

Northern Ireland Affairs Committee

Oral evidence: The effect of paramilitaries on society in Northern Ireland, HC 24

Wednesday 26 October 2022

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Members present: Simon Hoare (Chair); Stephen Farry; Sir Robert Goodwill; Claire Hanna; Fay Jones; Mr Robin Walker.

Questions 87 - 104

Witnesses

II: Naomi Long MLA, Minister of Justice, Northern Ireland Department of Justice; Richard Pengelly, Permanent Secretary, Northern Ireland Department of Justice; Adele Brown, Programme Director, The Northern Ireland Executive Programme on Paramilitarism and Organised Crime.

Written evidence from witnesses:

- The Executive Programme on Paramilitarism and Organised Crime ([PNI0024](#))

Examination of witnesses

Witnesses: Naomi Long MLA, Richard Pengelly and Adele Brown.

Q87 **Chair:** Thank you, Minister and your team, for joining us this morning. We are very grateful to you. Minister, let me kick off, please, with a short, focused question. Could you let us know what you have identified in your mind as being the barriers to achieving the society free of paramilitarism that was, as you will know, the key aim of the Fresh Start agreement?

Naomi Long: First of all, thank you for giving us the opportunity to provide oral evidence to the Committee today in terms of the impact of paramilitarism. I am here in my capacity as Justice Minister. The programme to tackle paramilitary activity, criminality and organised crime is a cross-Executive initiative, but it is one for which I am the lead Minister. We are delivering a fairly wide range of initiatives, ensuring that communities are safer and more resilient to paramilitarism, organised crime and coercive control.

In terms of the barriers, they are numerous. There are vulnerabilities within communities that are exploited by paramilitary organisations. Those vulnerabilities can be quite complex. Some of them will be political vulnerabilities. Some of them will more typically be socioeconomic vulnerabilities. There can be issues around coercive control within communities that can be very hard to quantify and tackle. There are issues around the credibility of the organisations, and indeed engagement by agencies with those organisations can enhance their standing within communities and be counter to the overall intention of the programme.

To give an example, just in terms of the evidence-driven approach that we are taking, the programme data that we have would suggest that between 15% and 30% of people in Northern Ireland live in an area that experiences paramilitary fear and intimidation. That is not evenly spread across all communities in Northern Ireland. It is quite differentiated. Some areas will be double that; others will be much less, but on average 15% to 30% of people will experience that. What we are trying to do is break the cycle of harm.

Q88 **Chair:** Minister, would we be right to say that the poorer the area, the higher the percentage, or is that too easy?

Naomi Long: In some cases, yes. There is a definite correlation with deprivation. There are also some areas where people would perhaps not expect there to be huge paramilitary influence but there is. In the main, it would be those areas that are more deprived and more vulnerable communities where paramilitaries will be seen to have coercive control. It has to be said, though, that the paramilitaries do not necessarily live in those communities but may be visiting their particular criminality on them. Our intention is to break the cycle of harm by building individual and community resistance. Also, you have heard from the PSNI this



morning about the work that they do in terms of trying to disrupt the criminal activity of those organisations, as well as supporting us in trying to build resilience and confidence within communities.

Q89 Chair: We discussed with the PSNI earlier this word, “paramilitarism”. It sounds very sexy, glorious, bold and brave. It is thugs playing soldiers, in a way, is it not? What term would you prefer to use? Is it just “criminals”?

Naomi Long: Fundamentally, they are criminals, so that is something we acknowledge in the system. They can be a whole range of things. We recognise that language is extremely important. The political advisory group we had, which represented each of the parties in the Executive prior to the breakdown of the Executive, did a piece of work around language. We used to refer to “punishment shootings”, which was very victim-blaming in terms of a vigilante justice kind of description. It was very victim-blaming and very difficult in communities, because it suggested the victim was responsible. Those then started to be called “paramilitary-style attacks”, which in some ways glossed over and sanitised what they actually were.

As a group, we worked through different language. We know, for example, that when we started talking about under-18-year-olds being attacked as child abuse, the number of those attacks on under-18-year-olds dropped dramatically. There may be a badge of honour for an organised criminal in going to prison as a paramilitary or organised crime gang boss.

Chair: But not as a child abuser.

Naomi Long: There is not as a child abuser, and we are conscious now of using that safeguarding language around things like talking about human rights abusers, criminal exploitation of children and so on. We are very conscious of the importance of language.

