

Northern Ireland Affairs Committee

Oral evidence: PSNI data breaches, HC 1791

Tuesday 5 September 2023

Ordered by the House of Commons to be published on 5 September 2023.

[Watch the meeting](#)

Members present: Simon Hoare (Chair); Sir Robert Buckland; Stephen Farry; Mary Kelly Foy; Sir Robert Goodwill; Claire Hanna; Carla Lockhart; Jim Shannon; and Bob Stewart.

Questions 1 to 40

Witnesses

I: Tracy Godfrey, PSNI Departmental Secretary and Seconded Officer at the Northern Ireland Public Service Alliance; Mr Liam Kelly, Chair of the Police Federation for Northern Ireland; Detective Chief Superintendent Anthony McNally, President of the Superintendents' Association of Northern Ireland; and Superintendent Gerry Murray, Chairperson of the Catholic Police Guild of Northern Ireland.

Examination of witnesses

Witnesses: Tracy Godfrey, Mr Liam Kelly, Detective Chief Superintendent Anthony McNally and Superintendent Gerry Murray.

Chair: Good morning, colleagues, and welcome back to our first meeting of a new term. As always, it is a serious and important issue for us as a Committee to look at.

For those wondering why on earth a Westminster Committee is looking at policing in this way, it is because, clearly, somebody has to step up to the plate of public scrutiny in the absence of a functioning Stormont and Executive. As a Committee, we have decided that we should step into that gap, to ensure that information is available to the public on the record and that democratically elected people across the piece are holding people to account.

Claire Hanna: On that point, may I put on the record my concerns that the Policing Board are not here? I appreciate that it is a choppy time and there is a lot going on, but my understanding is that there has not been a meeting in public since the data breach and the one that was scheduled for later this week is not going to occur. I think it would have been useful and appropriate to have the Policing Board here as part of this session and our scrutiny, so that people can feel that these issues are being properly scrutinised.

Q1 **Chair:** That point is well made. We will hear from them, whether we have to use our rights to summon witnesses, which we can do, or whether they can then find a time voluntarily to appear before us, but the board should be in no doubt at all that they will appear before this Committee to take our questions, and that they will do so in public. I was as disappointed as everybody else that they felt unable to come today. I suppose that the germane fact is that the Chief Constable resigning yesterday obviously played a part, but we will hear from them.

Just before we turn to questions, I want to put on record, as I did this morning in a media interview, that for anybody who steps up to the plate to be Chief Constable of the PSNI, it is probably the most difficult gig in policing. Anybody who does it—and I make no comment at all, qualitatively or otherwise—deserves the recognition and thanks of this Committee and the people of Northern Ireland for being prepared to step up to try to police and to shape a modern police service, fit for the current circumstances. I also personally wish Simon Byrne well in whatever he chooses to go on to do.

We have four important voices before us this morning, and we are very grateful to the four of you for finding the time to appear at what I know was short notice. We will principally be focusing on the very significant data breach, but there will be other issues playing into our questions. I will kick off by asking the four of you to provide us with a snapshot. What is the mood of those that you represent at the moment? What are their concerns, fears, hopes or anxieties? Let us start with Tracy Godfrey.



HOUSE OF COMMONS

Tracy Godfrey: To set some context, I have 40 years' service with the RUC and PSNI as a police staff member, seconded to work for NIPSA, the trade union. The feedback I am getting from the membership is that they are dismayed that their details are out in the open. Like me, they have never really told anybody who they work for. When asked at the hairdresser's, they say they work for Castle Buildings or DHSS. You inevitably get, "Do you know so-and-so?" and you go, "No." We have kept really low key. We are not weaponised, so we cannot protect ourselves if someone came knocking at our door. We do not routinely have security around our homes. We check under our cars, but this has heightened the whole aspect of security.

To put it in context, police staff do a wide range of front-facing roles now—more so than they ever did—so we are out there as well. We have CSIs and we take calls for call handling and despatchers. The list goes on. I think that people do not realise the roles that we do. Our custody and detention officers come face to face with dissidents all the time and they have to live in communities, so there is a huge impact on police staff.

Detective Chief Superintendent Anthony McNally: Good morning and thanks for the invite. My role here is as the president of the superintendents' association. First, in terms of what the mood music is like, from my association's perspective I will look at that on two fronts—first, strategically, and then on a personal level.

Strategically, our members recognise that we are in an unprecedented situation. It felt to me a little bit like covid. We all knew that we had got a significant problem. There is no policy, no playbook, and we have to work our way through it. I very much commend that the organisation has done that, and the gold commander for that, Chris Todd, has done a sterling job in all respects trying to feel his way through the unknown that we are faced with.

The mood music is also one of particular sadness. Here we are 25 years on from the Good Friday agreement and we have police officers in Northern Ireland still having to check under their cars and still having to hide our identity, as Tracy said. It is sad that we are in that environment when we consider other jurisdictions, be that here in the United Kingdom or across the world where police officers are welcomed into their communities—in fact, are almost favoured to live in communities. Sadly, Northern Ireland has not moved to that space. And that is not helped by an absence of a functioning Government, among other things.

I am immensely proud of the officers and staff within my association and in the other associations represented here today. There is a sense of pride. Our officers and staff are still coming to work every day. They are still putting themselves in harm's way and still dealing with all of the troubles that we face against the very strong, real and present dissident threat that exists in Northern Ireland and is extant. So those are the strategic points.

On a personal level, officers in the superintendents' association had a wide range of views. Some, like myself, who are more akin to being in the



HOUSE OF COMMONS

public space, are probably more relaxed around this, but equally there are those who work in roles where they have tried to conceal their identity from their families and friends—maybe not as a police officer, but within the specifics of the role that they do within policing—and they are deeply concerned and troubled by what has gone on. They want assurances on what the organisation and the Government are going to do to protect them.

Money will play into that, as I am sure we will discuss here today. There is a range of emotions, but there is a sense of deep frustration and sadness. We want to move forward; we want to fix this; we want to get back to doing our jobs; and we want the support of Government and our organisations to help us to do so.

Chair: Thank you.

Superintendent Gerry Murray: My name is Gerry Murray. I am an operational police officer with more than 50 years of service between RUC and the Police Service of Northern Ireland. I represent my members within the Catholic Guild—staff and police officers. We come from a position where policing for Catholics, whether it be staff or a police officer, is not in their DNA. If you were to go to the college on the night when families come together, you can see the DNA of officers and staff of a different community background to myself coming forwards; they have an automatic network of grandfathers, grandmothers, uncles, brothers and sisters in the police.

When young Catholics, whether staff or police, come forward, they are first of all leaving areas that they know they are not going back to. They are not bringing their culture into the organisation, as you would if you were from Carrickfergus or Donaghadee; police officers and staff coming from a Catholic background are divorced straight away from their communities. That is the difficulty. Some, even from their point of view, have not even informed their families of what has happened with regard to the breach.

We have had officers resigning and going from the organisation. Our members are frightened and scared; they have no idea what tomorrow will bring for them. I have instances where young Catholic officers ask me if they should carry their personal protection weapon when they go to mass. There is a fear with regard to retention—

Q2 **Chair:** Sorry, but that is quite a dramatic thing. You have been asked whether a police officer should take their gun to church for their personal protection.

Superintendent Gerry Murray: That is correct. That has happened. The advice that I have given is, "Yes, you do." The idea is that they should feel safe while entering the Catholic church and leaving it, and there is no better way. The issue of the personal protection weapon is for that—for personal protection.



HOUSE OF COMMONS

Given the length of service that I have in this organisation, I fear that we will have a major difficulty. Probably we will survive with regard to retention, but with regard to recruitment, if you look at the last census in 2021, it is something like 45% or 47% Catholic. That should be the bar that the Police Service of Northern Ireland should adhere to, and also the other associations with minority associations. If you go up to 13 Dungloe Crescent, I believe—maybe that is not the correct number—you can see one of our recruiting posters, where they have put on it, “Do not join the PSNI”. Already there is this propaganda starting.

