable through a new recruitment agency (see recommendation 117). Other than in exceptional circumstances, police support staff posts will no longer be filled by secondment of members of the Northern Ireland Civil Service. Over time, this will lead to a reduction in the proportion of police support staff who are seconded civil servants.
- Seconded members of the Northern Ireland Civil Service who accept promotion within the support staff of the police service will be required as a condition of such promotion to give up their civil service status. This will contribute to greater integration of the police service.
- The Police Act (sections 44 and 46) provides that, where a recruitment competition for police support staff is for 6 or more posts at the same level, an equal number of Roman Catholics and those who are not Roman Catholics should be appointed from the pool of candidates who qualify on merit (see recommendations 120 and 121). The need for this special measure will be reviewed on a triennial basis. The Chief Constable will continue to consult with the Equality Commission about the programme of affirmative action which would apply to all police support staff recruitment and which would have the aim of attracting a more representative range of applicants for all posts. The Government believes that this is the best way to promote the necessary changes in the composition of the police support staff.
- The Chief Constable will develop and implement a management-led programme to enhance the integration of police officers, support staff and traffic wardens within the police service. The programme will encompass action on civilianisation of posts (see recommendations 53 and 90); and the training, education, development and management of support staff (see recommendations 129, 134 and 141-145).

Timescale: The policy on recruitment and promotion of police support staff has already been introduced. Legislative provision on selection of candidates for support posts has been included in the Police Act. A programme to enhance the integration of the police service is to be developed by September 2001.

RECOMMENDATION 112

STAFF OF POLICING BOARD, NIO AND POLICE OMBUDSMAN

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

Accepted. As evidenced by the strength of its fair employment legislation in Northern Ireland, the Government fully supports the principle of fair participation in employment throughout Northern Ireland. It is fully committed to working rigorously towards the achievement of fair participation in the Northern Ireland workforce of the NIO and of the Policing Board, as well as in the Northern Ireland Civil Service as a whole. It is fully committed to tackling any lack of fair participation in its workforce, at all levels, through programmes of affirmative action which offer equal opportunities for all.

The Government will expect the office of Police Ombudsman and the Policing Board to comply fully with the Fair Employment and Treatment (Northern Ireland) Order 1998 which provides a statutory exception for employers to address any lack of fair participation through affirmative action and to do so, where appropriate, in consultation with the Equality Commission for Northern Ireland.

The Government, as an employer, is also committed to promotion and deployment on the basis of merit and suitability and, like any good employer, it does not and indeed could not lawfully take the private religious or political views of individual employees into account in making such decisions. This policy is in no way incompatible with the Government's determination to ensure that all of its policies are implemented effectively. All civil servants, and especially senior staff, have a duty to implement the policies of the Government of the day objectively and in good faith. The political dimensions of such policies are matters for which Ministers, rather than civil servants, are responsible and accountable.

Timescale: Legislative provision has been included in the Police Act, at schedule 6, to make the police service, the Policing Board and the Police Ombudsman designated bodies for the purposes of section 75 of the Northern Ireland Act 1998. It is the intention that all policing bodies will be designated by the end of September 2001. The NIO has already been designated under section 75 and has sent its equality scheme for approval by the Equality Commission. (Section 75 of the Northern Ireland Act requires bodies to have due regard to the need to promote equality of opportunity between various designated groups in society.)

RECOMMENDATIONS 113 & 115

SUPPORT FROM COMMUNITY LEADERS/LIAISON WITH SCHOOLS

All community leaders, including political party leaders and local councillors, bishops and priests, schoolteachers 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.

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

Agreed. The Government and the Chief Constable want to see community leaders actively encouraging members of their communities to join the police service. They particularly want to see such encouragement from leaders of the nationalist community (see recommendations 120 and 121). There is no reasonable justification for support being withheld.

The Government and the Chief Constable also want to see liaison established between all schools, colleges and universities and the police service, with active support and encouragement from community leaders and teachers. This will build on existing schools liaison, police education, graduate recruitment and community engagement programmes.

The Policing Board will be asked to make the pursuit of these objectives a particular priority for its work in the community and in its contacts with community, church and political leaders. This is consistent with the statutory requirements on the Board to monitor recruitment patterns and trends and assess the effectiveness of measures to secure a representative service (section 3(3)(d)(i)) (see recommendation 13).