This kind of thuggery and intimidation is not unique to paramilitary organisations. The difficulty of referring to them simply as organised crime gangs is that you simplify what is a complex picture. Although that is their main business, at various stages they take on the mantle of political spokespeople and a whole range of other things in a way that organised crime gangs do not, and that creates a complexity in terms of how we actually address, at both official level and community level, the kind of status and standing that they have. Yes, I concur. One of the big pieces of work we have done is around language and how we actually describe both their activities and the individuals themselves.

Q90 Claire Hanna: We discussed in the last session the length of time that we have been addressing these issues, how far along we are versus how far along people thought we would be, and the flaws in the approach of sometimes embedding and elevating figures linked to paramilitaries into positions of authority in communities, sometimes paid for by the public



HOUSE OF COMMONS

purse. What steps do you think can be taken to ensure there is a common approach to engagement and to funding, and that funding streams aimed at facilitating transition do not tighten the grip that some of these individuals and organisations have on communities?

Naomi Long: It is a very good question. As you know, I feel very strongly about ensuring that we do not give people status or create an alternative validity. The previous chief constable once described it as, "Community workers by day, paramilitaries by night". We certainly do not want to be in a position where that is being embedded.

Within the tackling paramilitarism programme itself, even in terms of the contracts that we would have for delivery within communities, organisations are required to sign up to certain standards of behaviour and codes of practice that would reflect, for example, the ministerial code and the ministerial pledge of office in Northern Ireland, which is to eschew paramilitarism and not be involved. That would give us leverage if someone then emerges who has been involved in current paramilitarism, so that we would be able to take action. That applies to the tackling paramilitarism side.

One of the things I would like to do in order to get a more consistent approach, which the Chair was referring to just now, would be to see that same requirement embedded for all funders of community-level organisations. Whether that is Executive Departments, whether it is direct funding through levelling-up funds coming directly from the UK Government, where Ministers and decision-makers may not be as sighted on the complexity of the landscape here as local ministers, or whether it is other external funders, non-statutory funders, IFI and others, and indeed Irish Government funding that goes into communities, that is a conversation that we have started to open up with some of those funders already to talk about how we embed what we are trying to do in the tackling paramilitarism programme as the basic standard across all Government supply.

We also know from experience and observation that where there is flow of resource into communities, whether that is through community organisations or groups, those who wish to maintain coercive control over those communities will muscle into community groups to pose the natural arrangements and insert themselves as community and organisational leaders. It is something that we need to guard against when we are planning how to deliver programmes, so that we do not inadvertently, by giving funds over to perhaps quite a small community organisation, make them a target for paramilitaries to take over.

We have seen—you will be particularly interested in this, as I was—the exclusion, in certain communities, of women from the community and voluntary sector, where they were very active during the Troubles themselves. Since 1998, we have seen women increasingly finding it difficult to maintain their positions in those communities, often as



peacebuilders and reconcilers, because they are muscled out by people who want to be able to be gatekeepers instead.

- Q91 **Claire Hanna:** Certainly, it is something we have looked at as a Committee and will continue to. In their written submission, the PSNI referred to an incident that led to a high-profile event for paramilitary activity, involving somebody who was paid from the public purse. Are you aware of other individuals who are aligned to current paramilitary activity who are paid from the public purse for community development and transition activities on boards or PCSPs, et cetera?

Naomi Long: From our perspective in the Department of Justice, we recognise that, in a society such as ours, which has transitioned from one that was extremely violent and in conflict to one that we would hope to be more peaceful and free of this coercion, there will be people at all levels, including in Government, who have difficult pasts. That is an inevitable consequence of reconciliation and stability, but we are very clear in terms of DOJ funding.

- Q92 **Claire Hanna:** I am referring to current links to current paramilitary activity.

Naomi Long: Yes, I am aware. We are very clear in terms of DOJ funding that current links to current paramilitarism would be contrary to the contracts which we have signed with those organisations that deliver. Where someone is seen to be in breach of that, where there is evidence, or even, I would argue, where there is strong suspicion that is the case or where the police are concerned that is the case, we would want to be able to take robust action. This is not just about where people break the law. It is where people breach trust or place the reputation of a funder at risk by their behaviour. It is incredibly important that, when that happens, we take robust action.