We are starting from zero now. There is no recruitment and no budget for recruitment, but we have a window of opportunity for the next two years to get up and running with regard to actually putting forward our views as the Catholic Guild on how we can recruit Catholic staff and police officers. We are running at about 33% Catholic police officers and, after 22 years with the Police Service of Northern Ireland, 19% are staff members coming into the organisation or in the organisation. There are difficulties. Our members are frightened, and it is up to the senior management team to take us through this and bring us out the other end.

Q3 Chair: Thank you. That is very sobering. Mr Kelly.

Mr Kelly: Good morning, Chair and Committee. Thank you for this opportunity. My name is Liam Kelly. I am the current chairperson of the Police Federation for Northern Ireland. I have been a police officer for 29 years.

First, I will put on record, if it is okay, something about the resignation of Simon Byrne. It was the right thing to do, but I recognise that he is a man who has committed more than 40 years of public service to the police and right across the UK. It is a sad but inevitable end to his career; I wish him and his family well going forwards.

Back to the matters at hand in relation to the data breach. We are the statutory staff association for 6,500 police officers, ranging in rank from student officer right through to chief inspector. We represent a broad church of people, who have similar or different religious beliefs or none whatsoever, and differing political and cultural backgrounds and sexual orientations. We are united in our view to serve the public without fear or favour. Our collective view of policing at the moment is that we are in a dark place and a downward spiral.

The others have referred to a few pressures. Budget is a massive pressure, and the erosion of pay and conditions—the fact that we have no Government and reduced resource, so are doing more with less. Morale has been plummeting, and plummeting rapidly. We have no recruitment. Retention is a massive issue. There is the loss of experience, but also the loss of officers at the start of their police careers and mid-service. And that was prior to the data breach, as has quite eloquently been laid out. Despite being 25 years on from the Good Friday agreement, we still find that we are having to police in Northern Ireland against the backdrop of a severe terrorist threat, both on and off duty.



HOUSE OF COMMONS

You ask what the impact of the data breach has been. From my members' and my own perspective, we're appalled, shocked and dismayed, and we're scared about the implications of what has happened. The reality is that our officers, from whatever persuasion, take their personal security very seriously, and they feel betrayed because it was their employer who put this information into the public domain—and now that genie is out of the bottle. As we all know with the internet, once it's out there, it's out there; there is no way they are going to be able to put the lid back on this, so we now move into a process of managing the consequences. That has been led by Assistant Chief Constable Todd, who is with us and you will hear from later this morning.

There is a spectrum of impact on our members. We have some people who are relaxed because, as Anthony has pointed out, they are already in the public domain and people know who they are. But we also have a number of officers who, whether because of their community background or the role they are performing in PSNI—whether that be intelligence or surveillance—are feeling very vulnerable. Again, we are in a uniquely hazardous position as police officers in Northern Ireland, and it takes a lot of courage to be a police officer in Northern Ireland. This data breach has not helped and really it is about what happens next to try to build not only public confidence, but officer confidence that the organisation has their back.

Q4 Chair: Again, sobering comments. I am not diminishing the data breach or the resignation of the chief, but is it a fair assessment—I think this is an important message for people across Northern Ireland—that day-to-day policing across Northern Ireland is taking place today, it took place yesterday, it will take place tomorrow and it will take place next month, just as it did last month and this time last year? That is, I think, quite an important message, and you have all nodded in agreement.

Three of you have mentioned concerns—Ms Godfrey you talked about it briefly—about retention and recruitment. Setting aside the motivations of people either to join or to leave, how can one attenuate against a quantifiable diminution of the quality of policing, of the scope of policing, of intelligence gathering and so on going forward, post the data breach, if the fears about retention and recruitment come to pass? Do we move into a sort of Dodge City-type environment?

Detective Chief Superintendent Anthony McNally: First, let me highlight that there has been a pause on recruitment more or less for a period of time anyway; we need to note that.

Q5 Chair: Just to clarify, that has been additional recruitment, not replacement, hasn't it?

Mr Kelly: No recruitment whatsoever.

Detective Chief Superintendent Anthony McNally: There has been no recruitment. We are in a position where we are not recruiting. We feel that this data breach will exacerbate the challenges around that on a number of fronts, the first of which is financial. We are not recruiting because we



HOUSE OF COMMONS

do not have a budget to recruit. We are now going to spend—Chris Todd will potentially allude to some figures—tens of millions of pounds to fix the challenges of this data breach. That creates an even blacker hole in what I believe to be a £52 million or £53 million deficit as of last week. Goodness knows what the figure will be whenever we work out what resolution is required to the data breach.

Things are being put in place, such as replacing officers, new rules and so on. There is a strong request from officers and staff for personal security measures, the details of which have yet to be worked out. That will run into tens of millions of pounds. Then there is litigation. There are people who, quite rightly, feel that their information has been put in the public domain frankly against the law, and they will seek remuneration for that. That creates a huge challenge for us in not only recruiting, but how we can continue to sustain the current delivery model.

You will have heard the Chief Constable a couple of months ago talking about the 90-day review. I suggest that that will probably be back on the shelf and started again because we will now have to work to a lesser budget. These are very difficult times for our members.

Q6 Chair: I am sure we will question the ACC on this.

We have been talking about the “what”, which is the breach, but we have not really touched on the “how”. What is your individual assessment—or your organisation’s assessment—of how on earth this could have happened? To set the scene for us as a Committee, what is your hunch or intelligence on that? Shall we start with Mr Kelly?

Mr Kelly: Clearly, as has been laid out at the start, human error was involved in putting the information into the public domain by way of a spreadsheet, which was attached to a legitimate freedom of information request. However, our concern, which is what the investigation led by the City of London police will establish, is that the systems and procedures that the PSNI had to try to mitigate that were basically not up to standard. Spinning off that, the scenario is that recommendations will come forward.

To pick up on Anthony’s point, additionality is definitely required financially, to manage the current position, as has been described, but also I have no doubt that there will be recommendations from the City of London police. That will cost money. If there have to be wholesale changes to some of the information technology or PSNI structures, money will come into play. As we have seen, the costs are continuing to rise.

To my mind, Anthony has undersold the problem of the deficit. Without recruitment, without standing still, at the moment the PSNI is sitting on around £50 million, but as an organisation they need to move on and start recruitment again, and start delivering the police service that our communities deserve. That figure will then increase to close to £200 million. That is my understanding from talking to the chief operating officer. This is a crisis. Even if we reform the Northern Ireland Executive, that money is not in the coffers of Stormont to allocate to policing. That is



HOUSE OF COMMONS

the reality. We need Westminster and the UK Government to step in here and assist with this.

Q7 **Chair:** I am sure you had better things to do at about half-past 11 last evening, but that was a theme in the debate in the Chamber on the Northern Ireland Budget (No. 2) Bill. I am sure we will return to it, not least tomorrow in Northern Ireland oral questions to the Secretary of State.

Superintendent Murray, what are your views on the “how”? If your “how” is the same as Mr Kelly’s, just say so and we can move on to Mr Shannon’s question.

Superintendent Gerry Murray: Can I just say this, Chair? The Police Service of Northern Ireland is probably one of the most accountable police organisations in the United Kingdom. Recommendations are well and fine, but there needs to be an oversight body that makes sure that they are not only put in place but regularly checked and counter-checked against threat, risk and harm.

We have recommendations from the Patten report, which is 25 years of age, and we still have not implemented some of those. Recommendations will be brilliant and put us on the path back to a service that we should all be proud of in Northern Ireland, but there needs to be an oversight body that has the authority, the accountability and the direction to ensure that the recommendations are implemented.

Q8 **Chair:** Which is why it is important to have a review of the MO of the board. Mr McNally?

Detective Chief Superintendent Anthony McNally: My answer links to Liam’s articulation of the financial challenges, but what you have to remember about those financial challenges at the end of all this is that they are people—people who come into work every day to do their best.