The Oversight Commissioner (see recommendation 172) will also be asked to pursue these objectives in contacts with community, church and political leaders.

Timescale: Community support for applications should happen immediately. Police efforts to extend schools liaison, police education, graduate recruitment and community engagement programmes to all schools, colleges and universities are ongoing.

RECOMMENDATION 114

Gaelic Athletic Association

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

Agreed. The Government welcomes the fact that the GAA accepted in principle that rule 21 should go once policing reforms were in place. It should now implement this recommendation, as part of the process of creating a new beginning to policing in Northern Ireland.

Timescale: Steps should be taken immediately.

RECOMMENDATION 116 PILOT POLICE CADET SCHEMES

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

Accepted. The Police Act provides enabling powers to establish a police cadet scheme for Northern Ireland. The establishment of such a scheme will be dependent on support and encouragement being forthcoming from local political and community leaders. If support is forthcoming, the Chief Constable will be able to pilot such a scheme.

Timescale: Legislative provision has been included in the Police Act, at section 42. If it is to be effective, political and community support will be required.

RECOMMENDATION 117 RECRUITMENT AGENCY/LAY INVOLVEMENT IN RECRUITMENT

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

Accepted. The Police Act provides for the contracting out of both police and civilian recruitment to a recruitment agency. As recommended by Patten the Chief Constable will retain overall responsibility and accountability for recruitment.

The contract to provide an independent recruitment agency was awarded to the Consensia Partnership which is led by Deloitte and Touche, in conjunction with Pearn Kandola, AV Browne advertising and a leading medical services firm. Contracting out was taken forward in accordance with regulations made by the Secretary of State, upon which the Equality Commission, police organisations and others were consulted.

A team of expert lay assessors has been appointed by the recruitment agency to play a full decision-making role in the selection of recruits. In addition, voluntary independent community observers have been engaged to observe aspects of the recruitment process, and to report back to the community through the Policing Board.

Timescale: The contract to provide an independent recruitment service was awarded in January 2001 to the Consensia Partnership. Lay assessors and independent community observers were appointed thereafter, and have been playing a role in the first recruitment competition, which is ongoing. The competition is expected to be completed in September.

RECOMMENDATIONS 118 & 119 FUNCTIONS OF NEW RECRUITMENT AGENCY

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

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

Accepted. The first recruitment campaign was launched on 23 February by the recruitment agency. Comprehensive advertising was done throughout the UK and the Republic of Ireland via a range of media including television, press and posters, in accordance with the terms of the Agency's contract. The advertising was aimed at under-represented groups.

Of nearly 8,000 applicants in the first recruitment campaign, 332 were from the Republic of Ireland and 262 were from Great Britain. The recruitment campaign (and the selection procedure generally) will be subject to review and evaluation.

Timescale: The first advertising campaign ended in March.

RECOMMENDATIONS 120 & 121

SELECTION OF RECRUITS

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.

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

Lead responsibility: NIO/Chief Constable/Policing Board

Accepted. The Police Act provides for exceptional measures to transform the composition of the police service to make it more representative of the community in Northern Ireland. These measures will apply to all recruitment competitions for police constables to the Police Service of Northern Ireland (section 46). They will also apply to recruitment competitions for police support staff where 6 or more posts are involved (see recommendation 111). The measures require the selection of qualified applicants for the police service to form a merit pool. From the pool the Chief Constable must appoint an even number of police officers, one half of whom are to be treated as Roman Catholic and one half of whom are to be treated as other than Roman Catholic. The definition of the terms used is to be in accordance with Fair Employment Monitoring Regulations which provide for the monitoring of perceived community background. The Secretary of State can, by order, amend the "50/50" quotas if there are insufficient numbers of one community to meet recruitment requirements. In such cases the Secretary of State may subsequently aggregate the quotas (as recommended in the Patten Report) over succeeding competitions to make up any shortfall in the recruitment of one community, though not above 75% of either community. The need for these special measures will be reviewed on a triennial basis and in consultation with the Policing Board (section 47). Such reviews will take account of progress towards the objective of achieving a representative police service. The Secretary of State will also consult others with a particular interest such as the Equality Commission. Entry to the recruitment pool will be made on merit and as Patten said "We emphatically do not suggest that people with serious criminal or terrorist backgrounds should be considered for police service" (para 15.13).