I do not want to stray into discussing individual cases. That is an incredibly dangerous route to go down, particularly as Justice Minister, but in general terms it is one of the reasons why we would like to see other funders deal with these issues in a more co-ordinated way with ourselves, with the Executive and so on. As a result of some recent investigation, we are aware of examples where people's funding is being duplicated by a number of different funders for essentially doing the same job, when there is a major question mark over their bona fides to do it and whether it has been delivering. There are issues there in terms of propriety.

It would be important for us to try to get other funders to have that conversation, and that is one that we have started to open up with a number of organisations and with other Government Departments, but it is one that will need more concerted effort over the coming weeks and months. It is a fear that I have had for some time. It is a suspicion and concern that I have had. It has been reinforced by some recent events, and therefore it is timely for us to review how we ensure that we robustly



HOUSE OF COMMONS

protect public funds, and that we ensure that where we are funding people to do work, we are not giving cover or status to current paramilitaries who are exerting coercive control on communities or behaving in a way that is contrary to the rule of law.

Q93 Claire Hanna: Can DOJ lead on that? Will DOJ lead on that? Will your Department be able to end that practice?

Naomi Long: We can certainly lead on it. However, we cannot force anyone to do anything. You will appreciate the nature of the Executive, and I know your mum served as a Minister on a number of occasions. It is not an easy job to get the Executive to agree, but this is part and parcel of the tackling paramilitarism programme. That is an Executive-agreed programme. It is not just a DOJ issue, and what we are doing is leading on that, building that consensus, discussing it with our political advisory group where we can, when that is established, and then trying to take that forward through the Executive.

A number of Executive colleagues are clearly open to looking at the contract issues. You have to put it in at the ground level. There is no point trying to hold people accountable if it is not part of their contract. It has to be there contractually. It has to be clear and understood from the outset, when you are dealing with organisations, that these are the standards that we expect, and that anything short of those standards will lead to funding being removed. Then the onus is on them to live up to those commitments, and on us to monitor and ensure that they do.

Q94 Claire Hanna: Finally, on paramilitary flags, which we have also discussed, do you believe that the police have the political cover necessary to act on the most problematic aspects of those? Is there a role for the DOJ, in the event of an Executive being reformed, in advancing some of the recommendations from FICT or some of the necessary legislation to address that scourge?

Naomi Long: First and foremost, do the police have political cover? I would have to say no, not in all cases. We have seen situations where police officers, commanders and others have acted in what I would consider to be a proportionate way to remove flags at the behest of the local community, and have then been berated politically for doing so and accused of escalating tensions. We had one situation where one senior police officer apologised for those actions, which was bizarre, so I find that a difficulty.

In terms of responsibility for flags, again, where it is flags on lampposts and public property and street furniture, it falls to the Department for Infrastructure to take the lead in terms of that. It would not be something that the Department of Justice could regulate. However, we would stand ready to support such regulation, and were that regulation in place, then it would be a matter for the PSNI, or another body that might be instituted to do it, to take forward the enforcement.



HOUSE OF COMMONS

In terms of the degree to which we can move forward with respect to their proposals, it is an analysis that we did at the point where, at the end of the last Executive, the FICT report itself was published but there was no action plan published alongside it. That was a point of significant disappointment to me as an Executive Minister. I believe that simply publishing the report was an admission of failure of the Executive to agree on taking some of those things forward. Frankly, I would have been content had we taken forward those issues on which there was agreement, and had a programme in place to address those issues where there was not agreement, but that did not happen, so we ended up with it being released into the void.

We have done an analysis a while back in terms of which of those would fall to the DOJ. Very few of them would be directly within the purview of the Department of Justice. However, all of them would be considered to be cross-cutting, significant and controversial. Even if I were minded to take the lead on these issues, it would ultimately come through the Executive. Without cross-Executive agreement, it would not be able to proceed, so I have to be careful not to spend nugatory time of officials pursuing what are essentially not agreed policies.

I would like to see the Executive agree ways forward on the FICT Commission report, given what it cost to produce, the time it took and the level of input at community level. It has a robustness the previous reports have lacked, and therefore our focus should be on delivery rather than disowning what is in it.

Q95 Mr Walker: It is good to see you, Minister Long. It is a while since we caught up, but I am doing so in my role as a Committee member here. How would a common framework for law enforcement partners in Northern Ireland to identify and prioritise threat risk and harm across crime types help to tackle paramilitarism?

