

Northern Ireland Affairs Committee

Oral evidence: [Update from the PSNI](#), HC 512

Wednesday 27 June 2018

Ordered by the House of Commons to be published on 27 June 2018.

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Members present: Dr Andrew Murrison (Chair); Mr Gregory Campbell; John Grogan; Mr Stephen Hepburn; Lady Hermon; Nigel Mills; Ian Paisley; Jim Shannon.

Questions 41 - 126

Witnesses

I: George Hamilton QPM, Chief Constable, Police Service of Northern Ireland and Stephen Martin, Assistant Chief Constable, Police Service of Northern Ireland.



Examination of witnesses

Witnesses: George Hamilton QPM and Stephen Martin.

Q41 **Chair:** Mr Hamilton and Mr Martin, good morning, a very warm welcome to you today. Thank you so much for coming to see us. I know you are extremely busy. I also know you are acutely aware of the issues at Stormont—or shall we say lack of them—which means that the kind of accountability that I know you value very much is challenging at the moment. We are certainly going to cover some of those issues.

I would like to start by putting on the record our pleasure as a Committee at the appointment of Drew Harris to An Garda Síochána. It is an historic moment and all congratulations to Mr Harris. However, it does cause something of a dilemma for you at this time, when we do not have a police board. Could I kick off with a question about the police board? You are going to have some difficulty filling senior positions, since that requires the involvement of the police board and you do not have one at the moment. What are you going to do about it?

George Hamilton: Thank you, Chair, and indeed I would like to publicly put on the record our best wishes and congratulations to Drew Harris, who has been an outstanding Deputy Chief Constable to me for four years, a man of great wisdom, humility and resilience. But all is not lost, because it can only help embed very good relationships with An Garda Síochána even further by having the Chief Constable and myself from the north and Drew as Commissioner of An Garda Síochána. Certainly at one level it is our loss, but it bodes well for the future in terms of strategic co-operation between the two organisations and I look forward to that.

But you are right, the lack of a policing board for 18 months now has a number of consequences that present problems for us just in terms of running an organisation that is pretty large. Between police officers, police staff and managed services, we have about 9,500 people. Revenue, capital and pension accounts come close to £1 billion, so this is a pretty big enterprise by any measure. In our senior team, we have nine positions for chief officer between police officers and senior professional police staff. Out of that nine, six will be temporary appointments. That is following the shakeout of Drew's departure, so it will be five at the moment, but within a number of weeks that will move to six.

Under the regulations, as Chief Constable, obviously other than the position of Chief Constable, which is the position I hold, I can appoint people on a temporary basis to those chief officer positions, but that is all subject then to the policing board making the substantive appointment. To have six out of nine in any senior team in such a complex and large organisation temporary creates a vulnerability. I have to say the work currently the five temporary appointments take on is to a very high standard and I am entirely happy with their performance, but they are temporary appointments. They will feel the vulnerability that comes with that. They are getting wonderful experience. Other organisations may



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well look at them and covet their expertise and their experience that they are gaining with us, but we are not in a position to offer them—or any other good candidate—a substantive appointment.

Therefore that is one draught that is felt acutely by not having a policing board, but there are others as well around accountability, governance, monitoring, expenditure and around us explaining ourselves, frankly. We are getting reports coming out from HMIC, some of which is very good news for us around our performance. We get reports from the Ombudsman, which is often a mixed bag. Sometimes our actions are validated and sometimes they are criticised, but the policing board gives us, when it is functioning, a very good public platform to explain ourselves, either in the positive or in the negative, to defend or explain, basically.

- Q42 **Chair:** Of course we hope very much that the Executive is going to be restored soon, but it might not be, so we do face a prospect of—using appointments just as an example—this going on for potentially a number of years.

George Hamilton: Yes.

- Q43 **Chair:** Under those circumstances, what on earth do you do about senior appointments? It seems to me you are reaching a position of unsustainability. Since the officers you have put into temporary positions are gaining great experience, as you rightly said, which will make them very attractive to other forces, it could mean that your top team becomes a staging post and you are unable to have people who are going to be there for long periods of time, people who feel insecure in their jobs, which does not add up to an effective police force, does it? What are we going to do about it?

George Hamilton: I would not want to be too pessimistic or too negative about it. The people that we have in place are doing an outstanding job and I am very pleased with their capability, with their performance, all of that. With that comes something that we cannot rely on or exploit, but there is some old-fashioned loyalty among them. They have a great sense of pride and belonging to policing in Northern Ireland and I am grateful for that. I do not see that people are getting itchy feet because of the uncertainty, but we are all human. People are gaining experience. They have their own livelihoods, the financial wellbeing of their families to think about, and if someone else could offer them greater financial certainty longer term, they would be foolish not to consider that.

But that said, I do not want us catastrophising too much. We have not seen much evidence of that yet, but I think it would be best all round if the policing board could get reconstituted, hold us to account, make public appointments and deal with any chief officer potential misconduct issues, not that there are any pending anymore, thankfully. That is also the remit of the policing board.