The success of these measures will be dependent on the willingness of Protestant and Roman Catholic candidates to come forward for recruitment into the police service. The first campaign had a strong response, with nearly 8,000 applicants for 264 places. Of those who applied 60% were Protestant, 35% Catholic and 40% female. The Government and the Chief Constable want to see active encouragement from community leaders to members of their communities to join the police service - as both police officers and police civilian staff. They particularly want to see such encouragement from leaders of the nationalist community (see recommendations 113 and 115).

The Police Act also provides for the Policing Board to make action plans to monitor and address the under-representation of women in the police service. The Board may request the Chief Constable to prepare draft plans and must consult him, the Secretary of State and the Equality Commission for Northern Ireland before making the action plan which will be published.

Timescale: Legislative provision has been included in the Police Act, at sections 44, 46 and 47.

RECOMMENDATION 122

OPPORTUNITIES FOR PART TIME WORKING AND JOB SHARING

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

Accepted. Such measures are available to civilian staff and have been recently introduced for regular police officers. A part-time working scheme for Full Time Reservists has now been introduced. Discussion of the introduction of career breaks is being taken forward with the Police Negotiating Board.

Timescale: Main provisions have already been introduced.

RECOMMENDATION 123 CHILD CARE ARRANGEMENTS

Child care facilities should be introduced where practicable, or child care vouchers and flexible shift arrangements offered.

Lead responsibility: Chief Constable

Accepted in principle. The Chief Constable has commissioned research into the practicability of introducing child care facilities, and further explore the options that are available to assist with child care expenses.

Timescale: A review has begun. It will be completed by December 2001.

RECOMMENDATION 124 LENGTH OF RECRUITMENT PROCESS

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

Lead responsibility: Chief Constable/Recruitment Agency

Accepted. The police have already managed to achieve this timescale. Further efforts will be made to streamline the process in conjunction with the new Recruitment Agency.

Timescale: This has been included as a performance standard in the contract for the new Recruitment Agency.

RECOMMENDATION 125

DISQUALIFICATION FROM ENTRY INTO THE POLICE SERVICE

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 the disqualification of candidates.

Lead responsibility: NIO/Chief Constable/Policing Board

Accepted. Character checks on recruits to the police service will continue. This is a necessary and reasonable protection which is common to all UK police services. As Patten said “we emphatically do not suggest that people with serious criminal or terrorist backgrounds should be considered for police service” (para 15.13).

A review group established by the Chief Constable and chaired by an independent lay adviser, has undertaken a review of the criminal convictions and other character checks which are used as the basis for judging the suitability of candidates. The review has taken account of practice in police services elsewhere in the United Kingdom (as well as other services such as in North America and Australia). It found that there is no uniformity of practice across the rest of the United Kingdom in relation to the determination and application of criminal convictions criteria, as suggested in the Patten Report. The group also consulted a number of organisations such as the Equality Commission and Human Rights Commission. The revised criminal conviction criteria are incorporated in the Police (Recruitment) (Northern Ireland) Regulations 2001.

The Government believes it would be inappropriate to confer on the Police Ombudsman the function of considering appeals against disqualification. The Police Ombudsman also takes this view.

As an alternative, the Recruitment regulations made under the Police Act require the Police Authority/Policing Board to appoint an independent adviser to the police panel which takes decisions on the disqualification of candidates on character grounds. The regulations also require the Secretary of State to appoint an independent assessor with responsibility for validating decisions on disqualification in cases where the candidate feels aggrieved by the decision. The functions are set out in the regulations.

Timescale: Provision was included in the Police Act to enable the making of regulations in this area and these came into operation on 5 April 2001. The report from the Chief Constable’s review was completed in December 2000. An independent adviser is to be appointed by the Police Authority to the police panel on disqualification in August. The appointment will be subject to ratification by the Policing Board. The Secretary of State’s independent assessor was appointed on 1 May.