Naomi Long: It is only one element. That is the operational end of things and it is certainly helpful. As the PSNI set out, tackling paramilitarism and organised crime is part of a joined-up approach, not just in Northern Ireland but on a cross-border basis with the JATF and others, so there is a lot of work going on on a consistent basis. The National Crime Agency and so on have their annual reports but also their points that they are driving forward, and the policing plan takes forward some of their actions, so there is already a degree of co-ordination. However, what we need is a whole-systems approach that goes beyond simply looking at operational interventions to looking at society in a whole-systems way.

Actions that are taken at one point in the system will have implications for others. We need to be careful that we are not displacing activity from one community to another by our actions. We need to look at reducing the levels of serious harm as our priority, but at the same time we are aware that it is a triangle. It is a pyramid, with smaller numbers of cases of very serious harm, wider numbers of cases of moderate harm and then



a wide base of coercive control and what are still quite harmful impacts of paramilitarism in terms of trauma and mental health, but are perhaps much harder to quantify within communities. Again, we can see the correlation between deprivation, high levels of paramilitarism, high levels of mental health issues and high levels of trauma. Those things are related.

Q96 Mr Walker: I was quite struck, in the evidence from the PSNI, by how comfortable they were talking about a public health approach to this? Do you think that is helpful language in the overall approach to tackling paramilitarism? Also, I was struck by your language earlier around the use of the term "child abuse" and the importance of safeguarding in these spaces as well, particularly when it comes to young people. Do you think there is further road to travel there in terms of applying that zero-tolerance approach that we have towards child abuse and putting children at risk, particularly where paramilitarism touches on young people?

Naomi Long: I am absolutely convinced that, first of all, taking a safeguarding approach is important in terms of language, but also in terms of opening up the possibility of prosecution for things like coercion into child criminality and child criminal exploitation. Sexual exploitation, for example, is another area that we know, with people being coerced into prostitution over unpaid debts or through intimidation and violence. That is another area, not just for children but for adults. There is a lot of harm there that is being caused.

In terms of a public health approach, we believe that is a beneficial model to take. In terms of phase 2 of our programme, we have adopted a public health approach to violence reduction with a focus on risk and protective factors, and also creating that conceptual framework that allows more flexibility not to just talk about the paramilitarism and the actions themselves, but the harm that they cause, the vulnerability of communities and the safety of communities.

Obviously, as Justice Minister, my job is to create safer communities. It has given us more opportunities also to engage with partners, who may see their role initially as peripheral to paramilitarism but who are critical to driving overall change in society. We are looking, for example, at violence reduction units that are working across the UK, and also international examples of that in terms of best practice, trying to embed that. It does need to reflect the Northern Ireland context being quite different from the wider UK context, with very high levels of trauma within communities as well as the very complex social, economic and political contexts in which we work.

It is not a simple approach, but it is a more effective approach than simply tackling individual high-profile cases of extreme violence that, although very serious, do not necessarily capture low-level coercive control in communities that can actually be, on a wider scale, much more harmful to the overall community. It is worth saying that, in many of these communities, paramilitaries are involved in recruiting young



children into criminal activity, so we will end up with youths with ankle tags and the like, whilst the paramilitary godfathers who groom them into criminal organisations sit at home with no consequences whatsoever. We need to tackle not the young person but the groomers for paramilitary organisations. That should be the way we approach this.

That safeguarding approach is important, but we also need to look at how the existence of paramilitarism in communities drives down aspiration in those communities. For many young people, the aspirational figure in their community, the person who commands respect and fear, the person who has money, the flash car and all of the other attributes that people would aspire to is the paramilitary godfather. It is not the local doctor or nurse, or the person who is working hard and trying to make ends meet. That in itself drives down aspiration in those communities and continues to perpetuate vulnerability.

What we are trying to do is take that trauma-informed and health approach to try to deal with what is a systemic problem in our society, as opposed to simply dealing, if you like, with the worst symptoms at the point where they emerge. We need to deal with the underlying causes as well.

Q97 Stephen Farry: Robin has touched, to a large extent, on my question around the whole-system approach and what you could do to deepen it, but I will take a different approach. What threats do you see to the whole-system approach, particularly in light of the budgetary situation in Northern Ireland? I am particularly mindful of cuts to educational provision and community-based diversionary projects that may come. Touching on the cost-of-living crisis as well, are there any particular fears you would have around, for example, people being forced to approach loan sharks because of their debt issues, and how that will deepen the grip of certain paramilitaries in some communities?