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There are some very key functions that a policing board have to fulfil, which because they are not formally constituted, they are not currently able to do. I would hope, Chairman, that it would not be years, but hopefully months or even weeks before there is some intervention, either from the Northern Ireland Office or indeed the restoration of an Executive and therefore a policing board.

Q44 Chair: That is probably what we are driving at. I expect we are going to come back to that in further questioning. Before we move on to that, can I ask you a little bit about Brexit, the other great preoccupation of this Committee over the past several months? Last month it emerged that you are drawing up a business case to present to Ministers around an uplift in manpower, kit and real estate in order to ensure that you are properly prepared for what Brexit might offer us in the future. Can you say when you are going to deliver your business case to Ministers?

George Hamilton: There is a bit of a conundrum connected to this, because trying to find the appropriate authority within the system who is taking responsibility for co-ordinating the response to Brexit as it relates to the border between the EU and the UK or the Republic of Ireland and Northern Ireland is challenging. We are trying to find a mechanism and an audience to get that business case presented to. That will be a full business case, evidence-based through economists, all the stuff that you would be familiar with. That is being worked on. It is a little bit nebulous at the moment because trying to get clarity of exactly what is required in that is proving challenging.

What we have done is a stocktake paper for the Government, both the non-existing Executive, into the Department and the Northern Ireland Civil Service locally. Also the same paper has been sent to the remnants of the policing board, the chair, the chief executive and also to the Northern Ireland Office. By the way, there is no reason why we could not be sharing that paper with this Committee.

Chair: That would be extremely helpful.

George Hamilton: In the absence of clarity—and I accept negotiations are ongoing and there are no firm answers, we all live in the real world—we have come up with a series of what we feel are reasonable assumptions to make without us, as the police, getting into the political space. I am quite happy to run through them briefly with the Committee if you wish.

Q45 Chair: I know it takes a bit of time, but I think that would be useful to do.

George Hamilton: Yes. We will do that, because probably our assumptions follow what we think are pretty obvious operational impacts that I think you and the Government should be aware of. Hear me out on this. You may not agree with all of them, but in the absence of us getting working assumptions from the Government or from political leadership,



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local or Whitehall, this is what we have come up with. We think it is reasonable.

Number 1 is the UK Government seeks to gain greater control over immigration. That seems to have been the main motivator behind Brexit, which we are not advocating for, we are just simply stating it as an assumption. On the other hand, the Government are also committed to maintaining the Common Travel Area, which of course is perfectly understandable. It is not EU-dependent, the creation of the European Union, but those two things create a certain contradiction almost or a bit of a dilemma: on one hand, tighter control over immigration; on the other hand, holding firm to the freedoms brought with the Common Travel Area.

Assumption 2: new variances resulting from any agreed border arrangements will be open to exploitation and that is whatever the implications of the border are going to be, any variance will be open to the exploitation between both organised criminality and violent dissident Republicans. Potentially even the challenges of a porous, open and frictionless border in terms of a route into the UK from an international terrorist threat is something that we cannot overlook. But the simple assumption that we are asking people to agree on is that any variances will be exploited by those who wish to cause harm to communities and to nations, either the UK or Ireland.

The third assumption then is the ambition of the UK Government and all other parties. It seems to be agreed with the local parties, with Dublin, Brussels and here in London that there will be no physical infrastructure at the border.

If we take those three things, tighter immigration control and maintaining the CTA, the fact that any variances will be exploited by people wanting to do us harm, and the fact that the UK and Brussels and Dublin do not want to have any physical infrastructure at the border, what are the implications of that? We think there are a number of policing operational impacts that we are presenting in this paper. We will share the paper with you and it is with both the NIO and the Department of Justice. First of all, those groups involved in terrorism and serious organised crime will seek to exploit the variances, the point that I made based on that assumption that variances equal exploitation. Organised criminals and terrorists will seek to exploit any variances and the Common Travel Area to progress their goals of harm.

Secondly, there will be an increased requirement to work even closer in co-operation with An Garda Síochána, so this variance at the border will necessitate even closer joint working with AGS.

Thirdly, any undermining of the collaborative powers and capabilities between PSNI and An Garda Síochána provided through the European justice and home affairs measures would significantly curtail our ability to counter terrorism, serious and organised criminality, as well as deliver



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effective day-to-day policing on both sides of the border. Our paper does not major on this too much, other than to say there is a consequence and an impact as a result of our leaving the EU on something that everybody said would be sorted. It is looking increasingly fragmented, so European Arrest Warrants, exchange of biometric data, all of that needs to be fixed and there is a real operational impact for us if we do not have, by way of a transitional period, either the continuance of the current arrangements or some parallel bilateral mechanism to deliver the same thing.

