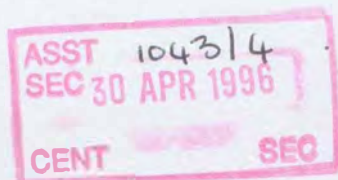
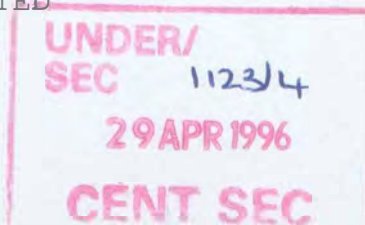


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FROM: MRS C COLLINS  
Police Division  
29 April 1996



cc: PS/Secretary of State (B&L) -B  
PS/Michael Ancram (B, DENI&L) -B  
PS/PUS (B&L) -B  
PS/Sir David Fell-B  
Mr Legge-B  
Mr Thomas-B  
Mr Steele-B  
Mr Blackwell-B  
Mr Daniell-B  
Mr Bell-B  
Mr Shannon-B  
Mr Leach-B  
Mr Watkins-B  
Mr Wood (B&L) -B  
Mr Maccabe-B  
Mr Perry-B  
Mr Smyth  
Mr Stephens-B  
Mr Cornick-B  
Mrs Madden  
Mr Marsh-B  
Dr Power-B  
Mr Beeton-B  
Mr Burnett-B  
Mr Brearley-B  
Mr Campbell-Bannerman-B  
HMA Dublin-B

*1043/4*

*[Signature]*



PS/Sir John Wheeler (B, DFP&L)

OPENING STATEMENT FOR PRESS CONFERENCE AND Q AND A MATERIAL

I am attaching to this minute a draft opening statement for the press conference on Wednesday morning and detailed question and answer briefing for you and colleagues to draw upon as needed.

Signed

C R COLLINS

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DRAFT

WHITE PAPER - OPENING STATEMENT FOR SIR JOHN WHEELER

[Thank you for coming.]

"Foundations for Policing" the Government's White Paper on Policing Structures in Northern Ireland has been placed before Parliament this morning. I will be happy to take questions on the Paper in a moment but I would first like to set out the background to the Paper and then to comment on the proposals in it.

"Foundations for Policing" has been developed over the last 3 years and has taken account of the views the Government has received during extensive consultations, particularly following the launch of the consultation document "Policing in the Community" in March 1994, but also a round of discussions beginning in August last year. It also draws on changes already in place in England and Wales under the Police and Magistrates' Courts Act. We have examined the various papers produced by the political parties on policing. It deals essentially with the overall framework within which the police service operates. This is only one part of the policing reforms under examination. PANI have already produced their Community Consultation Report. The Fundamental Review, under DCC Flanagan's Chairmanship which deals with the internal organisation of the RUC is well advanced. The review of Police Complaints, which is being conducted by Maurice Hayes, will report later this year.

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What is the White Paper about? We have been looking closely at the relationships between ourselves, the Police and the Police Authority, the so-called tripartite structure. It was clear at the outset from, among other things, the latest research, and best practice elsewhere that changes to this relationship were necessary to ensure that it was kept in line with changing times. However, we wanted to establish so far as possible community views on the issue and conducted extensive consultations.

We set out to rectify the weaknesses, and build on the strengths of the current tripartite relationship.

The proposals in "Foundations for Policing" are intended to:

- clarify lines of accountability between the partners;
- define more clearly the roles and responsibilities of the partners in the tripartite structure;
- provide new mechanisms for greater community involvement in, and identification with, policing;
- and allow more effective deployment of police resources.

It has been repeatedly emphasised by many of those consulted that any changes should safeguard the impartiality of the police. I believe that, through protecting operational independence, the proposals do this. The need for mechanisms by which the community could influence

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the priorities and direction of policing, and hold the police to account, was clearly a high priority for many people. I believe we have found workable ways to achieve this, too.

I do not want to get into the details of the Paper here but I do want to set out for you the principal elements of these proposals.