Naomi Long: As I said in response to both Robin and Claire, paramilitaries target vulnerability, so the cost-of-living crisis, if I start there, is a clear vulnerability for many people in our community. We know that during the Covid crisis there is significant evidence that loyalist paramilitaries in particular were targeting those who were socially and economically vulnerable and offering loans by way of assistance.

We know from the research that we have done with people who have been indebted to paramilitaries that the intention of those loans is to create permanent indebtedness to those organisations. It is not that you will be able to borrow the money and pay it back with interest. It is that you will never be able to pay it back. You will be permanently in debt. They then use that as a means to coerce people into illegal activity, so that is a high-risk area.

You will be familiar with the adverts if your colleagues are not, but I would encourage your colleagues to go online and have a look at our endingtheharm.com website. There are adverts there that will show how



HOUSE OF COMMONS

paramilitary organisations coerce, first of all by befriending the vulnerable, then by offering help as a seeming friend, and then by the paramilitaries coming in at the end to intimidate and threaten to get their money or the equivalent value out of that individual.

Our research also exposed the fact that the people who are most vulnerable to this are not people who are borrowing money, as people would often caricature it, for luxury goods. These are people who are borrowing money to feed their children. It is desperation. They need to pay bills. They are worried about losing their home, and so they are borrowing that money for essential purposes.

The advertising is framed in a way that it directs people to help and assistance rather than to the Department of Justice because, actually, with our research, we were able to identify that if it was seen as simply a justice intervention, many of those who were vulnerable would recoil and be afraid that they were being recruited to the justice service rather than actually helped. We have been very cautious in how we have approached this, but at the same time we are offering people advice and guidance and signposting to organisations like the Samaritans and independent advice and so on. A lack of funding and resource in those communities will obviously be an issue.

The other issue I would say is a threat to this is the multiplicity of funders and the lack of co-ordination and conversation that goes on between funders. Well-intentioned, often very large organisations will grant-fund things in communities for the best reasons, but unless there is a common approach, unless we can analyse at granular level what is being invested in each community, what the standard terms of conditions around that are and what the purpose of that investment is, you can end up with duplication of funding, but not actually the outcomes that will tackle paramilitarism.

We are very conscious that our job, in terms of the investment we make from the Department of Justice, is not just additional community diversion programmes and additional community support. It has to be very evidence-based and focused on specifically tackling paramilitarism. There will be more pressure on Departments to diversify the funding they have into other areas that are under pressure. Also, for criminal gangs, there will be additional incentive to try to muscle in on existing funding, and to push out good faith community organisations in order to be able to be in receipt of Government funding themselves. We need to be alert to that in terms of how we approach terms and conditions, as I have mentioned with Claire earlier.

There is vulnerability in the community. There is pressure in terms of support for communities. In terms of cuts to main services, I would have to say that, yes, education is a classic example, as well as employment and housing. These are all areas that we know are vulnerabilities for people. Also, we need to invest in the justice system, because if we



HOUSE OF COMMONS

cannot actually demonstrate that we can swiftly hold to account those who have committed crime and tackle those issues at the community level, as well as continue to invest in evidence-based approaches, it will be incredibly difficult for us to tackle this problem.

We need, however, to mainstream some of our programming. Better co-ordination and better mainstreaming of those programmes within all Departments would help. It is particularly important, in terms of cross-departmental working, that we see the overlaps. We were discussing earlier the issue of the impact on mental health, for example coercive control and the impact that has on health. As you will be aware, my Permanent Secretary was previously the Permanent Secretary in the Department of Health and is fully aware of the pressures, so maybe I can ask Richard just to make a few comments on that.

Richard Pengelly: Mental health issues are endemic throughout the health and social care system. We see it from emergency departments to psychiatric care. Anything we can do to nudge the dial on that is good. If the core issue here is budget, and the question is about the risk to our approach because of the tightening of the fiscal environment, if anything, it highlights the importance and the benefits of this approach. All too often in the past—you will be all too aware of this—we talk about the embedded silo mentality, and there is an intervention in the justice sector that does not properly recognise parallel interventions to address mental health issues, for example in health. This is about bringing the whole system together for a coherent and co-ordinated set of interventions. When money is tight, that approach becomes all the more important, so a collaborative approach is the way forward for the provision of public sector services.

