

Northern Ireland Affairs Committee

Oral evidence: Policing and security in NI 21 01 26,
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Members present: Chris Bloore; Sorchá Eastwood; Claire Hanna; Simon Hoare; Adam Jogee; Mike Kane; Alicia Kearns; Gavin Robinson; David Smith; Robin Swann.

In the absence of the Chair, Simon Hoare took the Chair.

Questions 55-111

Witnesses

I: Sir George Hamilton, former Chief Constable of the Police Service of Northern Ireland, 2014-2019; Sir Hugh Orde, former Chief Constable of the Police Service of Northern Ireland, 2002-2009.

Examination of witnesses

Witnesses: Sir George Hamilton and Sir Hugh Orde.

Q55 Chair: Good morning, colleagues. For anybody tuning in, we have not travelled back in time, and this is not some terrible NIC version of “Groundhog Day”. Our Chair is indisposed, so I have been asked to chair this morning’s session, and I am very happy to do so, as we progress our inquiry into policing and security in Northern Ireland.

We are delighted to welcome two very distinguished former chiefs of the PSNI, Sir George Hamilton and Sir Hugh Orde. Gentlemen, you are very welcome. We look forward to hearing what you have to say—your reflections on times past and your observations, hopes and ideas for matters casting forward.

Let me open the batting, turning to Sir Hugh. This year obviously marks 25 years since the PSNI was established. Which parts of the Patten reforms were, as far as you were concerned, the hardest to implement during your tenure, and which do you think still require implementing or possibly revisiting today?

Sir Hugh Orde: Thank you, Chair, and thank you for inviting us. The great strength of the Patten report was that it was not pick and choose; it



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had to be accepted in its entirety. In a way, the reforms were all really important, because they were all interdependent. That was the wisdom of the report. It created a plan for policing that was bespoke to Northern Ireland but that is actually applicable, I would argue, in a far wider context. It is an extraordinary piece of work.

The most challenging—of course, George was there at the time as well—would be 50:50 recruiting. That was absolutely essential, and bespoke to Northern Ireland. That was not popular within the Unionist community. In Northern Ireland, there is a huge history of police families in the Royal Ulster Constabulary George Cross, and it was seen as a threat to that continuing.

There were concerns that the new police service would not attract members from the Catholic community. During my time, that was never the case. We fought long and hard to maintain our recruiting at 50:50 during my time in its entirety. We reached the mathematical maximum that we could. We were recruiting 400 people a year at the time—200 Catholic and 200 non-Catholic, as the designation went. But that was tough; it was not popular, and those implementing it were put under a lot of pressure.

In terms of what is left, my biggest regret is that we never got a police college. We were trying to train a new service in a new way in an old catering college. That new college should have been the first recommendation, because it would have been a big capital spend. During my time, we did a huge amount of work—or my deputy, Paul Leighton, did a huge amount of work—to try to get that project to move forward. We nearly got there, with a joint plan with the fire brigade. The fire brigade has a nice college; the police service does not. Looking forward, mindful of the current issues around recruiting in Northern Ireland, but also more generally in policing, that is a great shame, because it is not something that you can do overnight.

Q56 Chair: Considering the current challenges facing the PSNI, what do you think the next phase of policing will be, on the presumption that it is an iterative process? What should the PSNI focus on next?

Sir Hugh Orde: If I was the chief, which I am delighted to say I am not, I would continue to focus on a representative police force. That has not happened; it seems to have stuck at about 30%, on the more recent reading that I have done, and that is a shame. A lot more work needs to go into that.

On legacy, if it is not faced up to in a different way, it will continue to drag the service backwards, not forwards. It is a great shame that the report by Lord Eames and Denis Bradley, which was published in 2009, just at the end of my time, and consists of nearly 200 pages of extremely thoughtful and careful planning on what one could do to deal with the past in a different way, is still collecting dust on a shelf. If that had been implemented in 2009, I think we would be having a very different



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conversation. Legacy will bankrupt the police service and continue to drag it backwards.

- Q57 **Chair:** In your view, has the devolution of policing and justice powers in 2010 been a success for NI? What have been the main benefits and challenges?

Sir Hugh Orde: It was after my time. During my time—I retired in 2009—one of the costs of that, literally, was the financial arrangements. Patten was explicit that 7,500 should be the number of police officers employed in the Police Service of Northern Ireland. The number is way below that at the moment, which is dangerous. The funding for that is simply a function of numbers, to be honest, and the current chief is not funded to recruit or to have that many police officers. That is not the fault of the chief; it is the fault of funding arrangements, and that needs to be looked at.

Patten also observed that that was in a time of normal policing. I do not think that one can yet describe Northern Ireland policing as normal; it remains the only fully armed service in the United Kingdom—again, the Patten recommendation is simply not implementable at this moment in time, which I fully understand.

The main cost has been proper funding arrangements. It would be fair to say that I would not have been able to implement 175 recommendations, or most of them, in my time with my team if we had not had sufficient funding. We were well funded at that time, and of course Patten gave us a line to Treasury for the additional work we had to do to get the police service up and running.

- Q58 **Chair:** Thank you for those answers. Sir George, what do you think the next phase of policing, and policing change, should focus upon, were you still in the driving seat?

Sir George Hamilton: Thank you, Chair, and thank you for the invite to be here this morning.

I think there is still a piece of modernisation that can happen within PSNI; all of us who have led it must take responsibility for the progress or the lack of. There are Patten recommendations around the use of technology, for example. Since I left policing six years ago, I have been trying to support various organisations, including police organisations, in different places.

Looking back, if I knew back then what I know now about how we can exploit technology, my observation would be that the use of data and technology could be much more progressive. I do not think it is a substitute or neutralises the funding problem. I do not buy that we can use technology and have 1,500 fewer police officers than we need. Looking forward, and trying to be positive, I think more progressive use of technology—

Chair: Be realistic—you do not have to be positive.



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Sir George Hamilton: I agree with everything Hugh said. Of the four pillars of Patten—human rights-led policing, accountability, representativeness and community policing—the one that is faltering is community policing. That is because of the lack of numbers and the changing dynamic and mix of policing. Since Patten, policing has become much more complex. A lot of what the police are required to do around cyber, safeguarding and other threats is in a less public place. By definition, you have to suck resources away from the public-facing, reassuring piece in a community policing-type scenario to resource the more complex, less public aspects of policing. If I look back at Patten, that is the one aspect that I think is vulnerable. Looking forward, that is the challenge that the current organisation needs to face. It is primarily a funding issue.

Q59 **Chair:** I know the Committee would be interested to hear your assessment of how the relationship between the PSNI and the Department of Justice has evolved since devolution.

Sir George Hamilton: Certainly during my time, the relationship was good. Part of the problem we had with devolution was the suspension. For just over half of my five years as Chief Constable, while we were devolved, things were suspended because of political disagreement. That is the worst of all worlds. Where devolution had not occurred and Westminster was continuing to run policing and justice, there tended to be alignment with what was happening in policing in England and Wales in terms of austerity or investment. We sort of got left behind, and we were not helped with the suspensions of the functioning of the Executive.

In one sense, policing has lost pace compared with England and Wales. For example, the announcement of the 20,000 uplift in officer numbers for England and Wales in 2019 under the last Administration did not apply to Northern Ireland. The Northern Ireland Executive would have had the opportunity to prioritise that in their funding and so on, but the Executive was not even sitting. Of course, NIO Ministers take an arm's length view, the permanent secretary is running things and it is very short-term. No major radical decisions are taken.

When it is up and running, devolution works well. The relationships, both professional and at an individual level, with senior officials and, certainly in my experience, the Minister, were always very positive. We were pulling in the same direction. However, the problem with the frequent and sometimes long-term suspensions of the Executive was really detrimental. That is worse than not being devolved.

Chair: You may not be able to answer this, but I will presuppose that you have conversations with current officers and others. Do you have a feeling about whether there is a sufficient understanding of that time lag, if one can call it that, and the appetite to catch up?

Sir George Hamilton: Sorry, Chair, can you clarify what you mean?

Q60 **Chair:** You were making the very valid point that when Stormont was not sitting, the modus operandi was just to keep the machine running and not



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to do anything big, brave, bold or innovative. That has seen GB policing move ahead and Northern Irish policing slightly stuck. Do you have any assessment or thoughts about whether, within the current PSNI, there is an understanding of the scale of the task and an appetite to meet the challenge?

Sir George Hamilton: The current chief can speak for himself very adequately and eloquently. I have a good relationship with him, and we have been in regular contact. I think it is probably viewed more as a funding issue than just trying to play catch-up because of periods of suspension. My view is that the periods of suspension are quite dysfunctional. It is hard to get anything done, and certainly anything transformational, investments in technology, capital spends and so on—understandably, because the permanent secretaries are simply trying to keep the ship afloat, rather than doing anything new and big. I am in danger of speaking for the current chief, but I think it is probably viewed more as a funding issue. If the funding was made available, a lot of the change, progress and proactivity could happen pretty quickly. I think the plans are there, and the ability is there within the executive team in policing to make things happen if there is the resource to do it.

Q61 **Gavin Robinson:** Good morning, gentlemen. Sir Hugh, you arrived in Northern Ireland in 2002. With the change that was going on in policing, you were brought in with fresh eyes and—for some in our community—clean hands to work on the Patten reforms. You mentioned a number of outstanding commitments, like a new college. I continually raise the deletion of chief superintendent as something that police officers never really mention; that was a Patten recommendation. There was also the introduction of a cadet scheme, which would have given young people the opportunity to engage, but that has not happened. From your perspective, and with your experience elsewhere in policing in the United Kingdom, what do you think normalised policing looks like? How different do you think policing in Northern Ireland would always be—no matter how near normal it could be—in that normalised situation? That question is for you first, Sir Hugh, and then Sir George may like to say something.