RECOMMENDATION 126

REGISTRATION OF NOTIFIABLE MEMBERSHIPS

All officers - those now in service as well as all future recruits - should be obliged 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

Accepted. The Police Act requires all police officers to inform the Chief Constable of “notifiable memberships”. A notifiable membership is membership of an organisation which might reasonably be regarded as affecting an officer’s ability to discharge his duties effectively and impartially. The Chief Constable will issue guidance to assist officers in deciding whether they have notifiable membership and must consult the Board, the Secretary of State and the Northern Ireland Human Rights Commission before doing so. Guidance must be published. Notifiable memberships must be held by the Chief Constable, the information will be held on each officer’s file, and the Ombudsman will have full access to this information.

Timescale: Legislative provision has been included in the Police Act, at section 51.

RECOMMENDATIONS 127 & 128

LATERAL ENTRY

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.

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

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

Accepted. The Police Act requires the Board, in respect of the senior police officers appointed by it, and the Chief Constable, in respect of other ranks, to encourage applications for appointment to the new police service from candidates from other police forces. In doing so both the Board and the Chief Constable must have regard to the progress which has been made towards making the police service representative of the community in Northern Ireland. This would facilitate, for example, serving Garda officers or officers in other UK forces in applying for posts in the Police Service of Northern Ireland. As the Patten Report makes clear “selection must be on the basis of merit” and in open competition with any internal candidates. External candidates will, therefore, need to be suitably qualified and this will require detailed reciprocal arrangements with other forces which recognise rank and training equivalence. This entails changes to existing regulations and the negotiation of suitable reciprocal arrangements.

Statutory provision is already in place to enable officers in the Police Service of Northern Ireland to be seconded to other forces or organisations and for officers in other UK forces to be seconded to the Police Service of Northern Ireland. Secondment of police officers from outside the UK requires agreements - see recommendations 157-165.

Statutory provision will be put in place to enable secondments, with policing powers, between the Police Service of Northern Ireland and the Garda Síochána. Discussions on this are ongoing with the Irish Government.

Timescale: Legislative provision has been included in the Police Act, at section 45. Agreements and regulations recognising rank and qualification equivalents will be needed to facilitate ‘lateral entry’ to the new police service (see recommendations 157-165). These are being taken forward. Legislative provision will be required for secondments with policing powers, a timetable for this, identifying the changes required, should be available in October.

TRAINING, EDUCATION AND DEVELOPMENT

RECOMMENDATION 129

TRAINING, EDUCATION AND DEVELOPMENT STRATEGY

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

Accepted. The Police Act requires the Board, as part of the policing plan and on the basis of a draft submitted by the Chief Constable, to set out an assessment of the training and education needs of the police service, including its support staff. This strategy is to be linked to the aims of the Patten Report and to the objectives and priorities set out in the Board's policing plan. It will also contribute to enhancing the integration of police officers, police support staff and traffic wardens.

Consultation on a draft strategy is being facilitated and managed for the police by the Director of the Centre for Policing Studies at the University of Ulster. To date the views of over 50 different political, religious, economic, social interest and academic organisations have been sought. There was a 76% response rate. A second phase of consultation, to include the Human Rights Commission and others, will take place shortly, again involving independent assistance, and the results of this will be worked into the final draft training and education strategy which will be put to the Board.

Timescale: Legislative provision has been included in the Police Act, at section 26. The Chief Constable is preparing a draft training and education strategy for the Board to consider in October 2001. The Chief Constable will be responsible for developing and implementing training and education on the basis of the strategy.

RECOMMENDATION 130

TRAINING AND DEVELOPMENT BUDGET

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

Accepted. The training and development budget will be protected in the way proposed.

Timescale: This will be in place for the start of financial year 2001-2002.

RECOMMENDATION 131

NEW POLICE COLLEGE

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

Accepted in principle. The Government is working with the Chief Constable and the Police Authority to take forward planning for a new police college - including funding arrangements and an agreed specification of requirements.

An options appraisal is currently being undertaken on the best method of taking forward the provision of a new Police College; one of the options is a public/private partnership arrangement.

Timescale: Preparation of options appraisal completed. Decisions awaiting appointment of Policing Board. The target date for completion of the full business case is December 2002.

RECOMMENDATION 132 SERVICE LEVEL AGREEMENTS ON TRAINING

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

Accepted. Service level agreements, which set out standards of service delivery agreed between District Commands/police departments and the police Training Branch will be negotiated and set in place.

Timescale: By December 2001.