No one comes into work to make a mistake, but when you ask 6,500 officers and less staff than there were 13 years ago to do the work that they were being asked to do, under significant strain, and FOIs are in abundance, as everyone who works in the public sector knows, and when you put humans in a situation where you are asking them to do more because of the lack of a financial settlement, then mistakes will happen. I have every sympathy for those who were involved in this.

Tracy Godfrey: Can I just say two things about police staff recruitment? Ours is on freeze as well, and we are having huge difficulty in recruiting senior people into the organisation. We do not have a director of HR; that role has been advertised and re-advertised many times. People have been offered it and backed away from it, for whatever reason. So we also have a problem there.

We do need money to help to fix this. There are 2,500 police staff. My mantra that I have been going around the place saying is that we do not get the same amount of what I’m going to call danger money, for want of better words, as our police officer colleagues. We do not argue that we



HOUSE OF COMMONS

should get exactly the same, but we are sitting on a rate of £580—it has not been uplifted in 33 years. The Chief Constable, Simon Byrne, did sign off a business case, but that has bounced back and forward to DOJ, without any aspect of it coming forward. We are always told that it is about affordability, and we are now spending millions on the data breach. We think that money needs to come forward to pay us the amount we have asked for.

Chair: That is an important point and we will make sure it is captured. Thank you for making it.

Q9 Jim Shannon: First of all, can I put on record my thanks to all the police officers across the whole of Northern Ireland for all that they do? We very much appreciate it. You and I, Superintendent Murray, had a conversation last week about a different matter; I thank you for your interest in that matter and for your help and assistance. It is much appreciated.

We are all very supportive of the PSNI and we want to put that on the record. My concerns probably go back to what you mentioned earlier, Liam, and they are to do with the police officers. A large number of those who live in my constituency currently serve as PSNI officers, and some served in the past as RUC officers, and there are civilian staff, families, and loved ones who have lost family members in their service over the years. This hurt that we have talked about is for not just those who are serving today but everyone. I think that hurt goes deep. When it comes to grasping the impact of this, it would be difficult to describe in words how we all feel.

We have to go back to past history, where there have been failures. There were failures at Bobby Storey's funeral. I had a constituent who was unable to bury their loved one at Roselawn: they did not know until that morning that their funeral could not go ahead because Bobby Storey's was going ahead. Why was that decision made? I questioned that at the time—I am well on record as having asked that question—and even today I feel aggrieved that those who wished to bury their loved ones at Roselawn were unable to do so because priority and preference was given to Bobby Storey and his family, oblivious to the feelings of others.

Then we take it forward another step. I will give three quick examples. The second one is the Ormeau Road one. I understand, and I think that everyone will understand only too well, that in the middle of covid two officers observed an incident taking place—

Chair: Mr Shannon, can I just interrupt to remind all colleagues of the sub judice rules? The potential for an appeal on that matter is still live. I am sure we can come on to it as an issue, but in this early stage of the hearing I want to focus on the data breach and its impact, rather than on that case, as important as it is. We will come to it in due course, but I urge you: can we focus on the fallout of the data breach in the first instance? I think that is what our witnesses are more qualified to talk about.



HOUSE OF COMMONS

Jim Shannon: I understand very well, Mr Chairman, but there is a history of how things went wrong procedurally, and that is relevant to the incident we come up to today. The fact of the matter is that officers sought advice, followed that advice, and then found themselves in a very difficult position. The overbearance of chief officers—the Chief Superintendent and the ACC—in each one of those incidents the whole way through led to where we were with the data breach.

On the day that the data breach took place, I was contacted by a number of constituents who did not believe, at the very beginning, that someone had leaked it on purpose. No, they didn't. It was a mistake, as you rightly say, Liam.

I understand that there are five different levels of oversight when it comes to making sure the procedure has been followed. It fell at every one of those five hurdles. It really makes me question what is happening with the leadership at the top. If it is wrong at the top, it filters its way down.

When it comes to understanding the failures in leadership and the decisions and actions of the PSNI that have brought it into disrepute, you will understand why retired police officers, chief inspectors, superintendents, constables, sergeants and families are all asking the same question: why is it that our beloved RUC and beloved PSNI have found themselves in this difficult position?

It is clear to numerous serving officers that, as they have highlighted, there has been a wilful neglect of normal risk assessment procedures, or even worse than that. What assessment has been or should be carried out to ascertain what is accurate in relation to that, and has an assessment been carried out when it comes to integrity? For instance, on this phone app, which I and I am sure many others have, we have an opinion of the Chief Constable and an opinion of the ACC—two different opinions, and two different accounts of the story. By its very nature, it makes you wonder just what is happening at the top of the PSNI when it comes to moving forward.

I make this point: former Chief Constable Jack Hermon—

Chair: Jim, could I ask you to ask a question rather than make a point?

Jim Shannon: Yes, I am going to make this point and then ask a question. Jack Hermon always had the back of his police officers, and the officers knew that. If they were wrong, Jack Hermon called them out, but he always made sure that they were supported. I do not see that support at the levels of the PSNI at this moment in time.

The question is—forgive me, Mr Chairman; I apologise for labouring it a wee bit, but I need to get these points on the record, because many people have contacted me, former and present—what assessment has been carried out to understand a way forward to building relations with all moral and upstanding people from every background who find themselves absolutely flabbergasted to see the influence of one political party on operational matters in the PSNI? Who will oversee this issue,



HOUSE OF COMMONS

bearing in mind the lack of engagement by the leadership, not just at the top levels of the PSNI, but—I say this with great respect, Mr Chairman—in the highest offices of the Northern Ireland Office as well?

Superintendent Gerry Murray: I think one of the things that must be put in here is that the Chief Constable must hold the power of independence. The office of Chief Constable is totally independent, without fear or favour, and that must be retained. We need to move forward, through the Policing Board, with the recruitment of a new Chief Constable.

I would say that the senior police officers and the senior management team are disengaged from the rank and file on the ground. You mentioned the late Sir Jack Hermon; I served with him. He was there, out on the beat, and he had a concept of policing in better times, though he came through the worst of the times. I believe there needs to be further engagement from the senior executive team—that includes engaging with the minority associations but also with the rank and file. There is that disengagement.

Maybe out of this some good will come, because at the end of the day it is about the service to the people of Northern Ireland. They want to see themselves in the police that serve the communities that they come from, and that is vital.

Mr Kelly: I would like to make a couple of points. It is important what you said, Jim, about the police family and the extended police family, because there is a lot of pride in being a police officer, whether serving or retired. That has been damaged, as a result not only of the data breach but some of the revelations we have seen in the last few weeks.

I agree completely with what Gerry said about the disconnect there has been for some time. Unfortunately, PSNI went through a process of doing what was called a cultural audit in the last few months. The results were supposed to come out this month. From my perspective, that cultural audit is now defunct, because it was carried out in advance of some of these matters coming to the fore.

If you went to the membership now and asked them whether they felt confident with the senior leadership and confident in relation to credibility of service and some of the decision making that a light has been shone on in some of these circumstances, I think the answers are going to be significantly different from where we were.

Again, there is the reality around this. My opening address to yourselves was about fear or favour. That applies to every rank in the PSNI. It does not just apply to the junior officers.

Q10 **Chair:** Does anybody else want to add anything?

Detective Chief Superintendent Anthony McNally: I echo those sentiments. First, I think we would all welcome the fact that an independent review about the data breach has already started. We all need—those within policing as well as members of the public, Government



HOUSE OF COMMONS

and others—to understand, from an independent perspective, what went wrong, so that we can all learn and understand how that happened, and make sure that steps are put in place to ensure that no such horror ever happens again.

In terms of the engagement piece you mentioned, Jim, I agree with you—

- Q11 **Chair:** I am sorry to interrupt. I know this makes me sound very stuffy, but could we please not refer to each other by our Christian names? Just for the sake of the formality of this Committee and the public's perception of it.

Detective Chief Superintendent Anthony McNally: You mentioned the engagement piece. I would again refer to the fact that you now have 6,500 police officers. That becomes all the more challenging in terms of policing visibility. I would again echo the sentiments that that needs to be addressed in terms of the numbers that we have in the medium to long term.