Without the right level of compliance and enforcement activity to support and enforce border arrangements, an illegitimate economy will develop. People will exploit this, so we are going to need to have some form of compliance and enforcement activity, not necessarily at the border, on the border or anything like that, but the absence of physical infrastructure and the free movement of people through the CTA is going to require some form of compliance and enforcement checking at an enhanced level to what we currently see if it is going to have any meaning at all. Not just to enforce the UK's new status post-Brexit, but to make sure that we do not allow the organised criminals and the terrorists to exploit those variances for their own financial gain and therefore to pay for their activities.

Finally, there will be an increased level of compliance by partner agencies— so everything from HMRC, immigration, the Environment Agency, all of the things for which we want to check compliance in our jurisdiction against that in other jurisdictions. In the absence of a hard border, which no one is advocating for, then partner agencies will need to do more work. It is a bit like the previous point, with us having to do more operational activity, more compliance checking, more enforcement, where partner agencies have to do that in Northern Ireland, they need to be almost person marked, one for one, with those partners alongside a PSNI officer. That is there to support them and provide the security and protection for them, because for many of them it is a hostile operating environment.

I think those are the main impacts that we are identifying. We are writing that down. We are asking senior officials and politicians to give those some thought. There is a further potential impact that we would not want to talk up, but we also think it would be remiss of us if we did not mention, and that is the fact that Brexit could cause some communities to feel that their sense of identity is under threat. I am not going along with it. I am not making the point that Brexit undermines the Good Friday Agreement and all of that. That is for politicians to sort out, but certainly from our engagement with people in communities, along the border and elsewhere, there is the potential that this issue could raise community tensions. People could feel less secure, more vulnerable regarding their own identity as a result of Brexit. Of course in the past we have seen that manifest itself sometimes in street disorder and in difficult policing scenarios.



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Q46 **Chair:** Thank you for that. You have talked about a stocktake. That does not sound like a stocktake. That sounds like the prelude to the paper that you ultimately will, I assume, deliver to Ministers, since they will have to make a decision on resourcing.

George Hamilton: Yes.

Q47 **Chair:** Can I press you a little further on when you think that document will be available? It sounds like you still have quite a lot to do.

George Hamilton: This paper is also going to conclude with an ask. The one that I am just quoting from now in terms of the stocktake, there is a little bit about we cannot deliver the full business case until we know who is co-ordinating this and what their governance requirements are. This is very different for us and we do feel a little bit isolated, as an orphan in this, because—

Q48 **Chair:** I am getting that sense. I am getting the sense that you are taking charge in the absence of any other body or institution that you would naturally expect to be gripping this.

George Hamilton: Yes. Let me give you an example of how this has worked, comparing us with other statutory agencies. It is not unreasonable for senior officials to be saying to us, “You need to get a business case developed if you have a resource requirement following Brexit”. We agree with that and that is the way we do business. I think we are pretty good around governance and all of that generally, but that is not how it has worked with other agencies.

HMRC and UK borders, for example, have had a significant uplift. I am not saying that they do not need it, by the way, but it appears that they have not needed to jump through all of this nebulous stuff that we are trying to navigate our way through. HMRC have had an uplift of 4,000 officers and Border Force of 2,000. Those are significant uplifts. I have asked the question: could we see at least the structure of their business case to help us inform ourselves about what it is that we need to present? Because with the lack of a nominated person, either a senior official or a Minister, to say, “I am taking responsibility for co-ordinating all of these difficulties and challenges, operational and strategic and constitutional, around the border issue in the post-Brexit scenario” we feel like we are in the dark around all of this. We do not have that go-to co-ordinator to assist with this to tell us what the requirement is, to help us navigate our way through it.

Q49 **Chair:** Sure, I have that. We will probably come back to that shortly, but just finally from me, one thing you have done is to freeze the sale of three border police stations.

George Hamilton: Yes.

Q50 **Chair:** Of course this is against a backdrop of the Government, from the Prime Minister down, saying, “Under no circumstances will there be an



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increase in infrastructure on the border” so we are left with a slightly ironic situation potentially, the only extra room for structure there being these three police stations sitting more or less on the border. How do you justify that, since my recollection of the Troubles was that police stations were something of a target? The principal concern about infrastructure on the border of course is that they may present a target for those who are ill-inclined.

George Hamilton: We have not made decisions to keep these pieces of real estate indefinitely. We thought that it would be foolhardy—or rather that it would be good stewardship to press pause on them. We have been through the whole process of community consultation and consultation with the policing board, to the extent that it exists, to dispose of those three stations. All we have done, in the absence of any clarity, is press pause on that process. All things being equal, we fully expect those pieces of property to be disposed of at some future stage.

With so many unanswered questions, with these pieces of real estate strategically placed—not necessarily right on the border, but within proximity—we do not know what the requirements are going to be of immigration, of HMRC, of ourselves, of any other number of other agencies. On average, these three properties will probably harvest us about £150,000 to £160,000 at current market rates, selling them as they are. To buy a piece of land of that size and go through the whole process of building a new facility I am guessing would be £5 million to £6 million. All we are doing is saying that, as stewards of public funds and in light of the uncertainty, “Let’s press pause on the disposal of those stations”. We do not want to keep them. They are not of any operational use at the moment.