RECOMMENDATION 133 CIVILIAN INPUT INTO RECRUIT TRAINING

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

Accepted. The Chief Constable is currently conducting a wide-ranging review of the recruit training programme. The review is considering the scope for increasing the degree of civilian input into the recruit training programme - whether by directly employed civilian instructors, bought in civilian expertise or outsourcing of modules of recruit training to universities and other sources. The outcome of the review will be taken forward in the context of the training and education strategy.

The Chief Constable will also consider the necessary qualifications and expertise for the Director of the Training College. The Director of Training post for the Police Service of Northern Ireland will be open to both police officers and civilians.

Timescale: Review of recruit training to be completed, and new programme to be in place, by September 2001.

RECOMMENDATION 134 TRAINING OF CIVILIAN RECRUITS

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

Accepted. Such joint training will make an important contribution to the objective of building an integrated police service and instilling a sense of common purpose between police officers and police support staff (see recommendation 111). It will enable current courses run separately for police and civilians to be combined. The policing plan issued by the Policing Board will contain an assessment in relation to educating and training police support staff as well as police officers.

Timescale: To be addressed as part of the training and education strategy for the police service (see recommendation 129).

RECOMMENDATION 135

ACHIEVEMENT OF ACADEMIC QUALIFICATIONS BY RECRUITS

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

Accepted. A process of accreditation has been established with the University of Ulster in respect of the revised Probationer Training Programme. Every encouragement will be provided as part of the proposed training and education strategy to assist recruits in their personal and professional development.

Timescale: Already implemented. It will be developed for in-service personnel as well.

RECOMMENDATION 136

TIMING OF ATTESTATION AS A CONSTABLE

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

Accepted. The Police Act (sections 36 and 37) requires that police trainees and police reserve trainees may not be attested as constables (and therefore appointed as police officers) unless they have successfully completed their recruit training. The Chief Constable is currently conducting a wide-ranging review of the recruit training programme - including the standard required for success. Successful completion of the recruit training programme will in future be marked by a graduation ceremony.

Timescale: Legislative provision on the timing of attestation has been included in the Police Act, at sections 36 and 37. Review of recruit training to be completed, and new programme to be in place, by September 2001.

RECOMMENDATIONS 137, 138 & 139

CONTENTS OF RECRUIT TRAINING PROGRAMME

The hours spent on drill should be considerably reduced.

Problem-solving and partnership approaches should be central to the recruit training course, and scenario exercises should be further developed as training tools.

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

Accepted. The amount of time spent on drill has been considerably reduced over recent years and the Chief Constable will review the scope for even further reduction as part of the current wide-ranging review of the recruit training programme. Appropriate training on problem solving and partnership approaches to policing will be provided to all recruits as part of the programme. Training in these approaches will also be given to serving officers. Such training, for both recruits and serving officers, will underpin the police service's commitment to community partnership policing, and will form part of the training and education strategy.

The Policing Board will be able to review and comment on this work as part of its role of including in the policing plan an assessment of the requirements for educating and training police officers and support staff, and in setting out the particulars of how the requirements are to be met.

The further development of community awareness training will also be included in the training and education strategy for the police service. The active support for, and participation in, such training of all the main political parties and religious traditions in Northern Ireland is essential, if the training is to be successful and effective in building understanding of and respect for cultural diversity.

Timescale: The draft training and education strategy will be available for consideration by the Board. Review of recruit training to be completed, and new programme to be in place, by September 2001.

RECOMMENDATION 140

TUTOR OFFICER SCHEME

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

Accepted. A tutor officer scheme - founded on current best practice - has already been introduced. The effectiveness of the scheme as a means of delivering on the job training to recruits under the guidance of experienced tutor officers will be evaluated. In this way the scheme will be continuously improved.

Timescale: Ongoing. First evaluation was completed in September 2000. Where necessary, further improvements to the scheme will be made by September 2001.

RECOMMENDATIONS 141, 142, 143 & 144

TRAINING NEEDS AND PRIORITIES

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.

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.

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.

Every officer and civilian in the service should undergo adequate training in information technology.

Lead responsibility: Chief Constable/Policing Board

Accepted. As a matter of priority, all officers were instructed on the implications of the Human Rights Act 1998 which came into force on 2 October 2000. The Chief Constable has set up a committee of senior officers to organise and develop this programme. The committee was in contact with the Human Rights Commission and other police training colleges. Human Rights Commission representatives attended two training sessions as observers. The Commission gave comments on the training material and training sessions, noting some concerns in each case. The Chief Constable has responded to these.