Sir Hugh Orde: I am not sure what normal policing looks like, to be perfectly honest. One has to be ever mindful, even now, that the environment in which police officers operate in Northern Ireland is fundamentally different from the environment we operated in and out of London for 26 years before that. It will ever be thus; as long as any residual dissident republican or any other sort of threat remains, we have to police in a different way.

There was something that impressed me when I took over. You are right about my experience: I had spent two years in Northern Ireland on the inquiry into the murder of Patrick Finucane, so I knew the operating environment reasonably well and I had worked a lot with the police and military during that investigation. The environment was different, and I do not see that changing any time soon, but that does not mean we cannot move policing on. However, the most impressive thing was the willingness of the frontline officers to take risks, to push edges and to move into areas



where historically they might not have been welcomed, to see if they could take policing forward. There were extraordinarily impressive anecdotal stories, as well as the more routine and general trend.

I think that was partly achieved because we as a chief officer team were very keen to devolve authority to local district commanders, which enabled us to operate in an asymmetric way. What worked in Bangor might not have worked in Derry or Strabane, but people knew their areas and we had to trust them to deliver the style of policing that Patten talked about, which is a human rights-based approach, as George has said. It was a community-focused policing style. Provided they had enough resources—we had numbers in my time, of course, and we still had a full-time reserve at that point as well—we were able to move policing on very quickly.

We also should remember that one thing Patten did not do was change the individuals. You can change the name, but officers who had spent many years in the Royal Ulster Constabulary became PSNI officers and willingly accepted all those changes, and those that perhaps did not feel comfortable were allowed to leave with dignity under the retirement scheme, creating space and headroom for new officers to come in and change the whole structure of policing.

Normal policing for me is a community-based approach from the bottom up, with well-resourced community teams from which everything else hangs. Intelligence comes from good relationships with ordinary people, as much as it does from the more sophisticated stuff that people like to talk about and that catch the headlines, and from safety, security and confidence. If you look at the confidence figures in the PSNI currently—I have only read the submission to this Committee—they are still around 80%, it seems to me, which is way above policing in London. So something is going quite well there; the community still seems to have that confidence. What we must do is make sure we maintain that confidence as much as we can. That goes straight back to recruiting a representative police service and a properly funded police service.

Q62 Gavin Robinson: One of the things about our geographic location and our history is that the PSNI has almost every competency that a police force—or police service—could require. In the United Kingdom, probably only three forces or constabularies are in that position—the Met, Police Scotland and Northern Ireland. Gavin Stephens, in the past week, has been proposing that there should be a severe reduction in constabularies, and that they are merged and brought together to draw upon resources. But even in a normalised scenario where there is no national security threat—we know it is still substantial in Northern Ireland—would you envisage PSNI retaining all of its capacity, whether that is counter-terrorism, serious and organised crime, or measures that Cornwall police do not even get to consider all that often?

Sir Hugh Orde: If I was the chief, the answer would be yes. That is first because of geography—it is a lot easier, and you have to be self-contained in that sense. Secondly, it is because of scale, and Northern Ireland has



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got the scale. My successor in what was ACPO in my time, but is now the National Police Chiefs' Council, is right. The ACPO position when I left in 2014-15 was that we had too many forces. That was something that I consistently raised with various Home Secretaries, none of whom listened, because there are no votes in that; it seems to me that, politically, there is no real enthusiasm for reforming a police service.

You have a police service created under a royal commission in the '60s. That was before colour television was in most people's houses, never mind the internet, mobile communications or global crime. The structure of policing is not a matter for this Committee—I would be delighted not to attend the Home Affairs Committee—but it is fundamentally flawed for modern challenges. Chief officers spend their time making it work as best they possibly can by working together in formal structures. It clouds responsibility and clouds accountability. There needs to be that debate, but it is perhaps not one to have here.

But I think Northern Ireland should absolutely retain its structure. It does have some unique challenges around public order. I would rate the public order policing in Northern Ireland as some of the best in the world, with the best training in the world, and I would not want to lose that.

Q63 Gavin Robinson: Sir George, I do not want to preclude you from answering that question, but I think Sir Hugh's answers are enough for the Committee. I want to move on to talk to you about political support for policing.

Sir George Hamilton: If I may, Gavin, I want to make one comment. I concur with all of that, but I think that the other differentiator, which we might come to at some point this morning, is the legacy issue. Legacy seems to drive through everything. In terms of normalisation and allowing policing to get on with policing today and not having to suck up resources—if you are a family in a legacy case, of course that is very present and very pertinent to you today, not just historically—it is a differentiator that is worth noting in the normalisation piece.

Q64 Gavin Robinson: My colleague Ms Eastwood wants to ask you about legacy after I ask you a few questions, so you will have more than enough time, but thank you for that, Sir George.

On political support for policing, you mentioned that when you were Chief Constable for five years, devolution was down for two and a half, and that that frustrated you. At the start of your tenure as Chief Constable, devolution could have fallen. You will recall that when the IRA murdered Kevin McGuigan in east Belfast, you were put under pressure politically to give a security analysis of the ongoing, continuing existence of the IRA, and you did so. The analysis you provided at that stage still stands. But that is one example—I have to say this—of politics hitting you full face in your role of policing, and of how un-normal a situation it was where you have the continuing presence of a paramilitary organisation. Can you give an indication of how difficult a period that was and of the position that that put you in, as well as your thoughts on how the review you conducted in



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2015 still stands today?

Sir George Hamilton: First of all, I will clarify my making that statement and giving that assessment. You will of course recall that afterward my homework was checked by three very eminent lawyers, and the permanent secretary, and it was found to be a proper and accurate assessment. In some ways, I made that call and that statement for policing purposes. The political pressure in that instance was actually not to say what I said, rather than to say it. I was getting it from all sides within Northern Ireland and from Dublin and London, saying, "What are you doing? You are about to bring down the institutions," and all the rest of it.

We were knocking on doors in the Short Strand and the markets asking people to come forward with evidence. They were literally telling detectives on the doorstep, "You know who did this; you know who was behind it. We know who was behind it. You're not going to call it out because politically you cannot, but you want me to write a statement and get into a witness box and give evidence. That is not going to happen." I was getting daily briefings from the senior investigating officer on how that investigation was going and, in many ways, I followed Hugh's example. Not that many years earlier when Robert McCartney was murdered, Hugh made very similar comments—and after the bank robbery as well.

I never really got offended or upset about the political pressure because I had my own values and understanding of operational independence, or operational responsibility, as Patten refers to it, that was very firm: I was going to do the right thing and deal with the consequences afterwards, rather than allow my judgments to be influenced by politicians. I listen to anybody, of course, but when it comes to making the operational call, that is for the police. That is done without arrogance and with the realisation that you are going to have to answer for what you did, why you did it and the consequences after the fact. That pressure is quite unique to Northern Ireland. Policing anywhere has political influences around the edges, but there it is very real.

Q65 **Gavin Robinson:** I dearly remember—fondly remember—that you and I had conversations of that tenor in the past when you were Assistant Chief Constable.

Sir George Hamilton: Yes.

Gavin Robinson: You are right, and that is your disposition, but in the last 3 years in Northern Ireland a Chief Constable has resigned because he did allow himself to be corrupted by political influences, whether that was with the Bobby Storey funeral and the lawlessness that occurred during the pandemic or, subsequently, the reports that concluded that there was political interference that led to the unlawful suspension of two officers who were carrying out their lawful duty. The question around political support can be more characterised by this: is there a problem with a section of political leadership in Northern Ireland where they only support



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policing if policing works for them?

Sir George Hamilton: I am very conscious of my audience here, but I have had attempts to influence operational policing come from all sides and colours of politics. If you look at the parading issue, very often there will be representations made from the Unionist side of the House. Representations are fine; I welcome them because given the aspect of operational independence or responsibility that means I will be answerable after the fact for what I do, they give more insight into the political thinking, which will help me deal with the aftermath. But there is somewhere a line that should not be crossed about appeasement or allowing a degree of political influence to fundamentally skew decisions in a way that takes away from police independence.

Clearly, responsibility ultimately rests with the Chief Constable, but having the right command team around you makes sure that you can be challenged. They can come in, close the door and say, "Have you thought about this? Are you really serious about the direction that you are going in? What about this; what about that?" That allows for collaborative decision making while not forgoing one's own personal liability and responsibility. Decisions taken at a team level, where they can be, are likely to be better long-term decisions that will not require either pivots or poor decision making, as we saw with the examples that you referred to.

Q66 **Gavin Robinson:** In your experience, do we have a problem with an aspect of political leadership in Northern Ireland that only supports policing if it works for them?

Sir George Hamilton: I think it is just the operating environment; I do not see it as a problem. The responsibility for the Policing Board and the Justice Minister is to select chiefs, and chief officers around that chief, who have the insight, emotional intelligence and moral courage to withstand all of that.

Q67 **Gavin Robinson:** Do you think that there are still political leaders who struggle to support recruitment to the PSNI? Do you worry when you see stories about recruitment activities or attendance at schools for normal community engagement being frustrated because of local politics?

Sir George Hamilton: Clearly, I would love to see the country that I live in being normalised so that those factors were not at play, but it is a post-conflict society and people have their baggage and own personal legacy. Policing has to have an appreciation of that and navigate a way through it. I do not think it is so dysfunctional that it stops the police getting on with their job if they have the integrity and the moral courage to stand up to it.

Q68 **Gavin Robinson:** Sir Hugh is a bit more removed from this, so to give a final view on that, what could be more effective for political leadership to encourage engagement with normalisation of policing?

Chair: Very briefly, Sir Hugh, please.

Sir Hugh Orde: I am in danger of agreeing with George all the time; he has already summarised it. As a chief I used to say when I was out there



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you had to have the hide of an ossified rhinoceros because you would be attacked from all sides and shouted out by all sides. As long as you kept your statements, planning and operational decisions based on being a professional police officer, the consequences were a matter for politicians, but we never wavered from that. Every policing decision has a political consequence in Northern Ireland, without question. That is a matter for the politicians to sort out.