There has been mention of the voluntary community sector. The duplication point is important. The other point that is really important is that the voluntary community sector in Northern Ireland oftentimes provides some spectacularly good services, but what we find is that, where they are in receipt of funding from two or three different public sector organisations, they are then subject to two or three different sets of auditors arriving with them, and two or three different sets of governance requirements. That becomes an overhead to an organisation. Although they are very good at providing services on the ground, they are not equipped to deal with that administrative function, so in many ways this unleashes the power of the voluntary community sector and the good that they can do.

Naomi Long: I can give you an example if it would be helpful.

Q98 **Chair:** Minister, sorry. I am hugely conscious of time. I just want to ask you a quick question before I bring in Fay Jones. You were talking there about borrowing or lending money as a route of recruiting people. What support to foster the credit union movement could the Executive do to provide affordable levels of credit to those in need without having to turn



HOUSE OF COMMONS

to the extorters?

Naomi Long: There already is a very active credit union movement right across Northern Ireland. It is a very strong movement.

Q99 **Chair:** What about further support?

Naomi Long: That would ultimately be a matter for the Department of Finance, because obviously I am not involved in the regulation of finances and so on, but in terms of the credit union, that is an important thing. Even some of the work that has been done recently by mainstream lenders in terms of overcoming some of the challenges of homeless people's ability to access bank accounts has been incredibly important. What we want to try to do ultimately is to avoid indebtedness at all, but if someone is going to have to borrow, they should do it from legitimate sources.

Q100 **Fay Jones:** Minister, you mentioned the problem around the criminal justice system and the perceived slowness. PSNI has commented on the perception that the criminal justice system is slow and ineffective. What impact does that have on the response to paramilitary activity?

Naomi Long: There are risks inherent in a slow justice system. The first is that, if the justice system is seen to be unresponsive at the point of contact, people will then seek out vigilante justice. There is a huge risk that the paramilitaries will step into that space and try to justify their continued existence by purporting to be helpful in the community. Good police response, responsive neighbourhood policing and good support for communities is crucial to eliminate that risk.

There is also an issue when it comes to taking people through court that if justice is delayed, often the connection between the event and the prosecution becomes very disconnected in communities, and that is another risk. The third thing is that many of the crimes that paramilitaries will be involved in—for example, racketeering or selling black market goods—might be viewed by some as a victimless crime in communities. If they are getting illicit or black market goods, they will think, "The only loser is the Treasury and it does not really matter." They do not really care about that because they are getting it cheaper. It is trying to reconnect people with the impact of that loss of revenue on our lives.

One of the things that we do through the ARC scheme in the Department is, where we are able to recover assets, we then reinvest them in community organisations, so that people can see the financial benefit of bringing criminals to justice. I would like to see more of the money that is taken from paramilitary and organised crime reinvested in Northern Ireland so that local people see the financial benefit of making those reports.

In terms of speeding up justice, we have done a lot of work. It is one of the key issues. It is probably the single biggest priority in the criminal



HOUSE OF COMMONS

justice board. We were making some real impact up to the first quarter of 2020. Then Covid came in and we ended up seeing backlogs created because the courts had to be suspended for a short period. We are now making good progress towards recovery. Most of the backlogs in the Magistrates' Court have been cleared, but there are now increasing numbers of new cases coming through the Magistrates' Court, so volume remains an issue. We have some potential solutions to that in terms of high-volume, low-impact crime that would allow us to speed up that tier of justice, but we cannot do that without an Executive and an Assembly, because it requires legislation.

In terms of the Crown Court, it is much slower. They are much more complicated cases and much more costly. We have done some reform to speed that up. That legislation went through in the last mandate, and when that is implemented it will have a significant impact on the speed of justice through the Crown Court. We continue to need resources to invest in recovery, which has been difficult because the justice budget itself has been under extraordinary pressure. Just to give you a comparator, since 2010, when devolution of justice happened, the block in Northern Ireland has increased by 35%; the justice budget has decreased by 6%; PPS budget has decreased by 5%; the health budget has increased by 68%. That gives you some idea of the scale of the challenge that we face.

Q101 **Fay Jones:** Those budget allocations are a political decision.

Naomi Long: It is a political decision. Unfortunately, given the complexity of our Executive, it is a decision over which the Justice Minister has no real control, and therefore we are slightly hostage to other parties. We have made our case very strongly this year, but I believe that tackling delay in the system is crucial. There are reforms that will help with that. It is not all about resource, but to implement those reforms we need an Assembly and Executive, which we do not currently have. We have been good at reform in justice, which is why it has not fallen over yet, but I do not want to tempt fate in that respect, given the challenges we currently face.