Wider training needs - including management and IT training - will be addressed as part of the new training and education strategy (see recommendation 129). A significant number of officers have already achieved recognised management qualifications in non-police environments, both nationally and internationally, and this practice should be further encouraged through the training strategy.

Timescale: Priority training on the Human Rights Act was completed by September 2000. A draft training and education strategy will be available for consideration by the Board.

RECOMMENDATION 145

JOINT TRAINING WITH CIVILIAN ANALYSTS

Opportunities should be taken for joint training with civilian analysts, and members of other police services.

Lead responsibility: Chief Constable

Accepted. Such joint training should play an important part in ensuring that the police service has access to the most up to date training. It should also foster contacts and networking with civilian analysts and officers from other police services. These issues are being addressed in the context of the training and education strategy.

Timescale: A draft training and education strategy will be available for consideration by the Board.

RECOMMENDATION 146 NEIGHBOURHOOD POLICING TRAINING PROGRAMME

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

Accepted. A training needs analysis for neighbourhood officers has been undertaken, and a pilot course has been run, with the assistance of external consultants. The extension of this initiative is being addressed as part of the training and education strategy.

Timescale: A draft training and education strategy will be available for consideration by the Board.

RECOMMENDATION 147 PUBLICATION OF TRAINING CURRICULA

The training curricula for the police service should be publicly available, and easily accessible, eg. on the Internet.

Lead responsibility: Chief Constable

Accepted. This should contribute to the transparency and openness of the police service.

Timescale: Training curricula to be published and available on the Internet by April 2002.

RECOMMENDATION 148 PUBLIC ATTENDANCE AT POLICE TRAINING SESSIONS

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

Accepted. The scope for joint training sessions, particularly in the area of problem solving techniques as part of community partnership policing is under review (see recommendation 51). The Chief Constable intends to extend opportunities to attend such training courses in the way recommended.

Timescale: To be taken forward in the context of the training and education strategy (see recommendation 129). Implementation must await the creation of the various bodies.

RECOMMENDATION 149 PILOT CITIZENS COURSE

The new police college should offer a pilot citizens course, to assess demand in Northern Ireland.

Lead responsibility: Chief Constable

Accepted. This will be developed as part of a partnership approach in consultation with community leaders and schools. The success of the initiative will be dependent on active support, encouragement and co-operation from the community.

Timescale: Pilot course to be developed and implemented by September 2002 and evaluated by April 2003.

CULTURE, ETHOS AND SYMBOLS

RECOMMENDATION 150

NAME OF THE POLICE SERVICE

While the Royal Ulster Constabulary should not be disbanded, it should henceforth be named the Northern Ireland Police Service.

Lead responsibility: NIO

Accepted. The Government is well aware of the deep concern over the issue of changing the name. Its intention has been to ensure that the RUC is evidently incorporated into the new service in its founding legislation. The purpose of the reference to the RUC in section 1(1) of the Police Act is to demonstrate that the RUC is not being disbanded, as the Patten Report made clear should not happen.

The Government has made it clear, however, that the new name, the Police Service of Northern Ireland, will be used for all operational and working purposes, including whenever and in whatever circumstances the police interface with the public. It will also be used when there is a need to refer to the police service for contractual purposes.

The Government is aware that concern has been expressed that the legislation could possibly result in the name not being used in the manner outlined above. It will, as with all aspects of the legislation, keep this under review and will be willing to return to it if it proves necessary. The use of the new title will be monitored by the Oversight Commissioner.

Timescale: Legislative provision has been included in the Police Act, at section 1. The new name will be introduced at the point when new recruits join the police service. At that point, new recruits will be joining the Police Service of Northern Ireland.

RECOMMENDATIONS 151,152 & 153

BADGE AND FLAGS

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.

The Union flag should no longer be flown from police buildings.

On those occasions on which it is appropriate to fly a flag on police buildings, the flag flown 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

Accepted, subject to consultation. A new badge will be introduced. The Policing Board will be consulted on the design of the badge. The Act provides the Secretary of State with a power to regulate the design of the badge and its use and to regulate the flying of all flags from police buildings. A new police service flag (based on the new badge) will be introduced. The Policing Board will be consulted on the new arrangements.