We agree, Chairman, that if they were to be used in a post-Brexit era for security or immigration purposes or other broader policing and statutory functions that they may well become the target of attention from violent dissident Republicans, so we do not have some agenda to maintain these. We want rid of them. We are having to pay rates on them; we are having to pay security and upkeep. They are a liability for us that we do not want to have, but we also thought it would be foolhardy to dispose of them.

My earlier comments, if we had somebody giving us some clear direction, co-ordination and guarantees, that if it is not going to be physical infrastructure at the border, does that mean increased compliance checking and increased enforcement activity? If it does, where are those people going to come from? Are they going to drive from Belfast or Colerain every day or does it make sense to have some sort of accommodation spread at three pretty strategic points across the border, if you did want to have a base to locate the police and other agencies at? We have no agenda to do that. We do not want to be scaremongering, but we did think it would be foolish to dispose of what are functional buildings, but of relatively no value. If we disposed of them and then had



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to buy and build in the future to service the needs of the Brexit consequences, that would cost many times more than what we are currently sitting on.

Q51 Ian Paisley: Gentlemen, can I add my words of congratulations also to Drew Harris, and could I also say to you, Stephen, many congratulations on your recent national honour as well? You are still missed in Ballymena by the way, but many congratulations.

Stephen Martin: Thank you very much.

Ian Paisley: Chief Constable, you said these words: that finding the appropriate authority to present your business case to, that appropriate authority simply is not there. Normally it would be the Justice Committee, I assume, or the police board or whatever. I do not want to say it is a shambles above you, but it sounds like it. Is the Secretary of State not taking control here?

George Hamilton: We are in close contact with NIO colleagues, both the Secretary of State and senior officials. Clearly we have people at senior official level who have a responsibility for various scenarios post-Brexit, but their reach does not seem to come as far as Northern Ireland. It seems to stop at the GB port. I am talking about the operational issues around ports, policing and immigration checking, the Border Force, HMRC, what the activities of all of those operational agencies post-Brexit needs to look like, what preparedness needs to happen, the planning, the contingencies. We have ended up producing a six-page pretty high-level document that touches on some operational crunchy issues that I have just outlined.

We are sending it to lots of people because we do not have the go-to person to say, "My name is X and my job is responsibility for co-ordinating the policing response and the scenario planning around the post-Brexit border issues between the European Union and the UK as regards the land border". We have it in relation to seaports in GB, but there is sort of a silence when it comes to working out who is taking responsibility around ports control, for example, at the Northern Ireland sea and airports. Then the land border is just this thing that everybody seems to say what they do not want it to be. What we are trying to do is say that we sort of agree with all of that, and others are essentially planning all the decisions, but if that is the case then what are the implications for operational activity?

If Brexit is going to be meaningful, if there is going to be us leaving the European Union and there is not going to be hard infrastructure and we are going to maintain the Common Travel Area, then it seems to me almost common sense that there will need to be some degree of compliance checking or enforcement activity. That does not mean it is the old permanent vehicle checkpoints at the border and the old infrastructure, but there is going to need to be some operational thinking applied and the resourcing needs to follow it.



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I cannot pretend, after all the cuts that we have had, that I can just collapse more neighbourhood policing teams to deal with this issue. There has to be a realistic assessment. If you take no physical infrastructure, if you take the Common Travel Area, if you take the enthusiasm that organised criminals and terrorists have to exploit the border and the variances between the two jurisdictions, all of that equals more enforcement activity and more compliance checking. That is going to have to be paid for somewhere and somebody is going to have to acknowledge that that operational assessment is valid, or if not valid, that the Government are prepared to live with the consequences of not dealing with it and not resourcing it.

- Q52 **Ian Paisley:** The picture is you have to deal with Brexit with ordinary day-to-day policing, with the Isis national security terror threat, with the dissident terror threat, the massive burden of legacy and then you are being asked to deal with all of this Brexit stuff as well?

George Hamilton: Yes.

- Q53 **Ian Paisley:** How many officers do you have at the minute?

George Hamilton: Just over 6,600.

- Q54 **Ian Paisley:** You were supposed to have 7,500 under Patten.

George Hamilton: Patten envisaged three different scenarios. The 7,500 figure was for scenario 3, which was the conflict would be over and we would not have the residual terrorist threat that we have. Certainly Patten was completely silent on the £25 million I have to spend every year on legacy, for example. Patten was talking 7,500 without those other variables coming into play.

That said, we do have around 600 managed services who do jobs perhaps previously done by police officers because of workforce modernisation. Things move on, so we have increased digitalisation and officers can now complete files and intelligence records and do fingerprint checking on their mobile devices, none of which Patten would have envisaged because they did not exist. I would not get too hung up on the 7,500. What I would say is the 6,600 that we are currently at—or will be by the time we get to 29 March—is insufficient to deal with all the Brexit stuff, the legacy stuff and a community still in transition.