I would echo other sentiments. I published a statement on behalf of my association last night. We feel that we have been disengaged from the senior team for a period of time, but particularly over the past number of weeks. We have asked for an urgent meeting to look to address that, to try to restore our confidence in the end, but also deliver for the community.

- Q12 **Chair:** Ms Godfrey, did you have anything to add?

Tracy Godfrey: First, I think the review will be how we find out what has gone wrong and how we can fix it. I am not going to sit here and apportion blame to anyone. I do think it is about under-resourcing. People are too busy to do everything that is asked of them, and there are pressures on them, especially in FOI. There was already a constraint in that we were not replying quickly enough; I do not know whether the emphasis was put on response times rather than quality.

- Q13 **Chair:** That may be something that people would wish to take up with Mr Todd in due course. Let me pause there for a moment, before I turn to Bob Stewart. The City police are doing their oversight work. People throw up questions about operations, change and so forth. There will be a competing desire, won't there, to fill the vacuum of Chief Constable to effectively steady the ship.

How sensible would it be to do that quickly? Is it possibly better to wait for the outcomes, to work out the questions that need to be answered, and then identify the person best suited to answer those questions, rather than try to retrofit a skillset to a new box of challenges?

Mr Kelly: From my perspective, it is vital that we have leadership in place as quickly as possible in the organisation. I was on some local media this morning around this. The Secretary of State needs to move here, in the absence of a Justice Minister, in assisting the Policing Board and the Department of Justice in getting somebody in post as quickly as possible. That will be a challenge.



HOUSE OF COMMONS

Q14 Chair: My understanding is that we need to legislate to give us the powers to do that.

Mr Kelly: That is my understanding, too, and that needs to happen forthwith. I will be candid here. Mr Hamilton, as the Deputy Chief Constable, is now the senior police officer in our service. Mr Hamilton, in relation to what has happened in other matters, is still vulnerable, in my eyes, in relation to whether he continues being in service or not, or having the confidence of our officers.

I have invited Mr Hamilton to come to our executive committee tomorrow so that he can address some of my members' and representatives' concerns around the way forward. That is going to take some form of an investigation into exactly what happened in those other matters, but ultimately there is an overarching look here about the leadership in our service. I know one of our senior leaders is in the room. That is going to be deeply uncomfortable for those people, but it needs to be done to establish credibility, not only in the service but publicly and politically, in the policing service that we provide in Northern Ireland.

Superintendent Gerry Murray: For some time now, we have had managers at the top of this organisation and a consensus about which way we should go. Because of the Police Service of Northern Ireland, and because we are coming out of 30 years of trouble, we actually need a principal Chief Constable with leadership skills to lead us, not manage us. We have the different ranks and the staff associations and the staff ranks there. We can manage, but we need leadership, because leadership will set the direction for the organisation for the next 10 years.

Chair: Thank you. Let's turn to Bob Stewart.

Q15 Bob Stewart: Can I just say, like everyone else on the Committee, that we have the deepest respect for the police in Northern Ireland? Personally, I have worked with them on and off over the years, particularly in 1978. Superintendent Murray, you have my deepest respect for the courage you have shown. Joining the Royal Ulster Constabulary in 1973, at the height of the troubles, must have been a singular act of courage. But all police officers in Northern Ireland show courage, frankly. I have seen that, and I have always had an incredible respect for that. We in the military were always much more protected than you guys were.

You have answered the broad question, but I am going to ask two specific questions. Do we know yet how many staff have requested to move to another area or leave the PSNI as a result of recent developments? How are they being looked after? How are their worries being cared for, such as through meetings with them or emails? We may be too early there, but are you seeing the first signs of the recent troubles having an impact on retention? I don't know who I should ask—perhaps you, Superintendent Murray, to start.

Superintendent Gerry Murray: From our membership, I can say categorically that we have one officer who is now resigning. It has put so



HOUSE OF COMMONS

much pressure on his family—he is a young officer with a young family—that he has decided to leave the organisation. Because of the data leak, we have Catholic officers who have left their home and gone to live, during the present situation, with their in-laws or their parents. We are all under this, as Anthony and Liam have said—everyone, staff or police. We are all under some sort of threat. Some take it very seriously; others, like myself, have lived with it so long that we just endure it. It is difficult at this time to see what the retention will be in six to 12 months. We are in the phase of just looking at where we are now and how we are going to get over this. This may take years.

- Q16 **Bob Stewart:** I think it will. I am particularly concerned that police officers are still having to check under their cars, for instance. That really is such a chore, and it is frightening when you are living with your family. Have you done it right? Have you checked properly? Are you blasé about it? There is all that stuff.

Let me ask someone else: are there moves to reassure? Ms Godfrey, perhaps you could answer. Are there moves to try to help people who are deeply concerned? Clearly, from what you have all said, there is huge concern.

Tracy Godfrey: Just to say that the 2,500 of us police staff also check under our cars. On the impact on retention, there was little recruitment into police staff roles during the troubles. You tended to just drift into it because you ticked a box on a form to say you would join the civil service. But the younger people, who have joined post the Good Friday agreement, have mostly been contacting me. They are absolutely horrified that they are in a job that could risk their security, and because of their age and qualifications, they are more than likely to jump ship and go to other roles. Older people, like myself, do not really have another option. We have already done it for so long that we will probably just stick with it. But as far as support goes, yes, you can get support—it is offered through ACC Todd's group.

I think that some police staff, as well as police officers, who have unusual surnames feel particularly vulnerable. Some of them are off sick at present. Police staff sickness is completely different to police officer sickness in how it is calculated and how you are paid. I have one lady who went through cancer treatment and is now off, and she is on no pay through the data breach. That is the impact that it is having on people. She needs more reassurance, and she needs support; she is seeking it and getting it, but at the moment she does not feel comfortable enough to come back to work.

- Q17 **Bob Stewart:** Moving families and so on is crucial. You can't just do that, can you? Mr Kelly, can I ask for your view?

Mr Kelly: Yes, thank you, Mr Stewart. The starting point in the police regulations is that if someone wants to resign from service, they have to give the organisation a calendar month's notice. The data around that may be forward facing, as opposed to the here and now, but anecdotally a



HOUSE OF COMMONS

number of officers have approached us who have indicated that they are leaving service. Unfortunately, in relation to leaving service, that is managed by PSNI themselves, and it is voluntary whether the officer wants to give the reasons why they are leaving.

We have had a problem with retention anyway for a considerable period of time, stemming from covid onwards, where, because of the pay and conditions, officers were finding that they did not want to do this any more. The terrorist attacks on our colleagues in Derry city and Strabane in November of last year, right through to the absolutely ridiculous attempted murder of Detective Chief Inspector John Caldwell in February, have also left a number of officers questioning, "Why am I doing this? I thought that those days were behind us, but we now seem to be back into that again."

That is the here and now for what we will see and what will actually happen. Again, as far as I am aware, I do not believe that any officers have been subject to the special purchase of evacuated dwellings process where it has been necessitated through an intelligence and evidential process that they have to move home. But as Superintendent Murray has highlighted, there are a number of officers who have taken that decision themselves, because they are that concerned.

As the senior information risk owner for the organisation, ACC Todd has set up a welfare and wellbeing strategy support network. Through that, there is the emergency threat assessment group, which is what Ms Godfrey has referred to. Mr Todd will give you some more figures and detail around that, but as I understand it, there are 3,700 officers and staff who have gone through the process of raising concerns individually and internally with the PSNI. Of those 3,700, 800 are graded as red in the traffic light system—as needing immediate attention. That is not to say that there is an evidential base for a higher risk associated with those—Mr Todd will explain the process of what that is. That is individuals' personal concerns that, as a result of what has happened here with this, they feel particularly vulnerable and scared. Those are the sort of numbers you are talking about with people in service.