The Government is fully aware of the sensitivity in this area. That is why the Secretary of State has made clear that he wants to obtain a genuine cross-community consensus if he possibly can.

During the passage of the legislation, Government Ministers stressed that they would be looking to the Policing Board to provide views on this matter. The Secretary of State could not conceive of rejecting the Board's proposals if genuine cross-community consensus emerges. Otherwise he would not impose an outcome either on the emblem or the flying of flags which would deter recruitment or be objectionable to a substantial part of the community.

Timescale: Legislative provision has been included in the Police Act, at section 54. The Government will consult the Board and other consultees in October 2001.

RECOMMENDATION 154 POLICE UNIFORM

The colour of the current police uniform should be retained, but a new, more practical style of uniform will be completed.

Lead responsibility: Chief Constable/Policing Board

Accepted. The colour of the uniform will be retained. Research on a more practical style of uniform has been undertaken.

Timescale: The research was completed in Summer 2000, ahead of schedule. The new style uniform will be available for issue from the Autumn.

RECOMMENDATION 155 POLICE MEMORIALS

Police memorials in police buildings should remain as they are and where they are.

Lead responsibility: Chief Constable/Policing Board

Accepted. Arrangements will be made for the maintenance and upkeep of police memorials in police buildings.

Timescale: Chief Constable to ensure appropriate maintenance and upkeep arrangements.

RECOMMENDATION 156 NEUTRAL WORKING ENVIRONMENT

The maintenance of a neutral working environment should become an assessed management responsibility at all levels of management.

Lead responsibility: Chief Constable

Accepted. The Chief Constable will review and adjust the appraisal system in light of this recommendation, on the basis of the Equality Commission's Code of Practice on Fair Employment, and other recommendations in the Patten Report (see, for example, recommendations 5, 50, 75 and 77).

Timescale: Work began on developing a new appraisal system in June 2000. It will be in place by April 2002.

CO-OPERATION WITH OTHER POLICE SERVICES

RECOMMENDATIONS 157, 158, 159, 160, 161, 162, 163 & 164

CO-OPERATION BETWEEN THE POLICE SERVICE AND AN GARDA SIOCHANA

The Northern Ireland police and the Garda Siochana should have written protocols covering key aspects of co-operation.

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 co-operation in areas of common concern.

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 co-operation between the two services is most needed, such as drugs, and in areas such as training.

Consideration should be given to posting liaison officers from each service to the central headquarters and/or border area headquarters of the other.

There should be structured co-operation between the two police services in training.

There should be joint disaster planning between the Northern Ireland police and the Garda Siochana and the plans should be tested by regular joint exercises.

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.

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

Accepted. The British and Irish Governments will address these issues through the framework of the British/Irish Intergovernmental Conference - including a formal Agreement on co-operation between the Police Service of Northern Ireland and An Garda Siochana. The Agreement would provide a framework for the development of formal protocols between the Chief Constable of the Police Service of Northern Ireland and the Commissioner of An Garda Siochana covering such issues as an annual conference, liaison officers, long-term personnel exchanges, co-operation on training, joint disaster planning, pooling of investigative teams and communications infrastructure.

The Government has introduced provision at section 56 of the Police Act to require the Chief Constable and the Policing Board to make arrangements to implement the Agreement on co-operation.

Timescale: Legislative provision has been included in the Police Act. New British/Irish Agreement required. Protocols to be agreed thereafter. The Government is working with the Irish Government to take this forward as quickly as possible.

RECOMMENDATION 165 JOINT DATABASE DEVELOPMENT WITH THE GARDA

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

Accepted in principle. There is a requirement to balance the need for co-operation with the requirement to protect the rights of citizens under existing data protection legislation. The issue is included in the work of the IT working party (see recommendation 93)

Timescale: Linked to the IT review.

RECOMMENDATIONS 166 & 167 PERSONNEL EXCHANGES WITH GB POLICE SERVICES

A determined effort should be made to develop exchanges, and long-term secondments, between the Northern Ireland police and police services in Great Britain.

There should be training exchanges and some joint training between the Northern Ireland police and police services in Great Britain.