- Q55 **Ian Paisley:** I want to be very clear, because I do not think you should spare us on this, to be honest. In the picture that you have painted us, it seems to me that 6,600 is woefully inadequate, given that we do not have the normal day-to-day policing that we would like to have. That being the case, the Chairman asked you what is your ask? If the Prime Minister was saying, "I am the go-to person, blank sheet of paper, what is the ask in terms of numbers?" you are telling us it is a bare minimum of the Patten requirement of 7,500. What is the bare ask in monetary terms?



George Hamilton: I have not said that the ask is the minimum of 7,500, the Patten figure. What I am—

Ian Paisley: Can you tell us what the ask is then?

George Hamilton: No, what I have said is that we have to take into account a number of factors. We have increased technology, digitalisation of policing, the Patten position, we have had to spend money on that, and I think we can do policing more efficiently and more effectively with it. Also there are some functions where we have modernised the workforce so you do not need police officers, that we can either have unsworn staff or indeed managed services—things like front desk duties, driving duties and porters, things like that—so the figure would not be as high as 7,500.

In the last analysis, we did put the figure that we need to maintain service delivery and deal with the current-day threat at just short of 7,000. In fact, Stephen led on that work a few years ago. As far as we are concerned, that figure is still valid. It is a mixture of a very firm evidence base along with some professional judgment because some of this stuff, especially around the threat management, is difficult to put into beans to count. But we think that the officer headcount to deal with all of these Brexit scenarios and the legacy and the fact that it is still a volatile operating environment should be closer to 7,000 than the 6,600 that it currently is.

The business case, we do not want to be sticking our finger in the air and coming up with a number that will then lack credibility when the Government's economist starts unpicking it, so I am reluctant. Until we have done the analysis and the hard work on this, I do not want this morning to put an exact figure on it, but I think it is a reality that with all of these consequences around Brexit and the other pressures that I am talking about, that figure for my police officer headcount is going to be closer to 7,000 than it is to 6,600.

Q56 **Ian Paisley:** In terms of your operational budget, you can assure us that whenever this paper is complete, you will have a budget matrix in it that will allow us to say that is the number you actually need to present this picture on policing?

Stephen Martin: The difficulty we face in the preparation of the business case is a standard business case that goes through the rigour of Government checking and economists starts with, "What is the solution that you are seeking to resource against?"

Q57 **Ian Paisley:** The solution is grey here?

Stephen Martin: We do not know what the solution is and that is why the Chief is referring to the other agencies like HMRC and Border Force. It is inconceivable that the uplift they have was on the back of a business case that demonstrated, "Here is the solution that we are seeking to resource against". We think they are in the fortunate position. We think



that they are in the correct position. We want to find ourselves in that correct position because, as the Chief has said, we can logically set out, "Here are some strategic assumptions and here are highly foreseeable operational implications". We can apply professional judgment and say, "We believe to prepare for that and to be ready for the various scenarios that could come to be, this is the number. This is the amount of money. This is the range of activities".

For example, one of the areas that we have been seeking to land the message around now for some time is around ports officers. Whenever you get off the plane at Belfast City Airport or you arrive on the Larne Ferry you will see police officers in suits, well-dressed, who are there for a very specific reason. They are there to operate the legislation under schedule 7 of the Terrorism Act. That is to identify persons who they suspect may be terrorists and to identify them and, if necessary, detain them for the purpose of obtaining biometric data. That is against both international terrorism and Northern Ireland-related terrorism. With the issue of trying to maintain borders, but also observe the Common Travel Area, those officers are going to be critically important. We are under-resourced in those and we have been under-resourced for some time. We have identified it; we have prepared financial cases. We have submitted them to Government, but we are not landing them. We are not getting the outcome that we want.

When I say we are under-resourced, we are under-resourced by at least half per million passengers; at least half the officers who are deployed in, for example, Wales or in the north-east in Newcastle. There is double the amount of ports officers per million passengers travelling elsewhere than there are in the ports in Northern Ireland. We have identified it, we have recognised it and we have sought support for it. We do not have access to the GB counter-terrorism funding, so we have to prosecute that through our main grant.

If we were to take those officers out of other functions in the PSNI, in circumstances where we have already dropped in the last five years from 7,100 to 6,600, we would be closing down neighbourhood teams. We would be closing down our proactive teams against organised criminality and we just do not think that is the right thing to do. It is not fair on communities and it is not the right thing to do, so we have sought to seek Government support to recruit additional resources for those and we get a sympathetic ear. As we are getting into Brexit, there are lots of people coming to see us.

Q58 Ian Paisley: You are not getting decisions?

Stephen Martin: We are not getting clarity and we are not getting that go-to person who will say, "I am the person in central Government. Tell us what the quantum of your ask is". We are not saying that we want to stick our finger in it. We will give professional judgment. We will outline what these officers and staff will do, the functions they will provide, the reassurance that they will give to communities. But the full-blown



business case is a difficulty for us because there is no apparent clear solution. That is unlikely to become clear until we arrive at a point that we will be really behind the race, because even if we get the additional that we are asking for, there is a significant time lag in recruitment. We are also in a situation where we are losing by natural cessation—retirement and so on—around 30 to 40 officers per month. We are having to recruit just to stand still to get that additionality. We will have to pull all the stops out and there is a significant time lag.