As I have mentioned, we are proposing to make the roles of the three partners clearer, and to introduce new objective setting and monitoring arrangements. The Secretary of State and the Police Authority would set objectives for the police, reflecting government policy and community priorities. The Police Authority would hold the Chief Constable to account for the service provided to the community. Allied to this would be new police planning mechanisms. The Chief Constable would produce a 3-5 year strategic plan and an annual policing plan. These must have regard to the objectives set. The paper also proposes the adoption of more open arrangements within the ambit of the existing legislation for the appointment of the PANI membership next year when it is due for renewal. In the longer term, we will be considering more fundamental changes to the appointment mechanism to the Authority. Finally, on finance, PANI would retain the responsibility to secure the maintenance of an efficient and effective police service, but the Chief Constable would have day-to-day management responsibility for policing resources. This would mean, for example, that the management of support services would be solely the responsibility of the Chief Constable, removing the duplication that exists in this area.

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The proposals in the White Paper have benefited from extensive consultation with PANI, the RUC, the political parties and many others in the community with an interest in policing. I believe that there is widespread agreement that reform of the existing arrangements is needed and that there will be much support for the specific proposals we have put forward.

Finally I should like to say a word about timing. It is unlikely that we shall be able to introduce the necessary legislation very quickly. But I believe it is important that the Government's proposals should be made public at this stage. As the Secretary of State's foreword makes clear, the legislation will be informed by the forthcoming discussions on policing in all party negotiations, to take place on an open agenda, and will be shaped by any agreement reached. We believe these proposals provide firm foundations upon which to plan, and that they will contribute to the broader debate on policing. I very much look forward to that debate. To quote the Secretary of State again, these proposals are intended to facilitate the provision of an efficient, effective, professional, impartial and responsive police service, accountable to the community through a strong, widely representative and open police authority. It is our belief that this would help to foster partnership between the community, the police and other agencies in tackling problems of crime and disorder. Such partnership would make a vital contribution to a stable and peaceful environment for all the citizens of Northern Ireland, and its further development is very necessary.

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QUESTION AND ANSWER BRIEF

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1. POLITICAL CONCERNS

(a) PUBLICATION

Why publish now?

- Policing debate assisted by publication of other parties' proposals recently. Want to enhance that debate.
- Protection of its citizens is first duty of Government. Must ensure that we have the most effective foundations to deliver policing service to the people of Northern Ireland now.
- Proposals based on wide-ranging consultation and careful analysis over past 3 years.

Pre-empting talks?

- Absolutely not. The White Paper is very clear that Government would take account of progress made on policing issues in talks and of any final agreement.

Irrelevant because proposals do not address/allegiance, name etc?

- The White Paper has clear and specific objectives. It addresses the substance of the framework of policing in Northern Ireland. The relationship to other policing issues is clearly set out.
- Spells out duty of police is to uphold the law, impartially and effectively, and to keep the peace; not to uphold any particular partisan viewpoint.
- Allegiance of police is not to particular political view or party. It is to the law, to justice represented in British unwritten constitution by the Crown. So police "oath" of office is to the Sovereign, not to the Government.

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- Symbols are of great emotional significance to many people and are rightly matters for political discussion, so is allegiance of citizens to state.

Ignoring Nationalist concerns?

- These are impartial proposals, neither "Unionist" or "Nationalist", addressing the need for a policing service which is responsive to local communities. They are about better delivery of service, following proven improvements already in place in England and Wales.

Proposals are marginal - ignore calls for radical change

- Proposals are very important in achieving a more efficient police service, responsive and accountable to the community.
- Provide for the first time visible, tangible and direct mechanisms by which community views must be reflected in policing strategies and policies. This is significant.
- The calls for radical change relate to the organisation of the police service itself; the case is far from proven.

Changes have been a long time in development. Does this reflect internal differences in the NIO?

- Length of time reflects care taken to develop proposals;
- reflects very wide-ranging and thorough consultation: since August some 20 meetings with different groups; consideration of other parties' published papers, etc.



(b) NEXT STEPS

What next? - White Paper

- There is no finite period for comments on the White Paper. The proposals will be further informed by progress made in political talks, and will form the basis for the Government to bring forward Primary Legislation in the future.
- (If asked: Devolution of Secretary of State's powers?/Role of NI Assembly) As set out in the Framework Documents, in the event of a constitutional settlement and with the terrorist threat sufficiently diminished, certain of the Secretary of State's responsibilities could be devolved to an Assembly. But we will have to wait and see how events develop.