The other final point is, as George said, we are held to account through the Policing Board, and as a model of accountability, the Policing Board is a step change improvement of anything in England and Wales.

Q69 Alicia Kearns: Just a quick follow-up. Gavin focused on whether politicians were only interested in policing if it met their own interests. In terms of internal self-policing, I remember being in Belfast in 2012, going past a house that had been burned down and being informed by people who lived in that street that it had been burned down by members of the community because there was drug taking and drug dealing going from the property. Essentially, it was self-policing. What challenge does that pose in terms of consent and the ability of officers to police communities?

Sir George Hamilton: Dealing with organised crime gangs right across the UK is a challenge. They are generally motivated by two things: money and power, but in Northern Ireland you have this added layer of complexity or nuance around control and coercion in communities and that is what paramilitarism is. That is what differentiates it from your standard organised crime gangs operating in Manchester, Glasgow or wherever.

One of the benefits of people having confidence in the police is the legitimacy that comes with that. Those groups are not legitimate, but they do have extensive control within communities, so their view of policing and burning out the drugs house—it is probably going to be a drugs competitor that they are burning out, but I do not know the exact case that you are talking about—is as much about coercive control of communities as it is about anything else.

Q70 Alicia Kearns: Which fundamentally undermines the ability of police to operate if there is an alternative policing faction essentially operating within the community.

Sir George Hamilton: Exactly, yes.

Sir Hugh Orde: That changed over time. In my early years, George and I used to spend a lot of time out and about and you would turn up at a scene of some event and on the corner would be an old IRA man or an old LVF man or whatever—it tended to be men—monitoring it and you could see they had control and power. They did not normally do anything, but they had power. That changed over time to the point that, when I left, a lot of those people had become non-people. They were almost ridiculed by the community; they had been sidelined. That progress is a function of community policing and frontline policing.



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If the chief has enough resources to have a decent size community team that is building those relationships—getting into schools is absolutely critical—you have a chance of dismantling those structures and having legitimate policing, rather than illegitimate policing, but it is always going to be a challenge.

Q71 Sorcha Eastwood: It is great to see both of you again. Thank you for being here today. One issue that has come up both initially and throughout the conversation so far is funding and resourcing. I really want to get into the idea of how that is impacting our policing today, as well as the impact in terms of the obligations the PSNI has been asked to serve around legacy.

I will come to you first, George. The political landscape changed towards the end of your time, I feel, in terms of a lot of external political changes with the likes of Brexit and everything else, and the collapse of the institutions. It was already a changing picture, but even with that being said, how is the situation that the current Chief Constable is in now in terms of funding and resourcing differentiated from your time? Does he have more or less resource than you had? Should he have more than you had, and should he just have extra resource anyway?

Sir George Hamilton: I thought I was struggling and hard done by, frankly. To give you an idea of the scale, I had to deliver the same service in year 5 of my tenure with £150 million a year less than I had in year 1. It is much worse than that for Jon Boutcher and his team.

There were lots of in-year cuts. Because the Police Service of Northern Ireland is technically a non-departmental public body, you cannot carry money forward or borrow to invest. There are lots of restrictions around that, and you are at the whims of the tenure of the budgeting process, which is generally year on year.

It is worse than that because, in-year, you then have ebbs and flows. You've got both further in-year cuts, which happened sometimes during my tenure, and generally around two thirds of the way through the year you have easements, because Departments realise, "If we don't use this money we're going to lose it," effectively. It is very difficult.

Overall, the current PSNI is suffering from very dramatic underfunding; there is no question about that. My earlier comments referred to the fact that funding has not kept pace with funding in England and Wales. When England and Wales were going through austerity and there were significant officer cuts, that became a bit of a rationale in the devolved space for similar levels of cuts coming to the police and, in fairness, other public services, but then when the reversal happens in 2019 and there is a 20,000 officer uplift in England and Wales, none of that translates across into Northern Ireland.

It is a pretty dire position that they are in financially. That is playing out in low numbers of neighbourhood policing officers, for example. That problem was exacerbated further by what I mentioned earlier on the

changing dynamic—the more complex nature of policing and taking a lot of police activity into a private space, rather than it being very public facing.

Q72 Sorcha Eastwood: If that trend or trajectory continues, what do you think will be the biggest impact on day-to-day community policing? You have already talked about neighbourhood policing.

Sir George Hamilton: That is where the pain will be felt, because if you deploy your resources on the basis of threat, risk and harm, a lot of these high threat or risk of harm and vulnerability areas tend to be in that private aspect of policing, where safeguarding, cyber and much more technical investigative resource is required. But the real value and the clever piece of policing—especially around preventive policing, early intervention, information-sharing with partner agencies and problem solving and so on—all happens at the neighbourhood policing level, and that is what is suffering.

I think it is to the credit of the current PSNI that it has managed to maintain overall confidence in policing around the 80% figure that Hugh was talking about, when things have been pulling in the opposite direction, because of the funding issue.

In your question, you mentioned the impact of legacy. The Government need to decide how they are going to deal with legacy. Clearly, there are things moving through the legislative process at the moment that will hopefully bring some success, but as well as making political policy choices on how legacy is going to be dealt with, the funding needs to be completely separated out from policing. It is a constant suck on money.

I remember when I commissioned Jon Boutcher to do the Kenova report. Looking at the size of the team and facilities that he needed, our best guess was that it was going to be somewhere around £5 million to £6 million a year, probably for five years. That was 10 years ago. It is coming to an end now, but it has actually taken twice as long and cost more than twice the amount.

Sorcha Eastwood: You are in danger of leading me into the second part of my question.

Chair: Let's turn to that then.

Q73 Sorcha Eastwood: I think there is a huge issue there. We had the current Chief Constable with us last week, and I asked him this same question. Do you think we should have a situation where, because the vast majority of legacy cases were under direct rule and were therefore under the previous legacy body, which reported directly to the NIO and the UK Government, that should be funded from the same pot, not the Executive? We have already stated publicly within the DOJ—obviously, my colleague is the Minister—that we simply cannot carry those costs.

Sir Hugh, I am wondering what your thoughts are on that. You have come through that transition in policing, and you probably also saw the earlier attempts as a society to do it—you already referenced Eames-Bradley. Seeing where we are now with legacy, do you think there is a very strong



case to be made that, as Sir George alluded to, there should be an entirely separate funding process to fund legacy?

Sir Hugh Orde: The short answer is yes. During my time, I was struck quite early on by the number of families coming to see me who wanted something about a case that was decades old, because they were unhappy about what had gone on in the first instance. We set up the Historical Enquiries Team, which was about the only original idea that I have ever had in policing, and I remain very proud of the work that it did. It was a shift from traditional police investigations to finding out what happened and operating under the principle of maximum transparency. With article 2 issues, we told the families whatever we found out, which for many families was all they wanted to know. In other words, that is a non-judicial closure, or at least some sort of reconciliation or further information. Sadly, that was closed down after my time after a half-baked report written by a guy who never visited the Historical Enquiries Team. Sadly, it ended, so the communities were then left with nothing.

The Eames-Bradley report would have filled that gap. The basic principle of Eames-Bradley was that the judicial process would not work, and it will not work. There is an infinitesimally small number of convictions. Looking forward, I suspect that there will be no more convictions, so the justice process will not deliver what these families want. There needs to be a different approach, which is exactly what Eames-Bradley was trying to do. It was trying to come up with different ways of solving the very tricky and difficult issues of the past.

The costs now seem to be uncontrollable. In the report from the current chief, which I briefly read, he talked about a small number of cases being settled at the cost of £26 million, of which £17 million went to lawyers. Well, that begs a question in its own right. These are civil cases, and it seems to me that the numbers are growing—I think he talked about over 100 cases going through the system. This will financially cripple operational, frontline policing in Northern Ireland. Not only does the cost mean that it cannot recruit the right numbers, but the number of staff being required to service these behemoths as they go on will soak human resources away as well. Frankly, it is unsustainable.

Q74 Sorcha Eastwood: I have one last question to the both of you. From some of your opening remarks, and certainly from what the Chief Constable said last week in evidence, it is clear that legacy has an impact on day-to-day policing, as well as on community confidence and people potentially wanting to join. Do you think there is a double impact of legacy on both resourcing and people's perceptions and opinions of policing today?

Sir Hugh Orde: I think that is quite a big mental leap. I think there are people out there who are keen to join the service, for both communities. In my time, we were overwhelmed with applications; we never had a problem recruiting 400 officers a year under 50:50. That is, as I said in my opening comments, probably one of the most important things to continue to focus on. The application process should be seen to be fair—of course



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Patten dealt with that by having it outsourced—and the investment in recruiting should be right.

Any police service should invest heavily in recruiting so that you get the right people at the beginning, because if you recruit the wrong people you have a 35-year problem. It was very expensive when I was there, and I suspect with George it cost a lot to recruit one officer. However, our wastage rates were very low, because we spent the time and investment on proper recruiting and independent processes.

People joining now will have been born 20 or 25 years ago, not 50 years ago. While it does continue in the memories of many families, I am not personally persuaded that legacy necessarily has an impact on current recruiting. It is far more likely that the lack—you want to join a service that is visible, where you see community officers and you engage. My idea of joining the police service came when I met a sergeant at my school in 1960-something. You met and engaged with local officers; you started to see what they were doing, and from a very young age you saw them at school routinely.

That started to build the confidence within communities that got you to start thinking about joining as a career. If you lose frontline officers that communities engage with, that becomes one of the big risks—people do not join because they do not understand what policing is.

Sir George Hamilton: If I may, there is a side to this that potentially has a detrimental impact on recruitment. There were a lot of investigative standards followed during the troubles that are a long way short of what we have today. Every time a report comes out from the Police Ombudsman or whoever, it is almost treated as a shock or a surprise.