Q59 Ian Paisley: The points are very well-made this morning. I hope that others are listening to them and I am sure next week we will be able to put them to the Secretary of State. Could I ask you—

George Hamilton: Sorry, just to be clear and give this some sort of tangible meaning, even if we were to get what we wanted, there is a lead in time for all of this. We know that in addition to the current recruitment levels that we have set against affordability, we can only increase our headcount by an extra 100 between now and 29 March, but every month that passes that figure will reduce. No matter how big a cheque someone gives you, it takes time to do these things.

We have 100 additional people ready to go in this financial year if somebody would give the underwriting to pay for it. Also it is a very low-risk decision for anybody in resourcing or in Government to take, because if someone then decides that we did that as a precaution and it is not necessary because we are losing so many people through retirements and other cessations each month, we could just turn the tap off again and put the 100 people back in the pool. Are you with me?

Q60 Ian Paisley: I see it. No, absolutely. It is not a question of a switch on or off.

George Hamilton: It is very easy to recalibrate.

Q61 Ian Paisley: Can I ask you very briefly about European Arrest Warrants? This has been flagged up. Obviously we come out of that system, but that does not mean that we cannot work together with other nations, with other states. What arrangements are you putting in place? What discussions are you having to make sure that we are still able to work in programmes and databases such as Eurojust and Europol? What are the alternative arrangements that you are putting in place with regards to extradition requirements?

George Hamilton: Stephen may want to come in on that because he leads on these justice measures. What I would say is that the European Arrest Warrant of itself had—like many of these things—teething problems at the start, but now works very well. I do not know that it is within the gift of the police to put anything in place to replace it. That will be a political and a legislative fix, and it will be bilateral or multilateral agreements if we have to replace the European Arrest Warrant.

Q62 Ian Paisley: Is that part of your working paper, the assumptions paper



that you have for us?

George Hamilton: No. It makes a passing reference to it, but the European home affairs and justice measures are being dealt with collectively through the UK through the NCA. Lynne Owens leads on that for all of the chiefs, and part of Stephen's team are plugged directly into that. We are fully engaged in it. But the legislative provisions for European Arrest Warrants and exchange of data, intelligence, all the other justice and home affairs issues, are the same for Essex as they are for PSNI. It is just that we probably make more use of them because of our unique proximity to a country outside the UK, which is going to remain part of the European Union.

We are mindful of it. We are plugged into those national arrangements, but other than saying—without getting political—that we either need the continuance of the European Arrest Warrants or something that parallels those measures, because we do not have extradition legislation with European countries. That all disappeared because we had the European Arrest Warrants. Even when we had it, it was very bumpy, inconsistent and different countries wanted different things. Time is running out to get the—

Q63 **Ian Paisley:** I have seen the American system into Europe when they want to have an extradition. That works for them. It works for Europe.

George Hamilton: Yes.

Q64 **Ian Paisley:** I assume something can be lifted like that, bespoke, that type of arrangement?

George Hamilton: That may well be the case, but that would need to be agreed between the UK and the 27, on a bilateral basis times 27 or some other arrangement. I do not want to speak for Lynne Owens, who is leading for all of us on this, but we are fully plugged in.

Q65 **Ian Paisley:** But GCHQ holds a big trump card there on that arrangement, doesn't it?

George Hamilton: Certainly, the whole intelligence community—and they can speak for themselves. We are very active and positive contributors to European shared intelligence. We would probably contribute more than we receive back, but that leads to the safety and enforcement opportunities right across Europe, which should be in everybody's interests.

It is only in recent weeks that some commentary has been raised that would start to lead to some doubt about the continuance of European Arrest Warrants. Up to this point, even though we have been identifying it as a key issue for policing, for law enforcement, a lot of people have been saying, "That will be easy because it is in everybody's interests to continue it". Now all of a sudden that—

Q66 **Ian Paisley:** It looks political to me, a bit like the border question is a



wee bit political.

George Hamilton: Yes. It is, but we need to work it out. Stephen will be able to give you countless examples of rapists and organised criminals that we have brought from Romania and from EU countries through these provisions, sharing information, getting arrests, getting the person detained, securing the evidence and bringing them back here for court cases, so it is a very real issue for us.

Q67 **Lady Hermon:** Thank you both for coming to give us evidence this morning. It has been very troubling, the evidence that you have given, very worrying indeed. Could I ask a range of questions here? Have you any confidence that the Prime Minister is aware of the concerns that you have articulated very clearly and very comprehensively this morning about the pressures on the PSNI and the significance of Brexit? Have you met with the Prime Minister, George, do you mind me asking?

George Hamilton: I attend a meeting with the Prime Minister about once every six months or at least once a year. That would tend to be giving an assessment, along with partner agencies, of the national security issues relating to Northern Ireland rather than Brexit.