Lead responsibility: Chief Constable

Accepted. Exchanges and secondments already take place. The Chief Constable is to review the current programme for exchanges, long-term secondments and joint training and the scope for extending and developing these opportunities.

Timescale: Any agreed joint training is to be taken forward in the context of the training and education strategy (see recommendation 129).

RECOMMENDATION 168 LINKS BETWEEN POLICE TRAINING COLLEGES

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 and other Government Departments

Accepted. The Government, working as appropriate with the Irish Government and the Chief Constable, will foster and take forward arrangements for structured links between all police training establishments in the United Kingdom and Ireland. For example, contact has already been made by the Garda with Tulliallan.

Timescale: Ongoing.

RECOMMENDATIONS 169 & 170

INTERNATIONAL TRAINING EXCHANGES

International training exchanges should be further developed, focussing in particular on matters where the police in Northern Ireland need overseas police co-operation and on best practice developments in policing world-wide. There should be co-operation with other police services in the field of research.

The police should develop opportunities to provide more training for overseas police services in their areas of excellence.

Lead responsibility: Chief Constable/Policing Board

Accepted. The police have participated and will continue to participate in a number of police exchange programmes throughout the world. Such imaginative programmes are of mutual benefit to the forces involved and include training, sporting, cultural and charitable events. Recent examples include joint training with the Garda and the New York Police Department, both in Ireland, North and South, and in the USA. Further international exchanges and seminar visits focusing on public order and community policing have also taken place.

Timescale: Ongoing.

RECOMMENDATION 171

UNITED NATIONS PEACEKEEPING OPERATIONS

The Northern Ireland police should be ready to participate in future United Nations peacekeeping operations.

Lead responsibility: NIO/FCO/Policing Board/Chief Constable

Accepted: See response to recommendation 110.

Timescale: Ongoing.

OVERSIGHT COMMISSIONER

RECOMMENDATION 172

OVERSEEING CHANGE

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.

Lead responsibility: Oversight Commissioner

Accepted. Mr Tom Constantine, retired Director of the US Drugs Enforcement Administration and a former Chief of Police for New York State, has been appointed as the Oversight Commissioner. He will be responsible for overseeing the implementation of the changes in policing arrangements and structures recommended in the context of the Patten Report. His role is set out in the Police (Northern Ireland) Act 2000. Mr Constantine has indicated that he will have regard to the recommendations in the Patten Report.

Timescale: The appointment has been given statutory backing in the Police Act, at sections 67-68 and schedule 4. The Oversight Commissioner's Chief of Staff, Mr Al Hutchinson, formerly of the Royal Canadian Mounted Police, was appointed on 15 January 2001 and is permanently resident in Northern Ireland.

RECOMMENDATIONS 173, 174 & 175

FUNCTIONS OF COMMISSIONER

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.

The 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.

The oversight commissioner should be appointed for a term of five years.

Lead responsibility: NIO

Accepted. These issues are dealt with in the terms of appointment of the Oversight Commissioner. The Commissioner will conduct progress review meetings with Ministers and NIO officials, the Chief Constable, the Police Authority, and in due course the Policing Board, at least three times a year and will provide a report to the Secretary of State after each review. The reports could include recommendations for changes in the legislation if he concluded that aspects of the Act were inhibiting the new beginning to policing as envisaged in the Good Friday Agreement. This Implementation Plan will provide the baseline against which the Oversight Commissioner will monitor progress. The Oversight Commissioner's periodic reports on progress will be laid before Parliament and published.

His terms of reference also require the Commissioner to meet the Ombudsman and other relevant organisations including the political parties and community leaders to discuss progress with the implementation of the required changes.

The Oversight Commissioner has been appointed for an initial term of three years at which point the continuing need for the office will be reviewed by the Secretary of State.

Section 67 of the Police Act makes clear that the Oversight Commissioner's general function is to oversee the implementation of changes in the policing of Northern Ireland (including, in particular, those resulting from the Act), described in his terms of reference.

Timescale: The Oversight Commissioner plans to publish his performance indicators and carry out an evaluation in September 2001, following which he will publish a report in December 2001. Thereafter the Commissioner is expected to conduct formal progress reviews and make reports every 4 months or so. He has already circulated a full report setting out his methodology for carrying out his task.

NOTES