Bob Stewart: That is huge. DCS McNally, they are still under threat when they leave, because terrorists say, "Your history is that you've been with the Royal Ulster Constabulary George Cross, or the Northern Ireland police service. You served." That counts, so after leaving they are still under threat. They therefore require the police service to be aware of them and provide protection even though they have left the service. You are all nodding, so I presume the answer is, "Yes, that is right." We are up against time, so I should shut up now.

Q18 Stephen Farry: Good morning to all our witnesses. To follow on from Mr Stewart's question—I will run this all together, in the interests of time—at the time of the data breach, there were issues around the need to communicate very quickly to officers about what had happened. I think all of us, especially elected representatives in Northern Ireland, have heard stories and complaints about that not working effectively. Are you



HOUSE OF COMMONS

satisfied that is now being addressed? More generally, how are the lines of communication going at present? Are uniformed and civilian staff members happy with how line managers are now communicating about those issues when concerns are raised?

I am conscious that Mr Kelly made reference to SPED. Is SPED as designed fit for purpose? Do you have concerns about how it will work, particularly how the qualification for entry will be managed? Obviously no one has gone through it just yet, but you have mentioned 3,700 people raising concerns and 800 red flags, so it is likely to be used. Given the current financial crunch, if it proves necessary to move people through SPED, is the resource there to facilitate that, particularly if it has to happen with considerable numbers?

Mr Kelly: The SPED is an intelligence and evidence-led process. The issue for some officers following the attack on DCI John Caldwell is that our intelligence systems did not pick up that that attack was going to happen, so clearly there is concern that there is an intelligence gap in this process.

As for whether or not it is fit for purpose, it is quite intrusive. As you know, it is not solely for police officers; it is for the entire population of Northern Ireland. We have had issues around negative equity—police officers being told they have to move and finding themselves left with significant mortgages for properties they are no longer able to live in, through no fault of their own.

We have tried to address those issues with PSNI and they have been quite responsive, although it has taken a considerable period of time to get to that position. I think SPED as it stands is fit for purpose, but clearly it could be better and happen faster for officers who need to access that facility.

Q19 **Stephen Farry:** Are you happy that the resources would be there if required?

Mr Kelly: That's the thing. You have mentioned communications. I have sort of a good/bad list here, and to my mind communications have been quite good. Mr Todd will explain how they have consolidated all the information into one central repository in the police internet system, where officers can go; there is a frequently asked questions section in there. However, the data the organisation can see and the audited data they can see of the people using that facility show it is not being used enough.

The criticism levelled then is whether we are doing enough, and there are plans in place to try to increase accessibility. For example, if you are a police officer who is on sickness absence, or a police staff member who is at home and has no access to a police computer system, how can you be updated? Is it solely the responsibility of your line management, when things are changing fast and regularly?

The initial information on this was causing a bit of confusion among officers; there were too many people sending too many emails, and the



HOUSE OF COMMONS

general messaging was getting lost in the ether. That is why—again, I praise Mr Todd for doing this—the process needed to change, to consolidate that into one particular area where the lessons they were learning in the earliest days of this were captured. A lot of the questions that officers were asking were repetitive and their concerns could have been allayed. So comms were good, but could be better.

- Q20 **Stephen Farry:** Moving quickly along the panel, Superintendent Murray, representing the Catholic officers guild, might there not be a disproportionate impact on Catholic officers and those from a Catholic background, as well as those working in intelligence and security areas?

Superintendent Gerry Murray: The security branch within our operational support department is a small team that manages SPED. If you look at the history of the past 10 or 15 years, Catholic officers and staff appear to be the main targets.

What they are trying to do is undermine the Belfast/Good Friday agreement. That is what the actions of this minority of people, who do not wish to move forward like all the rest of us do, are all about. The emphasis now is on ensuring that the systems are in place for SPED and the key persons protection system is fit for purpose. If it were to be overloaded, we would have to review it ASAP. At the moment, it is fit for purpose, as Mr Kelly says, but if the threat, risk and harm were to increase and be aimed at one particular section of our community in policing, or anywhere in Northern Ireland, we may have a difficulty.

Stephen Farry: DCS McNally?

Detective Chief Superintendent Anthony McNally: I do not have much to add but you specifically mention the question of stress on line managers. There is no doubt that this is stressful for line managers. They are already very busy people at all ranks and grades so there is a real need to ensure that there is absolute clarity and that their role is clearly defined in this.

As my colleagues have said, for those who are often sick or who, for example, have a line manager themselves who takes a period of leave, who steps in and does their job? All those things must be worked through. To be fair to the gold structures that are in place, this is still early days and I have every confidence those will be worked through but, as has been said, I think the comms are good but there is still work to do.

Tracy Godfrey: I agree; the comms are very good but I do think that line managers are struggling to cope with it all. I spoke to a person who had to make 35 phone calls about this one thing; that is a lot. It is just a difficult thing.

Talking about SPED, I was dealing with a lady in Dungiven who had to have protection put in around her home. I have to say that our security branch was great but the problem—the sticking point—was with the NIO. It was slow. We had to meet them and it was just terrible. If that is what



HOUSE OF COMMONS

the impact is going to be on a larger scale, I dread to think what the outcome will be.

Stephen Farry: That is a useful comment, which just reinforces why this is not purely a devolved matter; there are roles here for the Northern Ireland Office.

Chair: That is a point well made. Let us turn to Carla Lockhart.

Q21 **Carla Lockhart:** Thank you, Chair, and thank you to the panel for coming before us today. My first couple of questions will be directed to Liam and Tracy, and to Superintendent Murray following that. The morale in the service, as you have said, is obviously at an all-time low and rank and file officers, who are in contact with me the most regularly, are really distressed. They are concerned. I would say some of them are living life right on the edge. I am just keen to know what your thoughts are: what can be done in the short term to really support and help those officers and to regain support for the idea that the police service is a good employer?

Mr Kelly: I think the first thing on this is that the organisation is trying to do a welfare and wellbeing wraparound for its staff, which is important, and to provide them with reassurance where reassurance is required. The difficulty that it has in managing that goes back to the budget and the availability of finances to do that. What I mean by that, particularly around the psychological resilience that could be required or intervention around psychological support, is that, as things stand at the moment, our occupational health team does not have the budget to cope. This has just added to it, so therefore the waiting times all go through the exact same process as the emerging threat assessment group.

People will be graded on the traffic light system of red, amber and green in relation to their need. However, even those in the red category—people who need immediate access or access as fast as possible through that system—are delayed because of the amount of people we have employed in service who are either providing psychiatric support or assistance or nursing support with what it is. The service is not the primary healthcare provider; it is the NHS and our local GPs, and they are stressed to the hilt numbers-wise as well. Unfortunately, that manifests itself as higher levels of sickness absence in service, which again leaves those that are left behind to deal with more and more pressure.

On average in PSNI, there is an average of between 450 and 500 officers a day on some form of sickness absence—short, medium or long-term. The week following this data breach incident, the number was over 800. Bear in mind that our service numbers are less than 6,600. That is a massive number of people unable to come forward. There are those who have suffered other injuries—physical injuries—and we have nearly 1,000 officers on some form of duty restriction as well, so the squeeze is coming in here and is just making it more and more difficult. There are officers who have decided, “I can’t do it anymore. I need to be at home. I need to be at home to look after my family or to look after our relatives.” So the



HOUSE OF COMMONS

squeeze is on now. What can the service do more of? The service are committed to trying to assist but they are being hamstrung by the fact that they haven't got a budget to deal with this. That is the harsh reality.

- Q22 **Carla Lockhart:** So the message from today is that the Secretary of State needs to act with regard to a budget for the police service. We hear the mantra that if Stormont was back up and running, this would all be fixed and there would be a silver bullet. It is not the case, because the money is not there in the current budget, never mind—

Mr Kelly: PSNI started this year with a financial black hole of some £140 million. As a result of the implementation from our senior executive team, they had managed to get that down to less than £40 million. Then pay awards, inflation and utilities all came into play. We have the cost of this and the cost of the visit of President Biden and others around the Good Friday agreement. PSNI were being left to pick that up even though it was additionality.