We are actively engaged with the NIO, with the Department of Justice, without a Minister. I have met with members of the Cabinet formally and informally to flag all of these issues. I think the problem is—and I am not being either supportive or dismissive of the Cabinet and the Government, I am simply stating it as it is—frankly there are so many issues to be dealt with in such a period of time that things are not getting the attention that they require, then the clock is ticking, time is running out and we are bringing forward issues. We are trying to keep them anchored in police operational issues rather than getting into any exit/remain arguments. That is irrelevant for us. We are completely neutral on that.

Lady Hermon: Yes, I do appreciate that, George.

George Hamilton: But there are implications, there are consequences. Time is running out, and even if we were to get decisions, getting some of them implemented within the timescale is going to prove most challenging. Even if, for example, we did get agreement to recruit the additional 100 officers in this financial year while we worked out and worked up business cases for what the medium and longer-term resource requirements were going to be, we need that decision in the next month or so and that is the problem that we have. That is the problem that we have, getting those decisions, because we get lots of sympathy and empathy, but we are not getting clarity and decisions.

Q68 **Lady Hermon:** Yes, I have that, but what is extraordinary to me—and deeply concerning—is that the Prime Minister, Theresa May, was the Home Secretary for six years. She is well aware, above many in the Cabinet, of the delicacy and the difficulties that the PSNI is going to face, whether it is a soft or a hard Brexit. You said you meet with the Prime Minister twice a year. When did you last meet with the Prime Minister?



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When did you last have a conversation, the opportunity to talk to the Prime Minister face-to-face, George?

George Hamilton: I think our last meeting was last October. Is that correct?

Q69 **Lady Hermon:** Last October, and we are nine months away from Brexit. She was the Home Secretary for six years. That is extraordinary to me.

Could I come closer to home? After tweeting out a photograph of himself at Middletown on the border, I understand that in fact the Brexit Secretary met with you. Could you confirm that is the case, that you met with the Brexit Secretary at police headquarters in Belfast?

George Hamilton: I did not, only because I was in London in other meetings, although Drew has, the Commissioner designate, in his role as Deputy Chief Constable of the PSNI. But yes, the Brexit Secretary visited and he did have a conversation—

Q70 **Lady Hermon:** Was that his first meeting? Forgive me for interrupting you, George. Was that his first meeting with senior members of the PSNI?

George Hamilton: On this issue, I think so. There have been a number of meetings. I cannot remember—

Lady Hermon: Have you met with him?

George Hamilton: Yes, I have.

Q71 **Lady Hermon:** Is he aware of the really serious points that you have raised this morning? For example, in your introductory remarks you did say—there is a lot of information that is worth careful study in the evidence that you have given this morning—that Northern Ireland could become the soft underbelly for the rest of the United Kingdom in terms of international terrorists.

George Hamilton: There is certainly a route in. It is a very porous border. It is the only land border.

Lady Hermon: Yes, obviously.

George Hamilton: It is not really a state secret to say that. We would need to put measures in place to mitigate that threat.

Lady Hermon: Absolutely.

George Hamilton: Of course that exists currently. The difference is we have all the range of European co-operation on justice and home affairs issues. Those are either going to go or be reduced or changed in some shape or form and it is those variances that create the risk. That is all we are saying. I am not saying that this will necessarily be a new threat. I think it will be a threat in a different environment with less legislative or less politically agreed co-operation.



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We talked earlier of Drew Harris going in as the Commissioner. Drew and I have a very good forthright, positive, constructive relationship and I expect that will continue with him as the leader of An Garda Síochána and me as PSNI. But both of us, no matter how candid a relationship we have, we need a legislative basis and international agreements in which to operate within the law. That is the bit that we are not seeing what the plan is, what the blueprint is.

- Q72 **Lady Hermon:** Yes. It is hugely significant for the garda that Drew Harris has been appointed as the new Commissioner. An absolutely brilliant appointment, if I may say so. It makes it easier on a personal basis, but the difficulties will still remain post-Brexit.

George Hamilton: Yes.

- Q73 **Lady Hermon:** How do you do this within a legal framework?

George Hamilton: That is the dilemma that we are identifying. We are trying to be apolitical. We are trying to be respectful, but we cannot pretend that these are not increasing challenges and time is running out.

- Q74 **Lady Hermon:** Yes, so you have met with the Prime Minister in October. Your Deputy had one meeting with the Brexit Secretary, but in—

George Hamilton: As have I. I cannot remember the sequencing, who met him first, but I have had meetings and the Deputy Chief Constable has had meetings with the Brexit Secretary.

- Q75 **Lady Hermon:** Yes. In the absence of the Assembly for some 18 months, one would expect—at least I would have had the expectation—that the Secretary of State for Northern Ireland would have been the go-to person to have co-ordinated. She is in the Brexit Committee within the Cabinet. When did you last meet with the Secretary of State for Northern Ireland? You described being in close contact with the Northern Ireland Office.