When I was chief, I used to say that we should not be surprised by this. Hugh, during his time with the Policing Board, commissioned three quite seminal reports into intelligence handling, the quality of investigations and the professionalisation of investigations—the Blakey, Crompton and Stevens reports. It is interesting because Patten was actually silent on handling those complex investigations, never mind legacy; it was a bit of a gap. Although I am a big proponent of the Patten reforms, he was quite silent on dealing with that side of the very difficult work.

Sometimes, whether we call it incompetence or poor investigative standards of yesteryear, that gets translated in some communities—where there is already a bit of a confidence deficit in policing anyway—into collusion or conspiracy. There will be a small number of cases where practice went on that should not have happened, but for the most part it is simply about substandard investigations.

That can perpetuate the feeling, “Do I really want to be part of that?”. If you come from a community background and your own legacy of not trusting the police—perhaps being anti-police in a previous generation—the reports coming out today, which refer to events from 30 or 40 years



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ago, using terms such as “collusion” and so on, are bound to be an inhibitor to seeking a career with our organisation.

Chair: Ms Hanna, did you want to come in briefly?

- Q75 **Claire Hanna:** You arrived at the point I was going to ask about. I think your successor, Jon Boutcher, was quite specific last week about the impact of legacy on recruitment, and especially about the reality or perception of information suppression—particularly how agents were handled. Yes, sometimes it delves into conspiracy, but there are very loud, large and explicit cases in the public domain. That obviously appears weekly, if not daily, in media reporting. Clearly, that would have an impact on recruitment, so does there need to be a different approach to transparency and disclosure?

Sir George Hamilton: I do not think that a different approach is needed; help is needed. I can understand how the conspiracies arise. First, there will be a very small number of cases where things were not done correctly—and might have been done very improperly. However, the vast majority of the non-disclosure issues come from the 40 million hard copy records that the technology has not been applied to so as to properly find out what we actually know, what is relevant and how can we get it disclosed.

There is a multiplicity of legacy intelligence IT systems—I think in the region of 10—that are not connected and there was not proper data migration done from one system to another. They are not even that easily searchable. All of that disclosure discovery failure, which looks awful for the police and looks like a cover-up and them not wanting to co-operate with inquiries or investigations, is actually down to—

- Q76 **Claire Hanna:** I think that the current Chief Constable is in court fighting the principle: it is not always the technology that is contributing to the suppression. The current Chief Constable has indicated that there are times when he would wish to be more transparent in the publication of material. I do not think that we can say it is just because we cannot access the piece of paper.

Chair: Claire, did you just say that something was before the courts?

Claire Hanna: I have not made a specific reference. There are two or three cases that are being looked at.

Chair: I am just going to remind colleagues of the sub judice rules.

- Q77 **Claire Hanna:** I will frame it in a different way, Sir Hugh, to ask you the same question: do you think that a different approach to disclosure and transparency—whether systemic or in policy terms—could contribute to a better recruitment environment?

Sir Hugh Orde: I am obviously not going to talk about individual cases. I think that as a police service during my time, we operated on a principle of maximum transparency. That is exactly what we apply to the Historical Enquiries Team when digging through all the papers that George referred



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to. Before we set up the HET, it took me over a year to have every building we own searched to find the files. Understandably, during the troubles, police tended to get blown up and we found murder files in dog kennels and attics. We created a huge resource that still exists. We collected it all on the principle that we would share whatever we possibly could—subject to article 2 and any relevant case law that applied at the time.

The moment that a police service is seen to be secretive for its own benefit you are in trouble. Obviously, some things have to remain secret, but only if it is in the public interest that they remain secret, not in the police interest. That was how we operated.

For the reports, the Policing Board appointed Keir Starmer—who some of you may know—and he looked at and wrote huge reports with another very able barrister, Jane Gordon, on our approach to human rights and policing. He had unfettered access to every part of our organisation from the moment that he walked in the door. Not only were we trying to be as open as we could, but we also had people in to look at how open we were being. I think that that without question would have helped our recruiting.

It is worth noting that we had all the issues of legacy in 2002. I had just come out of two years investigating the murder of Patrick Finucane, which was very high profile and a case where collusion was frequently referred to, yet we were able to recruit. I am not sure what has changed for the worse in the 20-odd years since, apart from the sheer volume of legacy cases. There are no new revelations; the themes with legacy tend to be the same about investigations—conspiracy, collusion or whatever it is.

Without question the sheer volume has increased, as it has for civil claims. Civil claims are generally focused on reparation through financial awards. That was also covered in the Eames-Bradley report—and was ironically broadly criticised at the time.

Chair: I want to give a little time warning. Pithy questions and focused answers would be appreciated. I know that we will find no better exponent of that skill than Mr Smith.

Q78 David Smith: Thank you, Chair—no pressure. It is good to have you with us, gentlemen, and thanks for your answers. I would like to talk about 50:50 recruitment. Sir Hugh, you said at the start, when we were talking about the Patten review, that 50:50 recruitment was the most challenging recommendation to implement. You went on to say that if you were still the chief, you would continue to focus on a representative force. Why do you think that 50:50 recruitment plateaued and seems almost to be receding?

Sir Hugh Orde: I don't know what is happening now in any detail. This was front and centre of what we did and, ironically, a lot of that was about getting officers into schools, engaging through district policing partnerships, which were a function of the Patten report, and working with community leaders to encourage people to apply. We relentlessly drove all



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those things and, to many people's surprise, the number of applications we got was way above the number of vacancies we had, so I was in a lucky place.

We also had the money; I had the money to recruit. It was very expensive. I cannot remember exactly, but I think it cost £2,000 to £3,000 per successful applicant to get them across the threshold of our training school. But we knew at that point they had the intellectual ability and the communication skills. We ran or the outsourcers ran an assessment centre, in essence, so our wastage was very low.

I don't know why this has plateaued. We got to literally the mathematical maximum we could achieve. It was of course time limited; it was underpinned in our time by legal force, whereas future chiefs did not have that luxury, which may explain the situation to a degree. But the more a police service represents the communities it polices, the better it will be in strategic terms.

Q79 David Smith: Same question to you, Sir George. Obviously it was a different time when you were chief, in terms of that legal enforcement, so how would you answer that question?

Sir George Hamilton: Well, 50:50 ended in 2011 in terms of that legislative provision. In one sense, given all the post-conflict things that we have talked about, there is the fact that Catholic representation in particular has stayed up at around 32%—Patten had given the judgment that 30% was critical mass. Clearly, you want it to be fully representative, but 30% was seen as critical mass to start with, and it has stayed at that level. I suppose the application rates from the Catholic nationalist community have been lower, but more worryingly the success rate between application and appointment is lower within the Catholic nationalist community as well.

There have been all sorts of reviews—reviews of barriers to recruitment, equality impact assessments of the process, and all the rest of it. I am sorry, but I do not have the answer. There has been a genuine effort, across several generations of chiefs, to get the organisation to be representative.

If you can do it without resort to 50:50, I think it has a better feel for the organisation and across all the communities. I think the 50:50 piece was strategically absolutely the right thing to do—it maintained standards, because we only took people who achieved the standards—but it was a deviation from the pure merit principle that those who score the highest are appointed. That said, I believe it was the right thing to do.

It took a long time to get people from Sinn Féin in particular and even other people, who were outside political parties but were strong voices in the Catholic nationalist republican community, to come out and advocate for a career in policing. I think the Catholic Church was very positive and out early, along with the SDLP and some others, but there was also a



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significant section of that community that was supportive of policing but stopping short of advocating a career in policing.

Q80 David Smith: I have two follow-up questions before we move on, and either of you can seek to answer them. In your experience as Chief Constable and in your analysis of the situation today, does the security threat to potential Catholic nationalist recruits play into the recruitment of Catholic nationalist officers? If it does, is there a class element—is it worse in working-class Catholic nationalist communities?

Sir George Hamilton: I think it is more than coincidence that dissidents have chosen to target people from the Catholic nationalist community. Ronan Kerr lost his life, and Peadar Heffron had very severe injuries; he is now an amputee and is out of policing. Both of them were very good officers. Both of them were very committed to their own identity and their culture and involved in the GAA and all of that. For me, it is more than a coincidence that they were targeted. I suppose it could be conjecture rather than evidence, but that is bound to have an effect on people from those communities, I would have thought.

There is also a challenge with recruitment from loyalist working-class areas. That is my background. It was a pretty apolitical family, but the factual geography of where we lived was a loyalist area, and it certainly was not a very affluent one. Back then, a career in policing was something to be aspired to; you had made it good if you managed to join the cops. I am not sure that that feeling currently exists.

We took the decision around the entrance criteria to deviate from what the National Police Chiefs' Council and the College of Policing were advocating for. Yes, we want people to come in, and we want the complexity of what they are doing to be recognised with academic accreditation, but we are still taking people into the policing organisation with four GCSEs, English and maths having to be two of them. The idea was that we would bring them in, get accredited training, work in partnership with the universities and get them to that degree level over a period of up to three years. All of that was done so that higher academic qualifications did not become a barrier to recruitment from those working-class areas.

Yes, I think the threat does have a negative impact on recruitment, and there are lots of unanswered questions for me about what the other impediments are, especially around loyalist working-class areas.

Sir Hugh Orde: If people want to join the police, they will. People living in Northern Ireland are fully aware of the situation they face. The learning from my time as chief was that we should never underestimate our frontline staff. George referred to Ronan, who was killed just after my time. Stephen Carroll was murdered on 9 March 2009, during my time—the first PSNI officer killed post the peace process.

I remember going to see the federation, because as the chief you have to work out, "How many officers can I afford to lose before I change my style?" In other words, do we go back to defensive policing, which is



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precisely what the dissidents want us to do, so that they can spend the next 30 years getting the Army back off the streets? The federation view was, "That's not going to happen. We know what we joined for. We won't change. We're going to get back out there." The quality of people joining should not be underestimated.