SECURITY POLICY/PUBLIC ORDER

- The Secretary of State will remain responsible for security policy in Northern Ireland.
- He will, however, wish to consult the Authority on security policy objectives, and on the community impact of security policies.
- Responsibility for the policing of parades and the exercise of the powers relating to their routes will remain as currently. PANI will remain statutory consultees for the Secretary of State in considering banning parades reflecting the significant community interest.

## 2. RECENT POLICING PAPERS FROM POLITICAL PARTIES

### General

- Welcome all contributions to the policing debate. An important issue where consultation and listening are necessary. Welcome comments on the White Paper; will take full account of views expressed.

### Does White Paper take account of views expressed?

- Yes. Have read with interest the various papers submitted. Striking agreement on the principles of policing. Need to build on that.

### Same as Labour Party paper?

- The policy encapsulated in the White Paper has been developed and refined over the past three years. I have read with interest the Labour Party document, and find much agreement between it and our White Paper. This is not surprising: both are based on fundamental principles of policing as a service, depending on consent, impartial, independent of political control, responsive and accountable to the community. That is our traditional model of policing, envied and copied elsewhere in the world.

### Ignores calls for radical change?

- Slogans about disbanding the RUC are totally inadequate. Change simply for change's sake is dangerous.
- The RUC already do a difficult job well, but of course there can be improvement, and there will be. Change should be evolutionary, building on what is good within the system and on accepted, indigenous principles. So-called revolutionary changes which try to impose new methods, untested in our particular circumstances, simply to be different, are simplistic and dangerous gambling.

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Sinn Fein/SDLP Papers?

- Both read with interest. SDLP views on importance of allegiance appreciated - subject for talks.
- Look forward to broader debate in talks.



3. WHY CHANGE THE CURRENT SYSTEM?

What is wrong with the present system? Isn't this just change for its own sake?

- No. The "Policing in the Community" consultation identified widespread support for reform to remedy deficiencies in the existing structure including:-
  - confusion about the respective roles of the three parties;
  - uncertain lines of accountability;
  - Government provides all of the funds for policing but has little influence over policing strategy;
  - the Police Authority is responsible for resources but has little influence over their deployment;
  - the Police Authority is responsible for making arrangements to obtain the views of local people but has no means of ensuring that these are taken account of by the police;
  - there is duplication of effort and unnecessary bureaucracy.

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4. WHAT DIFFERENCE WILL THESE CHANGES MAKE?

- The accountability of the Chief Constable to PANI and of PANI to the community will be heightened and improved while protecting the Chief Constable's vital impartiality and freedom from political control over his operational policing decisions.
- The system will be clearer and eliminate waste and duplication.
- PANI will be able to concentrate on outcomes - the service provided to the community - and not inputs - the purchase of goods and equipment. Calling the police to account for the delivery of a quality service will come to the fore, not acting as supplier to the police.
- Annual police plans and objective setting will increase the transparency of the system, allow the public through the Police Authority to influence the direction of policing and make the public more aware of what they can expect; how the police perform; and give an avenue to express views and have these taken into account.

5. ACCOUNTABILITY OF THE CHIEF CONSTABLE

- These proposals increase accountability. On the one hand of the Chief Constable to the community through PANI, but also PANI to the community.
- Accountability is increased through objective setting and the related annual policing plan and reporting requirements. The Chief Constable will be held to account for his achievement of objectives while PANI will have a responsibility to set objectives for the Chief Constable and to monitor and report on progress in their achievement.
- If the Chief Constable persistently disregarded and flouted such advice his fitness for office could be called into question.
- The Government believes that this arrangement will provide an effective check on the actions of the Chief Constable while protecting his operational independence, and so preserving police impartiality.
- Clarifying the roles and responsibilities of the parties will encourage participative and co-operative relationships, built on trust and mutual understanding.
- It should be for PANI and the Chief Constable to agree on the type of reports necessary for the Chief Constable to fulfil his accountability to the Authority, and on the frequency and level of detail required.

[If pressed on constraints on this power]

- (Defensive) - The Chief Constable will, as at present, be able to require PANI to refer requests for reports to the Secretary of State on the grounds of public interest or if he believes the report is not needed for the discharge of the Authority's functions.



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6. SANCTIONS AVAILABLE TO PANI/PANI A PERFORMING POODLE [DEFENSIVE]

What sanctions can be applied by the Police Authority?