I am on record as asking that the Secretary of State needed to look at the budget and to provide more money not only for policing, but for the block grant for our entire country, because on education and health, all of us can make the same arguments.

But the reality for me, being an advocate for policing, is that if policing fails, I don't know where Northern Ireland is going to go. That is the harsh reality. If our NHS fails and our education system fails, there are mechanisms that can be brought into play to assist with that. Nobody can replace the police officers if they are not there. That is the harsh reality. I have had no recruitment and a difficulty with retention. That is just going to get worse as things go forward.

- Q23 **Carla Lockhart:** Ms Godfrey, in terms of staffing, is there anything short term?

Tracy Godfrey: You have to remember that the police staff are the poorest paid in the whole organisation. A lot of them, actually, would have had second jobs to make ends meet. They are concerned because they don't feel safe doing that any more, or they can't apply for it. A lot of people have been contacting me about the possibility of having some kind of Ring doorbell, or that kind of thing, in their home that would make them feel a bit more comfortable.

But again, going back to parity and equality, we are not paid the right amount of danger money. That does not help police staff morale. We do the same jobs, in a lot of cases, and we are not recognised in the same way, as far as threat is concerned. I think this whole data breach has just highlighted what we have been saying for years is the case. We are under as much threat as everybody else.

- Q24 **Carla Lockhart:** In relation to a full, independent investigation into the police service and how it delivers its statutory duties to officers and staff, do you feel that would be beneficial?



HOUSE OF COMMONS

Mr Kelly: Yes, absolutely. Again, I think this has provided an opportunity to have that deep dive, but it is relieving the concerns that we have all had over time. We seem to have been sort of treading water on this. The organisation have not hid behind the fact that they are shrinking, that they have not got the initial financial support, but some of the mechanisms and some of the culture internally just has not been up to standard.

We have had this position where instead of being led, we are being managed, and not managed particularly well by the people who are entrusted to lead our organisation and to set the standard for everyone that goes below that. It is about paying lip service to a lot of things without actually providing the end delivery both for our people and the people that we serve.

Carla Lockhart: And ultimately, it takes money. I do think, Chair, that it would be important for this Committee—obviously with your say-so—to contact the NIO. I have several cases ongoing at the moment where officers, or retired officers, are awaiting security measures and there are severe delays and hold-ups, particularly around windows and window replacement.

Chair: Let's agree that we will write to the Secretary of State today on that issue.

Q25 **Carla Lockhart:** And very finally, this is around recruitment and the concerns, Superintendent Murray, that you had highlighted about Catholic people coming into the force and feeling safe, and so on. What would be your analysis of, say, the public reaction and revelations in recent days from Michelle O'Neill and other Sinn Féin reps on the Ormeau Road issue? Is that having a detrimental effect, where political leaders are creating a narrative that stops people from a Catholic background actually joining the PSNI?

Superintendent Gerry Murray: I believe we are at a defining moment in policing within Northern Ireland. I believe politicians coming from Catholic, nationalist, republican have to step up to the mark. They have to be seen, and also other politicians. This is what we need within Northern Ireland. There is a small minority of people who wish to push us back.

There are sufficient people who are influencers, negotiators and politicians who can bring this forward, if they are prepared to stand up and speak out. With regard to the Catholic community, the nationalist community and the republican community, have people coming forward. The nationalist, republican and Catholic politicians should be coming and supporting not only the police and police staff, but the families that are left behind in those areas where they may be susceptible.

There has to be something in place so that when a Catholic staff member or Catholic police officer comes forward in this organisation they know that their politicians and leaders will be there supporting their family in that area.



HOUSE OF COMMONS

- Q26 **Carla Lockhart:** How damaging has the Ormeau Road incident been, and the revelations around that, particularly with Michelle O'Neill and Sinn Féin? How impactful is that?

Superintendent Gerry Murray: The Catholic Police Guild are looking for solutions. We are at this particular time, this junction. We have to move forward. Whatever has happened in the past will be regulated and investigated, and will be resolved through recommendations. What I want from our people, going forward—this affects everyone in Northern Ireland. Through this data leak we all are victims, and we need solutions to a situation that is far outside our control.

- Q27 **Claire Hanna:** As the Chair and others have said, I want to put on record thanks to you and all the staff and officers you represent. It is clear that it is a brave and difficult thing to do every day. Even leaving aside the political context, there is the intensity and complexity of the cases.

All of us as elected representatives know how often we have to call on the police for advice and guidance. We know that is increasingly difficult in the context of budget cuts and falling numbers. That is all the more demoralising with all that has gone on for the last few days. I want to say, on a personal note to Simon Byrne, that it is an impossibly tough gig, I imagine. As the Chief Constable, it was the right thing to go, but obviously he put himself out over years as well.

I want to ask about the level of confidence among those you represent in the wider PSNI leadership, and what can be done to address this. Could I start with you, Mr Kelly?

Mr Kelly: Thank you. I am on record as saying that we have an executive committee who are meeting tomorrow. One of the matters that has been tabled around this for what are termed our regional boards, which are representatives from different parts of Northern Ireland and different departments, is that they want to have that discussion. From my perspective, I contacted the Deputy Chief Constable last night and invited him to come along to that meeting, because I think it is important.

To be fair to the Chief Constable and ACC Todd, after the data breach, I invited both of them, immediately after the policing board meeting, to come to our executive committee, and they did. They answered the questions, queries and concerns that were raised with them directly.

I am pleased to say that the deputy has considered that request and will be coming to speak to our executive committee tomorrow. That will help our officers to raise what the concerns about the leadership are, and then ultimately, as an association, we will take a position on what way we will be going forward. I am not willing to say what that is at the moment, because I will not know until following that meeting.

- Q28 **Claire Hanna:** You said that the recent High Court judgment called into question decision making right up the chain. Do you think there are changes that can be made to that decision making that can regain and rebuild officer trust?



HOUSE OF COMMONS

Mr Kelly: Yes, I have to say that. The reality is that the status quo cannot remain. We are at a defining moment in policing. The reality is now how the organisation can help to heal itself around this. Prior to Thursday of last week, the Chief Constable had a small window of opportunity. I am on record as saying that his future as our Chief Constable at that time was questionable, but following the Policing Board's revelations last Thursday, his position became untenable.

As police officers, our core duty is to uphold the law, and for our Chief Constable to be found by a court not to have upheld the law left him and the senior executive's position up in the air. The fact that he accepted the decision and then decided potentially not to accept it meant that, in my mind, he had crossed the Rubicon and there was no coming back from that. That is why I had to be as strong as I was when I spoke about that.

There is an opportunity for our organisation to help to rebuild. It is not just an internal rebuild. Our rank-and-file officers' trust in our senior executive team has been badly damaged, if not broken, by this and other revelations that have happened in the last months and years. There is an opportunity to fix that, and it starts with appointing a new leader. Then, as I have mentioned, we need significant investment in policing to allow us to grow and go back to the New Decade, New Approach commitments, as a minimum starting point.

We were supposed to have 7,500 police officers as a starting point and a proper cadre of police support staff to assist with that. It never happened. In fact, we are going the other way—we are going backwards, and at quite a rapid rate. The number of officers leaving the service this year alone is already ahead of what the organisation had projected over the entire year. After what happened with the data breach and last week, do I think that that number will exponentially rise? Yes, I do. That is the harsh reality that we find ourselves in.

People come to me and say, "Our family has been involved in policing for a long time, but I'm embarrassed to be in the police service." That is what they are telling me at the moment. We need to fix this. I tell those people that we need the good people in the service to stand up and not leave us behind. We need them to help rebuild and go forward. That is the starting point.

Our federation stands ready to assist new leadership and our current leadership to start that process, rebuild and do what is required because in my view, if policing fails, our whole society fails.

Q29 Claire Hanna: You called for an inquiry into the Ormeau Road incident and the issues that followed, leading up to the High Court judgment. Have you concerns about political interference in policing matters?