- Q81 **Claire Hanna:** David laid out the current figures, and I think women and ethnic minorities are under-represented as well. Do you see it as a problem that the Police Service of Northern Ireland is unrepresentative, and do you see it acknowledged in the political system that a police service that does not reflect the make-up of society is a problem? Do you think there is a laissez-faire approach to that, politically?

Sir George Hamilton: I certainly think it is critically important that the Police Service is representative of the communities it serves in terms of all those sectors and characteristics. Certainly in my time, I was often asked questions by politicians about why we were not doing better on representativeness—ironically by some people who were not exactly strongly advocating for everybody to be part of policing.

The police can do certain things. We can have initiatives around engagement and schools, work with the universities and all the rest of it, but there is something about broader civic society not just being supportive of the rule of law and policing, but going a step further and advocating for people to consider a career in policing. As I understand it, just from having read some stuff, marginal gains are being made in terms of representativeness when it comes to ethnic minority groups, and I think the female figure is nudging in the right direction. On 50:50 recruitment, there is something about the rising tide raising all boats. Over those 10 years, it was artificially enabled by the 50:50 legislation, but we saw significant increases in female representation as well. I think it is around legitimacy and confidence in policing. Being representative is the right thing to do, but it is actually more than that: there is something about competence, organisational benefit, making better decisions and being able to provide a better service if the mindset, culture and make-up of the people are representative of the communities that you are serving.

- Q82 **Claire Hanna:** Same question to you, Sir Hugh: do you think it is a problem if the police service is not representative? Do you think it is acknowledged across the political spectrum that that is a problem?

Sir Hugh Orde: Yes, I think it is a problem. George has articulated that very well, so I will not repeat his arguments. I think it is taken seriously. It was certainly taken seriously in Northern Ireland during the time I was there. There were all the other supporting issues that Patten put in, like the neutral working environment—all those people coming in felt they were a welcome part of a new world, rather than being faced with all sorts of things from the past. Leadership is a critical part of that.

In Northern Ireland, 50:50 dealt with one issue, but in terms of broader diversity we were not successful—with our minority communities in Northern Ireland, for example; I do not think we had one Chinese officer.



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So we did not get everything right by any stretch. Female recruitment certainly increased during 50:50. That is not something we should be laissez-faire about. It is absolutely critical.

In the world of modern comms, I think that the reputation of policing nationally, or even internationally, does impact local areas. If I look at the confidence figures around the UK generally, Northern Ireland stands out as still very positive. In other areas, they have plummeted, because individual cases of misbehaviour and so on get such a wide audience so quickly. We need to be mindful of that. We need to take into account that that will have an impact on that question at a local level, albeit not in the same area.

- Q83 Claire Hanna:** An independent report in August found that Catholics and people from a Catholic nationalist background are twice as likely to be stopped and searched. Obviously, it suits dissident republicans down to the ground for people to experience police in a militarised way or in a way that they can frame as oppressive. Do you think that that is a challenge? Are you confident that those powers are always used appropriately? Does its being twice as likely for a Catholic to be stopped reflect the challenges that remain in communities?

Sir Hugh Orde: Yes, it does. In London, when I was a sergeant in Brixton in the '80s, stop and search, with proportionality and disproportionality, was a huge issue. There have been all sorts of reports on why that happens, and we need to look at why it is. Is it because it is a high-crime area, and street crime has a different demographic from other crimes, and all that sort of stuff? If I was a chief, I would certainly be looking at that, asking those questions and engaging.

It comes back to whether the community policing model is right, with local accountability. What are the district policing partnerships doing with the local commander on the solution? The structure Patten put in place was not just the Policing Board holding me and George to account; it was a district policing partnership structure holding my chief superintendents and superintendents to account and dealing with local issues. One has to have the resources at the front end to deal with those sorts of issues and good engagement at that level on local policing issues—that is where it should come from. Then, if it becomes a strategic issue, it comes up to us and the board, and we would deal with it.

- Q84 Claire Hanna:** I agree entirely. The underfunding and, therefore, the inability of the service to provide the neighbourhood policing that you envisaged and that you both tried to deliver are enormous contributors. People are not engaging with the police in the way that you, the officers, and we as elected representatives would wish. I will ask the same question of you, Sir George. Do you think the fact that Catholics are twice as likely to be stopped and searched is a perception problem?

Sir George Hamilton: I think it is more than a perception problem.

- Q85 Claire Hanna:** And are you confident that those powers are always deployed appropriately?



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Sir George Hamilton: I think there is a lot of oversight. There are mechanisms in place to monitor this. I know that you either have or will be taking evidence from Jonny Byrne, who has a very specific role around this. I suppose the oversight infrastructure is in place to identify this, and the fact that it has been monitored is a healthy thing. That is the first I have heard of that, but if I were still chief, I would be doing a deep dive into what is going on. There are other things, such as body-worn video and so on. The ability to dig into this to find out why those figures are what they are exists, so it becomes a leadership issue. That would be a concern to me, yes.

Q86 Claire Hanna: With a view to trying to get things back on track, my party has called for a rule of law review and audit, not just of policing but of systemic issues such as the PPS and prosecution decisions of the police ombudsman. It is a fact that, 17 years after the devolution of policing, the political system has not seen fit to allow a person of a nationalist background to become the Justice Minister. Some of those things have implications.

Do you think that 25 years of Patten, as will be the case this November, will be an appropriate time? I think the current chief constable has indicated his desire for a review of policing—Patten at 25. Do you think that is a time for the political system and others to have a look at the successes? You spoke about the excitement of the new beginning, which was reflected so well in the recruitment numbers, so we must see how to get that back on track.

Sir George Hamilton: I would stop short of a Patten 2, personally, but I do think there is value in a stocktake—looking at where we are at, what is working and what is not working. It might be good to package it up as a review and have terms of reference and somebody appointed to do it, but I think the practitioners could tell you off the top of their head what the issues are. They are broader than policing; it is the timeliness of prosecutions, for example, and victims getting outcomes in court. It seems to be a sensible thing to extol.

What that might do is formalise the commentary that you have been hearing from Hugh, Jon Boucher and myself around the funding piece. There will be consequences. It used to amuse me that the politicians of the party that was making decisions about funding were the same ones shouting the loudest about closing police stations that nobody ever went into. There is something about just having a bit of a reality check on where we are and the consequences if this current level of funding continues.

Chair: That is not a phenomenon unique to Northern Ireland.

Q87 Claire Hanna: Sir Hugh, is Patten at 25 an appropriate time for a review?

Sir Hugh Orde: As George said, the Patten report has stood the test of time. In the last few years, I have travelled to all sorts of places where peace processes are being negotiated or are moving on, and policing is often an issue. Patten is a good starting point for any country looking at



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police reform. I would certainly not want to go back on anything that Patten recommended.

On whether there is a need for a wider review, I am really not in a position to make an informed observation. As I keep reminding you, I left in 2009, which is quite a long time ago.

Q88 Robin Swann: Thanks, gentlemen, for coming along. Sir Hugh, in an earlier answer you said that the Policing Board was a model of accountability, but I think what it was structured to be and what it could be are very different from what we see in practice today. Paul Sweeney and John Topping completed an independent review of the operation of the Policing Board almost a year ago, and made some recommendations that are currently with statutory bodies. What is your assessment, looking from the outside? How effective do you see the current Policing Board to be with regard to its discharge of duties and the challenge function, compared with when you were there?

Sir Hugh Orde: While I am still interested in Northern Ireland, I must confess that I do not read the minutes of the Policing Board, and I do not really pay a huge amount of attention to it.

What I can say is that it is a good structure. It is broadly drawn—that is the first point. If I am a member of any Northern Ireland community, I would have some sense that someone on that board has my back and is interested in me as an individual, which is at right angles to the situation in England and Wales, which is now under review again. It had power to summons the chief, although it never had to use that; I do not think it ever has had to use it, because we have always attended whenever we have been asked to attend. It was public, and I think that is still the case. It was televised in my day because it was new, and I think that it is probably still livestreamed. It is a very visible way of holding a chief to account. It had sub-committees that we could work with, and there was always a healthy tension—as there should be—between the police service and the board. There has to be that gap. That does not mean that it was hostile; it means that it was challenging, and so it should be. So I think that it was a very good model.

When I was there, it was the first one, so we had some pretty big hitters on it—of course, Sinn Féin did not turn up, but the other political parties did. Without the SDLP, I think that we would have failed, because we would have had no representation from that. Alex Attwood & co. made some brave decisions early on—or the SDLP did. The Secretary of State was able to balance it, to a degree, because of its structure. I think it is a good model, and, provided that the right individuals with the right skillsets are appointed, I think it has a longevity that should be celebrated.

Sir George Hamilton: I think I agree with that. I do not mean to be disrespectful to any of the current numbers. Like Hugh, I advocate for that model of accountability and pattern in various places around the world, some with more success than others. I think the model is strong. It is costly when you compare it with others—it is expensive.



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But it is only as good as the people who are on the board. I think that, as time has passed—maybe it is a good thing that policing is not as big of a novelty as it once was, in the early days of the transition—it went from sort of premier league players to, sometimes, not the strongest team, from some of the political parties. I do not mean to be disrespectful to anybody who is currently on the board.

I think that the Sweeney recommendation that the chair and vice-chair should be separate public appointments made by the First Minister and Deputy First Minister, in conjunction with the Justice Minister, is a strong one. When you have a strong chair who has the experience and the competence to run a pretty diverse and dynamic board, that is to the benefit of the board, the police and the public. I think that the model is great, and the competence and experience of the people on it are what make it a success. From what I see from where we stand today, we are in a much better place than we were even a few years ago.

Q89 Robin Swann: In regard to some of the recommendations and commentary, the phrasing was that “the board has an excessive workload”, and that “this level of intensity is often at the expense of sustained follow-up, strategic focus and direction”. The commentary was that they were getting more into the operational, rather than the strategic, and I think that that was something you referred to.