- Not helpful to talk in terms of sanctions. We are seeking to develop a new set of relationships which will be based on partnership, co-operation and trust. By defining powers, roles and responsibilities clearly in statute the potential for conflict should be removed.
- There are checks and balances in the proposals. The Chief Constable must have regard to the objectives set by PANI and the Secretary of State. PANI also has the power to call for reports and to report to the community on standards of performance.
- Of course, if the Chief Constable persistently disregarded and flouted PANI objectives his fitness for office would be in question. He would lose the confidence of the community by doing so. [Chief Constable's performance will also be assessed through the fixed term appointment (and performance-related pay system).]
- However, there will be no interference with law enforcement by the Chief Constable. He must be operationally independent, in order to safeguard police impartiality.

PANI a performing poodle?

- Remarks about "performing poodle" were inaccurate and superficial.
- Some people appear to want PANI to 'control' the Chief Constable and day-to-day policing decisions. Experience shows the dangers of that especially in Northern Ireland.

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- These proposals bring PANI's role into line with that of Police Authorities in England and Wales. They have real responsibilities and a central role in the tripartite structure. The proposals shift the focus of PANI's responsibilities to the outcomes of policing and the delivery of efficient, effective service. That is what the community is interested in; not right that community's representative body should be tasked with supplying police logistical needs.
- PANI's enhanced and clearer role will make it more visible to the community and allow its work to be better understood.

7. MEMBERSHIP OF PANI

Will your proposals convince groups like NIC/ICTU and the SDLP that they should join/support PANI?

- Hope that this will happen. Believe that the concerns of those who have chosen not to be involved have been addressed; accountability has been strengthened; roles and responsibilities have been clarified and the impartiality and independence of the police from political or partisan control has been protected.
- The politics of boycott help no-one. I urge both the SDLP and NIC/ICTU to promote change from within the system rather than criticising from outside.

Impact of Nolan?

- Future appointment procedures of PANI will reflect Lord Nolan's recommendations fully.

Power of Secretary of State to appoint?

- Prepared to consider all ideas on appointment of PANI, which would help secure a balanced and representative Authority. The ideas set out in the White Paper represent the Government's thoughts on achieving that end; but proposals would be warmly welcomed.



## 8. CONSULTATION

### GOVERNMENT

- The Government's consultation process leading up to this White Paper began with the publication of "Policing in the Community" in 1994. Since then the debate and consultation has continued, including a series of meetings with delegations representing political parties and interest groups.
- Furthermore, up to the PIRA return to violence on 9 February, continuing peace created an atmosphere which was conducive to informed and constructive public debate on policing.

### PANI COMMUNITY CONSULTATION

- In addition PANI conducted an extensive community consultation exercise (600,000 households received correspondence). We are currently examining the details of the Consultation Report, which I very much welcome as a ground-breaking advance in community involvement in policing here in Northern Ireland.
- The White Paper has been drafted on the basis of what we learned from these meetings, and from the public debate.

### If asked: Sinn Fein; SDLP

- During the ceasefire, Sinn Fein were invited to receive a briefing from NIO officials on the Government's policing reform proposals. The Party Headquarters acknowledged the invitation, but did not respond further. Surprised that Sinn Fein, which is so vocal on policing issues would not talk to the Government about structures reform.
- Other interested parties were offered the same facility; most availed of it. (If pressed: no meeting took place with the SDLP despite Government's best efforts to arrange one.)

Irish?

- The Irish Government interest in enhancing community confidence in the police is recognised in the Anglo-Irish Agreement. They have been kept informed, as appropriate; [and their views taken into account]

9. SYMBOLS OF POLICING

Will you change the name of the RUC (and/or symbols etc) to improve confidence in the police?

- The Government believes that the name and symbols of the RUC are issues best addressed in all-party talks.
- For any change to take place, there would need to be clear evidence that there was widespread support in the community; Police Authority Community Consultation Report shows little evidence of consensus.
- It is for the proponents of change to advance convincing and persuasive arguments. Note the Labour Party document agrees with this approach.
- Amendment of the "Oath" would require primary legislation; it is the same in basic structure as that used in England and Wales, and is remarkably similar in its sense to the Garda oath.



## 10. REGIONALISATION OF POLICING

Will you break up the RUC into a number of regional forces?