Mr Kelly: I think I have to, given what Judge McCloskey found in the process as a result of the testimony of the Chief Constable and the Deputy Chief Constable. I have been candid about that. It is not just political pressure from parties in Northern Ireland; there is also information that



HOUSE OF COMMONS

suggests that our Department of Justice was involved in conversations and that the Irish Government were also involved in conversations. A lot focused on that particular incident, but at the end of the day, operational matters are the sole responsibility of the organisation.

Of course, they can liaise with whoever they want, but it is ultimately their decision, which they have to make without fear or favour, and manage the consequences of whatever that may be. You cannot please everyone all of the time. That is the reality, but as long as you act from a position of integrity and credibility, there should be nothing wrong with that, and you move on to the next matter that comes to the fore.

Unfortunately, as has happened over a long time, it becomes a tribal issue, a green and orange issue. It should never be about that. This is about policing credibility. It is about police having the ability to do their job, the central tenet of which is to uphold the laws of this country and keep our society safe. They should be allowed to do that without any pressure whatsoever being put on them.

- Q30 **Claire Hanna:** Can I clarify that you believe that, beyond the normal engagement with political representatives, there are parties and actors trying to use influence and potentially threaten withdrawal to steer operational decisions, separate from achieving accountability?

Mr Kelly: I would be amazed if it is not there. We took the judicial review against the Chief Constable because that is what we suspected. That is what we were being told. That was the only point that we won in that judicial review, as a result of the declarations in the day books of both the Deputy Chief Constable and the Chief Constable. It is there in black and white. It is an irrefutable fact. I suppose the answer in relation to a further investigation is to ask, "Has this happened before? If so, when?" Again, an investigation could shine a light on that.

I have no doubt—again, it is about perception—that our officers have a perception that there are different levels of accountability in relation to the imposition of regulations and disciplinary processes. The higher you are up the organisation, the better the chance of a learning outcome if you make a mistake. If you're a rank-and-file officer, the problem is that you are effectively thrown under the bus by the organisation and punished for things that in all honesty, in my mind, are never there.

In this particular case, we had an officer suspended when, on the evidence being placed in front of them, even the Deputy Chief Constable himself has said that he was not in a position, despite all the furore that was going on at the time, to be able to make that call, that it was that serious, that it needed suspension. He was put into that position by the Chief Constable, and unfortunately he relented. That will come out as part of the investigation. But Justice McCloskey is clear on that one, and that is why the judicial review went in our favour.

- Q31 **Claire Hanna:** Finally on this, do you believe that the Policing Board is an adequate scrutiny mechanism in its current form? Is the relationship



between the DOJ and the PSNI appropriately managed at the moment?

Mr Kelly: I welcome the comments yesterday from Deirdre Toner, the chair of the Policing Board, asking the Department of Justice to do a deep dive into what the involvement of the board was or wasn't as part of this particular incident. But overall, yes, at times the purpose of the Policing Board is to hold the Chief Constable and senior officers to account, and as the staff association, we really haven't seen that manifesting itself in reality in day-to-day policing.

We go back to the other incidents that Mr Shannon has sort of raised there as well—the Bobby Storey funeral, the Black Lives Matter protest. It was the junior officers and service who seemed to be getting held to account for things that had happened in those particular scenarios, whereas it seemed that for the decision makers and the people who were setting the strategy and the standards it was, you know, an occupational hazard, but they would learn from it, so we would move on to the next incident. To me, that is wrong. Wrongdoing is wrongdoing, and it needs to be dealt with appropriately and transparently as part of this process.

This is not about a them and us scenario. It should never be a them and us scenario. Collectively, we should be able to work holistically as one organisation and that starts from the top coming down. Equally, as I said before, I had a good working relationship with our senior executive team, Chief Constable, Deputy and Assistant Chief Constables around this process. However, I was not confident at every time that our concerns were being listened to and acted on in a candid way. Unfortunately, that is the reality.

Q32 **Claire Hanna:** Superintendent Murray, you spoke a couple of moments ago about being at a sort of a decision point or an inflection point in terms of policing. What are your thoughts on the recruitment, retention and promotion of officers from a Catholic background at the moment in general and in light of the last month or two? Are there working environment or culture issues that can be adapted to address this?

Superintendent Gerry Murray: If I could just mention one issue mentioned by the chair of the federation, the members that I speak for are frightened externally, but they are also frightened internally. If they make a genuine mistake, it should be a genuine mistake, but they're served with a regulation 16 automatically, for gross misconduct.

What there should be within the organisation, especially from a professional standards department internally—the chair of the federation alluded to this, but we have young officers with very little experience of frontline policing in the first two years of their probation, they are out on the ground, but their first line manager is young in service, their second line manager is young in service, but when they make a genuine mistake, professional standards talk about learning, but there is very little learning. You are automatically nearly through the process of being found guilty before being proved innocent.



HOUSE OF COMMONS

Going on to talk about recruitment and retention, we will probably be able to sustain what we have, as the NIPSA head mentioned there. A lot of us are so far into a mortgage, so far in a career, but those that are just on the first rung of the ladder—who are mobile, who have degrees and have the ability to move—will move. Recruitment will be a major issue within this organisation—recruitment specifically of Catholic staff. Even before this data leak, we were only running at 19% of civil servant staff coming from a Catholic background.

The other aspect is that if you look at the ranks from superintendent to Chief Constable, the Catholic representation is around 17% or 18%. In fact, just before we went from being the Royal Ulster Constabulary to the Police Service of Northern Ireland, I think it was about 18%. So in 22 years, either we are not getting the right recruits—but actually we are. But there does not seem to be a clear path of recruitment for Catholic staff and Catholic police officers within the Police Service of Northern Ireland, and there are very able and willing candidates at constable and sergeant level who, in 10 years and with acceleration, could make within the 1% of the Police Service of Northern Ireland.

- Q33 Claire Hanna:** Are there changes that you think can be made? Obviously there are the wider cultural issues and just the societal drag that is slowing down, but are there organisational and environmental changes, maybe around support services, that can be put in place to help those particular officers—I mean, all officers but particularly those officers—to realise their potential and for policing to reflect properly the society we are living in?

Superintendent Gerry Murray: One of the reasons why the Catholic Guild was formed is because we are trying to establish and develop mentoring within it. I mean, one of the things that we are trying to do is to support young Catholic staff and officers, but we are also trying to do mentoring. So, we put them into a position where they will be able to follow through in the organisation.

It may be that it is certain aspects. The chair of the federation might think I am callous, but we may have to go to direct recruitment at chief inspector, inspector and superintendent to get the right calibre at an earlier stage, as opposed to 10 years later.

- Q34 Claire Hanna:** Just in the interests of time, DCS McNally and Ms Godfrey, I just wondered whether there were any other issues that you wanted to add on top of that. For example, I think somebody touched on the issue of occupational health. I myself am aware of people who have had to go to their own GP to get support that traditionally would have been available. And on a lighter note, we were big fans on this Committee of “Blue Lights”. Do you think it has been helpful in terms of portraying the complexities of being a police officer in Northern Ireland?

Tracy Godfrey: A lot of my members cannot afford private health insurance, so you really are up against trying to get into the NHS. And with the backlog in PSNI, it is just really difficult. They feel a bit let down,



but they keep on going to work, most of them. That just shows their pride in public service. But we do need some help there with our own occupational health and welfare.

Detective Chief Superintendent Anthony McNally: I am conscious that a number of the recent questions have been asked of my panel colleagues, so I would feel it would be remiss of me not to speak up on behalf of my own association, who are senior leaders within the organisation in their own right. I think that is important to reflect.

From our perspective in terms of our senior executive team colleagues being close to them, we recognise the difficult job they have to do and the challenges that we have been through in the last few years with covid, budget settlements, no Government etc. So the job of the senior executive team is very difficult. We put down on record that we support them through those challenges.

That said, however, confidence has been damaged, not only in the past few weeks but over recent months and years. We feel that there has been a drift and a disengagement. We do not have the structured forums that we had in place a number of years ago; those have withered on the vine, to use that language.