Sir George Hamilton: When we would trot down to the Policing Board on the first Thursday of the month for the public meeting, it moved through various phases. Sometimes there were themes that they wanted to do, or there were very specific questions. The pre-prepared questions tended to be quite strategic—or more strategic. But then you would get there, and the questions would probably be about what was on “Good Morning Ulster” that morning, because people were just reacting to the latest operational issue. I think there should always be a space for police leadership to be agile enough to be able to respond to things as they happen, but when that becomes the dominant feature on the agenda—or maybe it is not even on the agenda, but you end up spending lots of time on it: things like transformation, how you are using resources, or what you are doing about representation or investment in IT—the more strategic issues get left to the side, and how the chief uses public money does not always get the level of scrutiny because it gets drowned out by the latest headline.

That is a different way of saying what I said in my last answer about the quality of the people on the board. If you were running a commercial enterprise and you had this suite of non-executive directors, they would not necessarily be talking about the quality of bricklaying, if it was a construction company. They would be talking about, “Where are we going? What’s our market share? What is it looking like? How are we trying to be competitive?”. That type of more strategic thinking that should come from non-exec type people is not always evident.

Q90 Robin Swann: A final point: when you extrapolate that to the recruitment of the Chief Constable, is there a challenge, regarding who is playing at that level, in selecting the appropriate person for that job? This is not



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critical of anybody in front of me; I suppose it is just the lack of home-grown Chief Constables from Northern Ireland that we have seen since the conception of the PSNI.

Sir George Hamilton: Well, I was one.

Robin Swann: That is what I meant about no criticism.

Sir George Hamilton: I did not always get it right, but I think I might have got a reasonable run since PSNI. More broadly, I think one of the things that the board could do to improve itself is to keep the same model and the same structure, regulations, accountability relationship and so on, but having somebody on the board who knows something about policing would be helpful. I do not mean an old, retired ex-chief like me or Hugh; I am talking about somebody even from outside of NI who understands policing. If they happened to have some knowledge of Northern Ireland as well, it would not go amiss.

If I look back—and I am not just saying it because he is here—Hugh was exactly the right chief for the time. When I am giving commentary about him when he is not in the room, I would say that the two years that he spent in Northern Ireland on the Finucane inquiry prepared him to be the chief, because it could be overwhelming for someone coming into such a politically charged environment—operationally challenging, with workforce challenges in terms of bringing people with you, and all the rest of it—if you did not have that knowledge.

Likewise the current Chief, Boutcher, had five years on Kenova before he became the Chief, and my assessment, for what it is worth, is that he is doing a good job. He has that understanding; he knows who the key stakeholders are and he understands, as far as anybody ever can, the politics of the place, or at least he has an awareness of it. To come in without any of that—I do not think you need to be home-grown to be a successful Chief Constable, but there is something about people having some exposure to the place and the dynamics before they take on the role.

Sir Hugh Orde: I think it makes sense for the Policing Board to appoint the Chief. In my experience—I would say this, wouldn't I?—it was a very thorough process. George's point was well-made. At that time—I do not know if it is still the case—Her Majesty's inspectorate of constabulary would advise the board on the selection process and be present. But, of course, the board also appoints all the chief officers as well, and during my time I would sit in with the inspectorate of constabulary.

We could make observations, and we could answer questions of the board selection panel, but we were not allowed to ask questions directly, which seems even odder, actually—as a Chief, you are not allowed to recruit. I was quite concerned about that when I took over, but I have to say that the board got it right every single time. The reason for that, I think, was that, first, they took it very seriously; secondly, they got trained in



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selection processes and, thirdly, they had professional advice, so I was not concerned about it.

Chair: Mr Smith, you had a quick question.

- Q91 **David Smith:** A very quick one, now that the can is open and worms are everywhere, about the recruitment of the Chief Constable. Obviously, it is a massive job. It is a huge job in policing worldwide, let alone in this country. On the "home-grown" question, to call a spade a spade, surely there is an element here about community consent and perception about which part of the community the Chief Constable comes from. Has that been a factor in the recruitment of Chief Constables over the years? If it has, do you think that that time has passed, or should be past?

Sir George Hamilton: I think it has passed. When I was appointed, I had the support of all the political parties; it was not a case of a majority vote or anything like that. For my five years, I enjoyed both their support and their challenge in equal measure, with equal scrutiny from all sides. Northern Ireland is a small place and, if a potential Chief has some sort of baggage in that respect, it will be known and it will come out, and they will not be the Chief, frankly.

Having grown up in policing—I had a period in England and a period in Scotland during my career, but the majority of it was in Northern Ireland—I said to a friend of mine, trying to make this point, "You become so politically neutral because you get it in equal measure and equal volume from all sides." He said, "No, George, it's not neutral. You become politically neutered." There is something about being almost a third community because of that. That does not mean that you are void of a political thought, or that you are not entitled to it, but in terms of how you exercise powers, conduct yourself and show leadership, with 20-odd years in policing before you get to be Chief, any baggage like that tends to have been well suppressed.

- Q92 **Gavin Robinson:** I will not explore the political eunuch status that you enjoy, George, but I will ask about succession planning and where Chief Cons come from. It was suggested to me in the last few weeks that there are two current Assistant Chief Constables in the police who are on what is known as 28 day notice watch. They could go at any time—they have served their time; they would have to serve 28 days and go. Yet nobody from PSNI has been put forward to the new executive leadership programme, which replaced the senior command course, in the last three years, so there is nobody currently at superintendent or chief superintendent rank who has gone through the training and who would be capable of applying, should those vacancies arise in as little as one month's time. Would that concern you?

Sir George Hamilton: It would. I was not aware of that, actually, but I know that there has been a lot of proactivity and leadership development at that superintendent and chief superintendent level. We talked earlier about representativeness. The last selection process for chief superintendents selected eight people, seven of whom happen to be



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female, which certainly helps with the under-representation of females at that level.

As regards putting people forward for the executive leadership programme, I would be amazed if there was any hesitancy or reluctance. However, the system did change from doing a national assessment centre—where you went through purgatory for three or four days and were scrutinised—to effectively creating a portfolio of evidence, getting the support of your local chief and sending that portfolio to the College of Policing. It is a different, more developmental approach to getting people on to that executive programme.

I do not know—it is one for the current Chief—but they have just run a process to get the chief superintendent level and have selected eight people, which means that they were carrying a number of vacancies. It may well be that the people genuinely were not ready but, from what I know of the current Chief and deputy, I would be amazed if there was any reluctance to do anything other than have as rich a pool as possible to draw upon.

Gavin Robinson: Okay. It is a concern that I am raising, but I appreciate the response.

Chris Bloore: You have talked a lot about the current security challenges that you face as an organisation. I am intrigued because the challenges have obviously evolved since your time in office. Do you want to touch on how you think the challenges are different, in terms of digital challenges, organised crime, race hate marches and the riots over the summer? You might want to touch on how you maybe did not face those challenges when you were in post, but the current postholder does, and how that ties into the structural funding challenges you have as an organisation.

Sir George Hamilton: These things have been building over time. Some of them were certainly around in my time as I exited six years ago. Things like cyber-crime and the forensic examination of devices, and every major investigation having a digital forensic strategy attached to it, are things that even 12 or 14 years ago would have been the exception rather than the norm. During my time, we invested a significant capital spend of about £6 million on a cyber-crime centre, for example.

There are other emerging issues. For example, there are the tensions between not just minority ethnic groups but people having very different and strongly held views on, say, the Israel-Palestine thing. That is working out at Belfast City Hall in the same way as it is in every city across the UK. Violence against women and girls is a major challenge. The Executive have come up with their strategy, which the police and the Department of Justice have been involved in.

I have said several times this morning that policing is becoming more challenging because things are becoming more complex, and very often cyber-enabled and all of that. That adds to there being more to do and therefore more resource required—or prioritisation of resource.



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Unfortunately, the easy pickings—or sometimes the only pickings—is taking away the neighbourhood policing resources to create the funds to populate the other critical functions that need doing.

Sir Hugh Orde: Policing is always dynamic. Without question, Jon Boutcher is facing different challenges from the ones I faced. Mine were, in a way, more structural. We had a clear job to do, which was to implement Patten, and the benefits that flowed from that in the operational sense had to be managed as we progressed. We had the challenge of delivering and normalising policing, and the challenge of huge structural and organisational change. The reports show that most of Patten is now done. There are a few things outstanding. I know that the PSNI has commented on those so I will not repeat them.

Public order has changed, no question, but in a way, if you are policing public order—or public disorder—the role of the police remains the same. The issues may change, but policing public order is policing public order, provided that you have the right resources and the right training and you do it in a proportionate way. That probably has not changed an awful lot, to be perfectly honest. George has touched on the issues.

Generally, there is less and less appetite for risk in policing, which I see as a real issue because we have to make choices all the time. The desire not to underfund issues that will cause us huge pain if they go wrong, which they may do on the odd occasion, albeit it may be nothing to do with policing, means that we put resources after resources into the specialisms and, as George pointed out, they come from only one place: frontline policing.

Q93 **Chris Bloore:** Could you give us an example of that?

Sir Hugh Orde: I don't know the numbers, but I suspect that there are far more resources now in child protection teams, in the cyber-crime units, in cyber-bullying and all that sort of stuff than there were in my time, and that is against a reducing number of police officers. I am not saying it is the wrong thing to do; I am saying that we do not like to take risk.

We seem to think that we can manage risk out of policing, which is simply utter nonsense—you cannot. Policing will always go wrong somewhere. That does not necessarily mean it is the police officer's fault, because we are asking frontline officers to make immediate decisions with no, little or misleading information, or even downright lies, but they have to act. What a police officer cannot do is not act, but that act is sometimes looked at by specialist committees for decades when things go horribly wrong, with the value of hindsight.

I think that mindset has changed how we police; that is a general observation, not one bespoke to Northern Ireland. The desire not to get things wrong means that more officers are getting drawn into these specialist units, and the consequence of that is that there is less to do. Ironically, that means that things may well go wrong more often at the



front end, because there are fewer officers doing their very best to deal with a massive workload.