Q102 **Stephen Farry:** On finance at the macro level, I am very conscious that we are here as a Westminster Committee. How helpful was the Fresh Start funding that came from UK Government? How do you see that landscape going forward?

Naomi Long: I will pass that to Adele to answer.

Adele Brown: Fundamentally, we would not have been able to deliver this programme without that funding, and the programme is making some really good inroads into what is a very complex problem. Without that funding and without the ability to mainstream some of the really good work that we are seeing in the programme, we are at risk of losing some of the progress that we have made. Continued long-term funding is really critical, as is making sure that wider funding across all bodies and organisations is joined up and working to good effect.



Q103 **Chair:** You will be aware that the Independent Reporting Commission has called for a dedicated formal process of engagement with paramilitary organisations, aimed at delivering their disbandment. Is that something you welcome? Would that fall within your ministerial jurisdiction? What, if any, plans at hand might you have for delivering that call from the Commission?

Naomi Long: If I may say, we have oftentimes struggled to get clarity as to what the Commission's view of the end outcome would be.

Chair: Let us take a stab and suggest that it is probably that there are no paramilitary groups.

Naomi Long: If I may finish my point, they have referred to group transition, which suggests that you take an organisation and transform that organisation such that it becomes a former paramilitary organisation but its structures remain intact. That is something that is not part of the Executive programme that is agreed and for which I have responsibility. When it was raised at the political advisory group for the tackling paramilitarism programme, it was rejected at the political level, and it is not something that I would personally support, because we know from experience that transitioned organisations, depending on how effective the transition is, can still wield a degree of coercive control over communities.

The idea, for example, that if you had an organised crime gang in your constituency and they said, "We would like to convert into a community group," that would have some form of legitimacy is something that you would question, as would I as an elected representative. If it is about individual transition, with the individual paramilitary moving away from that organisation and from paramilitarism, or if it is about transitioning communities out of coercive control, of course we have a role to play in that. That is not solely for the Department of Justice, but for all Departments.

I would not want, however, to leave this meeting this morning without giving you some hope in terms of what has been delivered. We have talked a lot about the problems and challenges, but if we look at the statistics and trends since this programme has started—and we do rely on evidence—we have seen the serious harms from paramilitarism decrease. We have seen that the stats and the metrics that we use to measure progress are improving, albeit slowly.

We are cautious about saying that publicly because, first of all, if you are still under paramilitary control and threat, as people are—two men were attacked this week in paramilitary-style human rights abuses with beating and puncture wounds; these are serious attacks that could be lifechanging—it feels dismissive to say that things are going in the right direction if, for you personally, they are not. We are very sensitive to that and the impact on victims.



HOUSE OF COMMONS

We are also conscious that this is not a linear process from a bad place to a good place. Many of the pieces of progress that we have made can reverse. It is a very sensitive issue and it is driven by political climate, so we need to be sensitive.

The third thing is that we do not want to tempt fate. We have been doing well. We are seeing metrics move in the right direction, but we are conscious—others have referred to issues around funding—that if we find that constraints mean that the programme cannot continue to make good progress, obviously the vulnerability to go backwards always remains. With those caveats, it is good news in the sense that we know how to tackle these problems. We are following best practice internationally and we are seeing the sort of outputs in terms of outcomes that we want to see, as opposed to just activity.

Q104 Chair: Finally, should there be a greater focus on the role of unexplained wealth orders? If that can be distilled into a yes or no answer, that would be great.

Naomi Long: That is an operational matter for the NCA and the PSNI and it is not something that I can direct them to do. However, I implemented the legislation. I commenced it in Northern Ireland when I came into office as a matter of urgency, because I believe it has a role to play.

I also heard the PSNI say that they felt the level of that was too high in terms of the ambitions of some of the criminals. We actually negotiated with the Home Office on this at the time when this was happening. My officials were involved, as were the PSNI, and it was actually reduced from £100,000 to £50,000 in order to cover lower-level criminality. I hasten to name any brand, but some of the flash cars that these guys drive around in are worth well in excess of £50,000. Questions could be asked about how you do that if you do not have any gainful employment, and so the level of £50,000 still offers good opportunities to hold people to account.

Chair: Minister, thank you. On behalf of the Committee, thank you and your officials for joining us. We are very grateful to you for your time.