Again, as per my statement last night, we very much welcome the opportunity to repair that relationship and rebuild it, because ultimately—as I said in my opening gambit—from my perspective, the Police Superintendents' Association, what we want to do is to get back to what we are here for. The public are suffering and victims are suffering while we all spend time debating and discussing these issues. We want to get back to our core responsibility of protecting vulnerable people, protecting Northern Ireland and keeping people safe.

Chair: Carla Lockhart, I think you wanted to come in briefly, and then I will turn to Robert Buckland.

Q35 **Carla Lockhart:** Mr Kelly, you have talked a couple of times in relation to the senior leadership, particularly chief constable and deputy chief constables.

Obviously, given the judgment and the quite revealing issues around two-tier policing and political interference, now that the Chief Constable has gone, we have a DCC who has stepped up. What is the mood music in terms of your rank and file with regard to that step up, because surely the two are one in all of this? I am just keen to understand where people are at with regard to that particular move of the policing board with regard to the step up.

Mr Kelly: One of the things that I have clarified with the deputy himself is that he has not been temporarily promoted to be the chief constable of our organisation. He retains his position as deputy chief constable. The policing board has navigated and agreed with him that in the absence of having a chief constable he can exercise some of the legislative and statutory responsibilities on behalf of the chief constable.



HOUSE OF COMMONS

I will give you a basic example. When the Chief Constable was on holiday and the deputy was the person carrying the reins, the reality around that is that he has the authority to sign off on particular things on behalf of that office. I think it would have been a retrograde step if he had actually been temporarily promoted, but that has not happened. As I already mentioned, our committee will be hearing from him tomorrow in person and our concerns in relation to his position and service will clearly be discussed with him—and also when he is not there.

Q36 Carla Lockhart: There is a lot of concern out there with regard to that position as well—particularly the Ormeau Road incident and what happened there.

Detective Chief Superintendent Anthony McNally: Before we finish, may I add something? You raised the point earlier in the conversation which was answered by the Federation and I want to echo my support for it. You asked whether we should take our time and get the right replacement. Yes, of course we should, but I feel also that we need an interim solution—very much so. Even just from an operational perspective, to operate without a chief constable for any period of time—be that over a couple of weeks—is unsustainable, due to the operational commitments: particularly when specific authorisations are required, and so on. That is untenable.

Q37 Chair: You mean an acting chief constable?

Detective Chief Superintendent Anthony McNally: If that is what is required, until such time as an appointment can take place, which I assume it will be. My—and our—preference would be that we have a chief constable in some capacity, as soon as possible.

Q38 Chair: Sir Robert, you have indicated that your information has been elicited through other means—

Sir Robert Buckland: Yes.

Mary Kelly Foy: I want to come in on that issue. Mr Kelly, you have made it clear that police officers are feeling more than disappointed about their pay awards in recent years, that it is going to be difficult to retain police now and that they feel very let down and disrespected. I am presuming that you will expect to see a number of officers leaving the service, given this data breach. What is your message from those police officers to the Government and the Executive in Northern Ireland?

Mr Kelly: Thanks for the question. The reality around this is that we need government and political support to enable us to have the proper resourcing tools to provide the function that we are required to perform as a police service in Northern Ireland.

I hate reverting back to budget all the time, but budget is key on this. Without a budget, we cannot recruit people. Without a budget we cannot pay our people effectively. Over a long period, we have had a parity of pay scales with England and Wales but as things stand, we are not getting the



HOUSE OF COMMONS

pay rise that England and Wales have got because PSNI has not got the budget to pay it.

The reality for our officers who are looking across at our colleagues in other parts of the United Kingdom, or even over the border at An Garda Síochána, is that, effectively, they could become the worst paid police officers in the entire UK. Conversely, they are the very police officers who face the highest threat level against them, which is just perverse. I have raised that in correspondence with the Secretary of State.

I am on record as saying that he has had three opportunities to have some discussions with the Federation. Each time he has declined to do so—which is incredible, in that position. He says he hears what our concerns are but he will not physically meet with me; nor have any of his officials, since Mr Heaton-Harris has been appointed as our Secretary of State. That is a very sad state of affairs.

Q39 Chair: That brings us neatly to the end of this panel. Clearly, wrapped into this is a review of the policing board as well. We would gratefully receive in writing any thoughts that any of the four of you have, if you want to submit those to us in due course.

In closing this particular session, I have a few observations. It is the big things that attract the headlines, isn't it, such as the resignation of the Chief Constable, and a massive data breach? What you have rather soberly brought to the attention of us all, and crystallised clearly, is the enormous impact for those in the employ of the PSNI, and the potential damage to the PSNI, in terms of recruitment, retention and facing into criminality.

Another thing that you all mentioned, to various degrees and in various ways, was the acute sadness that this is where we are. If the Dorset constabulary, after an FOI request had been made, had a data breach on this scale, it would be as serious, but the ramifications in the Northern Irish context are so massive. There is sadness that that is still the case.

I entirely take the point that a number of you made: the leadership of political parties in both traditions need to speak up very clearly in support of the work of the PSNI, and say that the officers and support staff of the PSNI are off limits for intimidation and other forms of criminality. We cannot have people who are going about the job of enforcing the law feeling threatened and vulnerable to attack.

This will clearly run on; please feel free to keep us informed. As I said in my opening remarks, the Committee stands ready to continue its oversight of this issue, given its seriousness and importance.

I close with this open-ended question. This would not provide all the solutions, but my hunch is that although the NIO, this Committee and Westminster in general stand ready to do what they can, when they can, however they can, this difficult situation would be so much better managed politically on the ground in Stormont—if there was a functioning Executive, and MLAs were asking the questions, leading the reviews, getting involved, and trying to shape things for the better. I throw that



HOUSE OF COMMONS

out there as a rhetorical observation. That is another *cri de coeur* to say that people should get back into Stormont and get an Executive up and running, because this is another area of service that looks like it is going in a completely unacceptable and undesirable direction as a result of the failure of devolution. Is that fair?

Mr Kelly: I think that I have been on record for some time as saying that my preference would be for our Government to be in force. That would allow me, as an advocate for policing internally in Northern Ireland, to have these conversations with our elected representatives. It is not that I cannot have those conversations with them now, but what can happen as a result—

Chair: They are pretty pointless.

Mr Kelly: I refer back to the Secretary of State. After our first letter of concern to him about the budget and so on, it was, "Well, the budget is a devolved matter." The second response I got was, "Take it up with your permanent secretary, because I have now given him powers on that." In other words, "It is not my problem any more. I have given the money; have the discussions there." But the permanent secretary has been given a budget that is inadequate, given what the service needs to do for us.

We have seen the consequences of the resource allocation model for the PSNI. They are not replacing particular posts. It may come out from the investigation of the data breach that the resources to deal with this were maybe not as effective as they could have been, or that the people in data protection, or other areas, maybe did not have enough resource to make sure that checks and balances worked properly. You make a fair comment.

Superintendent Gerry Murray: Members of the Legislative Assembly feel our pain. They know that police officers and police staff are from their communities. If the Government were operational, they would know from their communities what needed to be done to put this right.

Detective Chief Superintendent Anthony McNally: There is no doubt that devolved government is what we require, and we would very much like to see that; but at the same time, we do not want hamstrung politicians who cannot deliver because of the budget settlement, so Westminster has as important a role in this as our local politicians.

Tracy Godfrey: I would agree. We need local government back for all our public sector organisations in Northern Ireland. It has just ground to a halt. People are being asked to consider scrapping free public transport for those over 60, increasing the cost of school meals, and increasing water charges and prescription charges. It is biting people who do not have the money to pay for that.

Q40 **Chair:** Could I ask a favour of the four of you? Will you take back to your memberships, on behalf of this Committee, our thanks, our admiration, our support and our commitment that, as a group, we will do the best we can to ensure that this issue is not forgotten, that the lessons are learned and implemented, and that their safety is paramount? As always, we



HOUSE OF COMMONS

thank you for your attendance and for taking our questions. We thank all of you and your members for your service to the good folk of Northern Ireland.