- Already have close links between police sub-divisions and district council areas; this forms the basis for local policing dialogue, and nearly all district council areas have active Community Police Liaison Committees.
- Local policing priority plans provide a vehicle for a contract between the local police commander and the community. Hope this initiative will be developed.
- Difficult to see how NI, with population of 1.5m, could be policed by separate police forces effectively and without additional costs. Government is always ready to listen to constructive ideas or proposals.
- [PANI Community Consultation Document concluded that there was not sufficient support in the community for the establishment of autonomous police services for different regions of the country. The Authority doubts the wisdom of the idea.]
- The Fundamental Review has examined ways of making the police service more accountable to the local community. Look forward to the report.

## 11. FUNDAMENTAL REVIEW

- The Fundamental Review is quite separate from the White Paper. It is a wide-ranging review of future policing needs and expenditure, conducted by the Government, RUC and Police Authority.
- It is examining Northern Ireland's likely policing needs, moving from that to the police services required to meet those needs, then to the police resources which are required to deliver the services.
- This exercise continues despite the end of the ceasefire, and I hope many elements of it will prove of value whatever the security situation.
- The Review will draw heavily on consultation exercises carried out by the Police Authority and the RUC. It will be completed in the summer of 1996.
- Implementation is planned to begin in 1997 and continue over a 5-year period. Some of the findings are likely to be dependent on the prevailing security situation.
- (RUC numbers): Obviously, as the police senior officers themselves have said, if there were to be an established peace, there will not need to be as large a police service as we currently have. But there is no question of a reduction while terrorism or its threat remains.
- The RUC showed flexibility and imagination in responding to the circumstances following the ceasefires. Changes in deployment directly reflect the level of threat. I know police officers much prefer peacetime policing. However, they are a professional force and respond to the circumstances of the day, to protect life and property as their first priority.

## 12. COMPLAINTS REVIEW

- After 7 years' operation of the current system the Government felt it appropriate to seek a wide-ranging review into the operation of the police complaints system. The review is now well underway and is expected to be completed by the Summer of 1996.
- It will include an examination of the system for investigating complaints about the behaviour of individual officers, and of how complaints against police policy and standards of service might be dealt with.
- The review constitutes an important dimension in policing reform in Northern Ireland and will be co-ordinated with the other major reforms.
- Will consider the recommendations very carefully. Recognise this is a key area for community confidence; and the importance of a fair system for individual officers.



13. REMOVAL OF MESSRS COOK AND RYDER

Did Cook and Ryder have to be got rid of before proposals could be brought forward?

- The Secretary of State looked into the issues involved very carefully (all Members of the Authority were interviewed) and gave Mr Cook and Mr Ryder the opportunity to make representations. Having done so he found that the Authority could not continue to function efficiently and effectively with Mr Cook as Chairman and Mr Ryder as a member, and he terminated their appointments.
- No - following the votes of no confidence in Mr Cook and Mr Ryder the Secretary of State regretfully concluded that their appointments should be terminated.

Removal shows antipathy to real reforms?

- Believe the record speaks for itself. Real reform is happening; not just talking about it.
- Have to recognise that reform requires support and consensus. Police Authority has vital role to play [cannot be allowed to collapse].

#### 14. PARADES

##### Lines to Take

- This is particularly contentious in Northern Ireland.
- In a democracy, the right of any group of people to demonstrate and to express their views publicly is fundamental, and must be protected by law. Provided that serious public disorder, damage to property, disruption to the life of the community or intimidation of others is not anticipated to result, a parade in Northern Ireland, just as elsewhere in the United Kingdom, is lawful.
- The policing of parades is, and must remain, an operational matter for the RUC. Decisions on numbers of officers to deploy etc are for local commanders who are best placed to make such decisions.
- In 1995 the RUC were responsible for policing over 3000 parades and the vast majority were peaceful and uncontentious.
- The disgraceful attacks against the police as witnessed on Easter Monday on the Ormeau Road are the deliberate work of people intent on violent confrontation and disorder. They followed what was a peacefully-conducted demonstration that morning.
- Everyone who believes in peaceful and democratic methods must utterly condemn those responsible. Fully support the RUC in their efforts to maintain order.

##### Defensive - if pressed: Independent Commission/Tribunal?

- Ideas always considered. Recourse to courts already available. Recognise very valuable work by all concerned - communities, organisations, churches, police - to try and reach compromise. Ultimately, any ruling or agreement has to be

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respected; if it is not, police must act to protect life and property, and minimise disruption to the community.