Q94 Alicia Kearns: Dissident republican threats persist in terms of bombings, shootings and public order, as you touched on, Sir Hugh. MI5 has rightly said that it is unrealistic to totally suppress that threat, because it has obviously evolved into organised crime. What should those who are setting the direction of policing and security compute from that in terms of the long-term priorities that we should have for policing and security? Will you kick us off please, Sir George?

Sir George Hamilton: I think it is about the security services and the police working together and collaboratively, with support from Government. The job is not done, but there has been a significant suppression of the risk and threat posed from dissident republicanism. That has been helped by some internal wranglings within their own ranks and power struggles that have gone on.

The challenge for policing is that it has not disappeared. It might be operating at a slightly lower level, and they may not be as organised as they once were, but it will be three years next month since John Caldwell was shot. In the midst of their chaos, and the disruption that the police and intelligence agencies are bringing to them, they only need to navigate a way through that chaos and disruption once to be highly successful and to have a devastating impact on people and communities. That goes back to the earlier point: one of the things that makes Northern Ireland different is that, even though this has been suppressed to a large extent, it has not gone away, and as the Security Service assesses, it is unlikely that it will be completely suppressed.

On Hugh's point about risk aversion, just because that risk exists does not mean that the entire focus of the organisation needs to be geared towards that at the cost of everything else—safeguarding, child abuse online—

Alicia Kearns: Domestic abuse.

Sir George Hamilton: Domestic abuse, violence against women and girls more generally—this is about juggling those priorities rather than saying, "That one is dealt with," or, "That one still exists, so we are going to put everything towards it," while other high-impact issues are not getting the attention they deserve because of risk aversion.

Q95 Alicia Kearns: Do you think that balance has been met?

Sir George Hamilton: There are certainly the processes in place. I think that not just intelligence, but data more generally, can be better exploited to quality-assure the balancing issue around those priorities. That can be through the various tactical co-ordination groups and structures that are in place. They have now become business as usual, but when we were starting off in the post-Patten days they were novel, and we were trying to get our head around them; now there is a rich flow of information, which can probably be exploited better. We are in a different and a better place than we were at the start.



Sir Hugh Orde: When I took over I still had national security as well as policing. We worked very carefully. The transition to MI5 taking primacy was very carefully managed—very reasonably drawn up—because we wanted to ensure that we did not lose any intelligence. We worked very closely with MI5 throughout my time. One of my senior officers managed that transition. We had officers embedded with MI5 to ensure there was clear communication.

As George said, policing in Northern Ireland has that very different backdrop. Every officer has to be aware all the time that there are people who want to do them harm simply because they represent the state. They are seen as legitimate targets. I do not think that has changed at all. Our obligation, as the senior management team, was to make sure that our district commanders had every scrap of intelligence that we had, so that they could then make operational decisions essentially on how they would police the threat at the time.

That meant that it was a far more dynamic system and that police officers in Bangor, for example, near where I used to live, could happily patrol, confident that they were at a very low rate of threat, whereas perhaps an officer in Strabane or somewhere else, because of some information that had been received, had to be far more careful and had to police in a different way. Accepting that policing was not going to look uniform across Northern Ireland helped our local commanders to bespoke the policing style to the threat, against the principles of Patten.

- Q96 **Alicia Kearns:** To your point about the backgrounds, obviously the terrorism threat was reduced to “substantial” in 2024. Jonathan Hall KC has said that he thinks the traditional threat assessment is now unhelpful for Northern Ireland, because essentially it does not allow the significant reductions in the threat, as we have seen, to be fully recognised. The terrorism threat must always be in force—potentially, it could be separated—but do we need an alternative threat perspective? Or is it unhelpful sometimes just to have a singular word to represent the wider policing situation within Northern Ireland? Or is that threat measure appropriate? What are the alternative measures we could be looking at?

Sir Hugh Orde: I am not sure what you were changing with that.

Sir George Hamilton: I think there is always a dilemma in these discussions of understanding the difference between “threat” and “risk”. I think there is something in that: if the model was going to change, or the gauge of potential harm was going to change, then there would need to be something around risk as well as threat, looking at likelihood, impact and so on.

The threat is really a narrative around the intelligence that is available, but actually the frightening bit is what is not known. That is where a more risk-focused approach would come in.

- Q97 **Alicia Kearns:** But the risk would essentially have to remain persistent, unfortunately—a bit like what we have in England. At least three terror



threats a month are diverted or stopped by our security services, yet we do not see that. Of course, the risk would have to be persistent and pervasive, but the impact of any terror attack might not necessarily be too high. So how would you balance that assessment if you were to bring risk into it?

Sir George Hamilton: I do not have all the answers to this, but if you are asking for an alternative way of looking at things, it just seems to me that rather than simply basing judgments about potential harms on what the intelligence says, we could change things, because the bit that always frightened me was the intelligence that we did not have. It is trying to take a broader view. I wish I had a clearer answer than that, but it seems to me that understanding the difference between risk and threat, and the approach to that, might give a more fulsome and meaningful picture.

Q98 **Alicia Kearns:** Very briefly, Sir George, the additional security fund obviously existed in your time solely to focus on Northern Ireland terrorism, but obviously it has now been broadened. Looking back, however, can you just give a direction to this Committee about how important that fund was specifically, and whether you agree to the changes that have been made to it?

Sir George Hamilton: It was absolutely critical; it was a lifeline for us. It was unfortunate that it was necessary for it to be set up, because it is quite disjointed funding, and if there had been some other mechanism, whereby the police budget was what it should be—I mean, the reason that the additional security funding was set up was because of shortfalls in the police budget that was allocated by the Executive.

By the way, as a citizen of Northern Ireland, who has had kids through the education system, relies on the health system and all the rest of it, I understand that this is not easy and that the money can only stretch so far, but additional security funding was a bit of a lifeline to enable us to try to keep the lights on in normal policing, while delivering those additional security functions such as close protection, station security and some of the counter-terrorism investigations. It was important, but it was always a little untidy; there are a lot of blurred lines in policing. It is not always clearcut. Then, of course, you end up with multiple reporting mechanisms, in that whoever the funder is clearly wants to have justification for how the money has been spent.

I am not sure if it still exists—I think it might—but there was an additional stream of funding for the Organised Crime Task Force that came from the Department of Justice. It was separate from the general police budget that had to be used for tackling organised crime. Again, as a chief, you will never complain about an additional funding stream, but the administration of it can end up being quite inefficient.

On the broadening out of the additional security funding and the broader national security threats—I do not want to say that the Northern Ireland dissident problem has been completely dealt with, as I referred to in a



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previous answer—but as the world changes, it seems sensible for the broader national security threats to be handled in one piece—

- Q99 **Alicia Kearns:** Rather than separately. It was recommended to the Committee that as the threat reduces, funding should potentially be reduced in recognition of the fact that there is a safer operating environment. From your evidence, it sounds as if that is unrealistic in terms of the needs of Northern Ireland communities and being adequately policed. Would you agree with that?

Sir George Hamilton: I would.

Sir Hugh Orde: I would agree, too. It takes an awful lot of effort and costs an awful lot for nothing to happen. I did not have the luxury of that fund. I have no complaints about the funding during my time; we were funded properly and well because of the interest in Patten and the political interest in what was going on. The financial impact of Stephen Carroll being murdered on 9 March was substantial. We had a massive investigation to carry out. We did not have sufficient equipment to allow our officers to carry out normal policing. On an ad hoc basis, the Government was very supportive and gave us the funding we needed which, in essence, was a precursor to that. Achieving nothing is very expensive.

- Q100 **Gavin Robinson:** Sir Hugh, you mentioned the transition to giving MI5 primacy on national security threats. I sense a tension: national security threats, MI5, PSNI and everything else becomes blurry when it involves the remnant parts of the IRA involved in crime, because crime is not a national security consideration, but the organisational structure is a national security threat. Was it clear to you at the time of transition when MI5 were given primacy that it was for the national security element alone, or was it organisational?

Sir Hugh Orde: It was a long time ago now, Gavin; forgive me. We went through the process with care to make sure that whatever intelligence MI5 had that had a use to policing would be transferred to policing through proper channels and at proper levels. Obviously, one would manage that through a clear system.

During my time, I had no concerns that I was left out or that we were kept in the dark on anything that would have been helpful to delivering in my job. Anything on organised crime is primarily a matter for the police, but the fact that we had police officers in the building at a senior level helped to make sure that that worked well. I was very concerned about the transition, but I should not have been. Post event, I was quite content.

- Q101 **Gavin Robinson:** Thank you. There is always a glaring absence of the organisations that the Paramilitary Crime Task Force target and in organised crime more generally.

Sir George, I want to talk about the untidy nature of additional security funding. You had recurring funding during your tenure as Chief Constable.



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Are you clear in your mind on how the figure you received was derived—how it was made up and what formula was used?

Sir George Hamilton: Yes. The business-case approach that we had to prepare to put forward ultimately to the Treasury through the NIO was very rigorous. The reasons for the requirement had to be well-articulated. We did not always get everything we asked for.

Q102 **Gavin Robinson:** But that was you preparing a business case and saying, “Guys, we have a capacity deficit here. We need x capital expenditure. We need more resource for individuals to carry out this specific function.” It was agreed to. There was no formula—you had nothing to work alongside. Were criteria shared with you at the time, to say “Here is what fits, here is what is normal policing, here is you rinsing cars through one scheme to get them on the frontline”, or whatever it might be.

Sir George Hamilton: No. As I recall—clearly, a team of people much cleverer than me put these business cases together—it was a business case based on what national security issues would not apply if you were policing other challenging police environments, like Manchester or whatever: issues unique to Northern Ireland that sit clearly outwith the normal spend for policing.

There was always a back and forth about clarifications, and I suppose negotiation to some extent. You asked for what you needed, and might be challenged on that—you may not have always got what you had in mind. But we were grateful for the support, which I understand continues. There is a well-worn path now; I think it has been about 12 or 13 years.

Q103 **Gavin Robinson:** That is where I think this conversation needs to go. Ms Kearns referred to this notion that, through changes in Northern Ireland, this should cease. The fact is that every other police force in the United Kingdom outside of Northern Ireland benefits from a counter-terrorism support fund of £1.2 billion for the next financial year shared among them. They get that and Northern Ireland does not, but if you were to take a population share—a Barnett share—of that £1.2 billion, then the £40 million that the PSNI gets is roughly there or thereabouts. So the idea that the additional security fund should go is mad.

I want to ask your view on and concerns about the fact that the additional security fund that the PSNI does get is now expected to go beyond our historic issues and also look at far right extremism, immigration issues we have had, and Islamophobic or Islam-motivated terrorism in Northern Ireland. Is there a risk of diluting that fund to such a degree that it loses the impact and focus? Should we be able to avail ourselves of the counter-terrorism fund that exists elsewhere, in addition to the security fund?

Sir George Hamilton: Ultimately, as long as the funding arrives, the vehicle is of secondary importance from a police point of view, although the accountants and finance people might see that differently. When the money arrived—one of the benefits of the Blakey, Crompton and Stevens reports—and we created Crime Operations under Hugh’s leadership, it brought together in one place, under one assistant Chief Constable, all the



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assets to deal with the difficult stuff: the serious and organised crime, the counter-terrorism, the surveillance and covert tactics, and even the CAD infrastructure. Previously, those had been spread all over the place, working in silos.

Although there are very specific needs, the same surveillance team who surveil a dissident republican on a Thursday afternoon could be deployed on a Friday morning to surveil a drugs gang connected to East Belfast UVF. Likewise, if you look at other forms of extreme right-wing violence or activity, or Islamist extremism of some description, the same resources, tools and people that will be deployed.

From my point of view, tackling those broader national security issues is a requirement of policing under the Police Act anyway. If anything, broadening out—you could view it as a dilution of the additional security funding, I suppose, but—

Q104 Gavin Robinson: There was a reference earlier to Jonny Byrne, who says that there should be a fresh conversation about all of this, and potentially a reduction. There is a danger that some decisions being taken within PSNI currently are motivated by budgetary constraints. If they latch on to the need for some of the existing spend that comes out of the additional security fund to be removed, and reduce the need to provide the service currently provided, that would not be a saving for PSNI and would not assist with the budget, because the argument for that money being retained will be taken back.

Sir George Hamilton: Yes. I think that is a perfectly valid conclusion to come to. There was no guarantee with the additional security funding; there was nothing ever to say that it was going to last in perpetuity. It always felt, every year, like we needed to really present a strong case, because it was not a foregone conclusion that we were going to get it. I would assume that that is still the same.

Gavin Robinson: Thank you.

Q105 Mike Kane: Thank you, gentlemen. Should dressing up in military uniform and marching in lockstep be consigned to historical re-enactment societies? I ask that because, around 25 years on, we still have paramilitary cosplay going on, which is probably a failure of the Patten report. What can we begin to do about it?

Sir Hugh Orde: Sorry, we have paramilitary what?

Mike Kane: Cosplay: dressing up. People dressing up in military uniforms and marching in lockstep happens all the time in my local park, but it is usually the local civil war society or medieval society, yet that still goes on terms of the conflict in Northern Ireland. The Irish and British Governments appointed Fleur Ravensbergen to look at how we could scope out getting rid of paramilitary groups in a civil society that has seen an equitable peace for at least a quarter of a century.

Sir George Hamilton: Yes. Right. I was not sure—

Chair: It was an innovative way of asking the question.

Sir George Hamilton: I was not sure whether your question related to that or to the fact that a very small amount of marching goes on at an attestation—or police graduation—ceremony.

Q106 **Mike Kane:** But they have state legitimacy.

Sir George Hamilton: Clearly, when it comes to the attempt to get people to move away from these paramilitary structures, and so on, any effort has to be welcomed. It does feel a little like we have been here so many times before. We will see what the current review brings forward, but frankly, incentivising people through investments in communities, grants or paying for band uniforms or whatever, so that they move away from exercising control over communities through paramilitary structures, has not worked effectively. It is 28 years on, or whatever it is, from the Good Friday agreement; there is no reason for these groups to still exist.

We need to wait and see what the review brings, but I am all up for engaging with communities to empower and strengthen them so that they do not feel the need to react to these paramilitary groups in an acquiescing way. I would almost start at that end of the telescope, rather than starting with the paramilitary groups: “How do we empower communities to remove any legitimacy that these groups have?” rather than, “How can we convince these groups to go away?”

I remember when I was a district commander in Belfast and Hugh was chief; I was really encouraged by the command team to really push the boundaries and take risks in terms of who I engaged with and stakeholder management, because this was a journey and people needed help. Benefit of doubt was given and all the rest of it. Well, that was 25 years ago, and there has actually been some change, but a lot of these people are still behaving in the same coercive and controlling way around their communities.

Q107 **Mike Kane:** Sir Hugh?

Sir Hugh Orde: I don’t have anything huge; it is like the bonfires on the 12 July parades. My knowledge of the current situation is not good, but during my time the marches on 12 July had got smaller so things were, it seemed, going in roughly the right direction. Then, of course, we had a couple of very serious bouts of disorder during my time, which came off the back of the desire to march where you were no longer wanted and all that sort of stuff.

It is a community still in transition, and the more you can encourage people, the more you can empower the communities to take the responsibility to deal with these issues themselves. It is far bigger than a policing problem. We police the reality of what we are faced with; if people are going to march on a certain day, we are going to have to put resources in to police it. That is no different for the commissioner or any other chief of police—they have to deal with what they are faced with while society works out how it wants to behave. I am not really up to



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speed with what it is like now, to be perfectly honest, so it would be unfair of me to make a judgment on whether it is worse or better.

Things such as the Parades Commission were important structures that were put in place and helped me. Trying to say as a chief, "You can march here" or "You can march there" was hugely difficult in the context of 2002 to 2009. The Parades Commission could make a ruling to which I could make representations—as could others. It enabled the policing part of the equation to get on with the policing part against someone else's judgment. That is another example of why these issues cannot be dealt with by the police alone.

Sir George Hamilton: There is a difference between paramilitary groups, which is how I read your rather colourful question—

Q108 **Mike Kane:** It is paramilitary groups; I am not talking about legitimate St Patrick's Day or other parades.

Sir George Hamilton: I think all sections of Northern Ireland society like a good march, and that is okay—that is them celebrating their culture and their heritage, and the police should be upholding and facilitating that in a balanced, human rights-based way. But I had read your question as being more about the paramilitary groups: community workers by day and terrorists by night type stuff. That is the piece that needs to be dealt with, and it is a difficult one to crack.

Q109 **Mike Kane:** Do you still think this is organised thuggery? Is it organised criminality to do with the drugs gangs that you talked about? Is there a far-right, alt-right rise behind this, which we know chief constables are slightly worried about across the UK?

Sir Hugh Orde: Certainly during my time a lot of the violence and behaviour you described on the loyalist side of the equation was, without question, crime-related. When I arrived, there was an ongoing war between various drug factions in Belfast and a number of murders took place on the back of that. That is without question around fear, control and organised crime, flying under the flag of convenience of something else. That is a big element of it. Dealing with that is an absolutely legitimate role for the police.

Q110 **Claire Hanna:** I share your scepticism about the group transition idea while trying to be constructive about the process, and also your frustration that the police do often police the political failures and the inability to deal with issues. There is a sense of, "Oh my goodness—nothing is working and we cannot get rid of these groups", when there are a lot of things that we have not tried.

Do you believe that the police have enough powers to, for example, address some of the issues around flags, emblems, memorial gardens and murals—things that are used as a way of supporting paramilitary narratives and community control? Did you follow the FICT process and some of its recommendations? Did you have—or do the police currently have—sufficient tools in terms of organised crime legislation, to go after



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these groups in the way they probably should be treated now, without the romanticism of paramilitarism? Have we got the legislation in place? There have been small moves on things such as criminal assets, but are there tools to go after them in that regard?

Sir George Hamilton: I feel a little dated in my response to this, but certainly in my time, as long as there was a sensible rationale behind it, anything that we asked the Department of Justice to take forward got support. Some of the timescales around getting parliamentary or Assembly time, timetabling and all of that was a bit frustrating.

Claire Hanna: That is still the case.

Sir George Hamilton: But I did not find any resistance politically to any additional legislative provisions that we needed.

The whole piece around flags, murals and so on, and the extent to which that is a policing issue—some of the properties that they were displayed on are owned by some of the devolved Departments, but they will run 100 miles away from it rather than deal with it. The police can take them down but historically, if you take down one flag, 24 will go up the next day.

Claire Hanna: And grey hair is involved.

Sir George Hamilton: It is not exactly a problem-solving approach to do so. Part of this is just the dynamics of Northern Ireland. Having good, empowered and engaged leaders at local level—I am talking about district commanders and the level below that—who know that they can engage with partners and do the problem-solving around that is probably where we need to invest. Historically, that is what has worked, rather than new legislation. But I am not speaking for the current chief; he may have a different view. I am not creative enough to think of anything further that we need. The MOJ has been responsive, albeit—

Q111 **Claire Hanna:** I think some legislation is coming through here around counter-terrorism and displaying—we have seen over the last couple of months paramilitaries and people being proscribed, and guns being taken off people. But I walk around my neighbourhood and see UDA flags and other paramilitary paraphernalia around, so there are some legislative gaps.

Sir George Hamilton: We will see how that all works out in England and Wales.

Sir Hugh Orde: Flags have become a wider issue.

Chair: I think we might not take a march down that road. Sir George and Sir Hugh, thank you very much indeed for appearing before us and sharing your experiences and thoughts about policing going forward. We are grateful to both of you.