George Hamilton: I speak with the Secretary of State probably weekly or twice weekly by telephone. We would meet—I would need to check my diary. I do not want to put a figure on it now. Some FOI request would show that I am wrong or minimising or exaggerating, but routinely I would see the Secretary of State for meetings face-to-face probably twice a month on average. I would speak to her at least once weekly and we talk about these and other issues.

- Q76 **Lady Hermon:** Bearing in mind that you have given evidence to the Committee that there is a sort of silence—I think that is precisely what you said—about working out who is responsible for co-ordinating the issues that arise in policing as a consequence of Brexit, is it not a disappointment to you that with all the meetings and the telephone calls, we now identify the Secretary of State for Northern Ireland as the main conduit for the concerns of the PSNI to be channelled back to the broader Cabinet? Is it not a disappointment that nine months from Brexit you are



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telling us there is this sort of silence?

George Hamilton: Given the candour of my assessment to the Committee, it is clear that there is concern, but what I am looking for is—

Q77 **Lady Hermon:** Concern, but not disappointment?

George Hamilton: Yes. It would be much easier if we had this clear line, this understanding of who is leading the required multiagency response to a land border between the UK and the EU. That is what we need that we do not currently have. We do not know who is leading the multiagency response to the land border implications of Brexit between the EU and the UK.

Q78 **Lady Hermon:** This is an issue. Have you asked the Secretary of State, Karen Bradley, who is leading?

George Hamilton: Through a series of meetings we have made this point. We have written—

Q79 **Lady Hermon:** And her answer is?

George Hamilton: The paper that I referred to, which I have offered to share with the Committee, has already gone to the Secretary of State and other key stakeholders. The fact that we having to send it to multiple stakeholders indicates that, because the more people we send it to the more it might get talked about. We just need decisions on it. It ends up with immediate requirements. Let me quote to you, if I may, from the paper. This is how it ends, "In order to adequately prepare for its post-Brexit role, the PSNI has the following immediate requirements: (1) an agreed understanding from Government of the assumptions and the impacts as outlined in the paper". That was largely what I outlined to you at the start of this session, "(2) clarity as to who is leading the required multiagency response to a land border between the UK and the EU and, thirdly, a commitment from Government now to underpin funding for recruitment to ensure the PSNI does not lose a further 100 officers this year".

Q80 **Lady Hermon:** When was that sent to the Secretary of State for Northern Ireland?

George Hamilton: Within the last week. But this is—

Q81 **Lady Hermon:** It is a summary?

George Hamilton: We have had meetings with the Secretary of State at all sorts of levels. None of this would be a surprise to the Secretary of State. We have had meetings where I have outlined these points verbally. I feel supported by the Secretary of State, as far as she can in that role, but there are all the other complexities of Brexit. There is the Department for Exiting the European Union. That is why the Government needs to give us this single point: this person who is going to lead the required multiagency response to a land border between the UK and the EU. That is the role, the function that is currently absent. We need that to



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give the co-ordination the pace that it requires, given the leaving date of 29 March.

Q82 **Lady Hermon:** It is frankly outrageous that you have not had that leadership and we are nine months away from Brexit.

I will just move to a different topic, which is very concerning indeed. You said that Brexit—and you did emphasise you were not playing it up in any way—in fact could have the potential of creating community tensions because some communities may feel their identity undermined, particularly border communities and others. Correct me if in fact I am wrong on that summary, but I think that is what you said.

George Hamilton: That is what I said, yes.

Q83 **Lady Hermon:** Recently—I do not think he would mind being described as a veteran BBC reporter—with Peter Taylor on “Newsnight”, you did an interview where you talked about the new IRA dissidents. Is it your concern, your worry, your expectation, your assessment of those with intelligence capacities, meaning other agencies with which you could work and will work, and the PSNI will work on a daily basis with, that the new IRA dissidents are prepared to exploit Brexit, whether it is a soft or a hard border? Is that the assessment? Both of you seem to be nodding in agreement when I asked the question.

George Hamilton: Yes. Stephen can speak to it because it is his day job, but as I said to Peter Taylor in that interview, the new IRA themselves have come out saying that. At their Easter commemoration parades and so on they talked about Brexit being an opportunity for them. That would be our assessment, that whatever we do collectively on Brexit, then the dissidents will seek use that to pursue their political objective and may exploit it tactically around their ability to do harm and, frankly, raise money—the variances between the two jurisdictions in criminal justice terms, financial terms, currency and smuggling, all of that.

Q84 **Lady Hermon:** What about the threat to personnel? What about the threat to HMRC? What about the threat to UK border officials? What about the threat to the PSNI along the border, Stephen? Sorry, both of you are nodding. Do you want to—

Stephen Martin: I think the answer to your first question is yes.

Q85 **Lady Hermon:** There is a real threat?

Stephen Martin: The dissidents will seek to exploit the outworkings of Brexit if they are able to exploit it. That will be in terms of trying to garner support and the re-emphasising of partition, depending on what Brexit looks like. They will engage in that discourse and they will seek to engender support and seek to recruit on the back of that.

Q86 **Lady Hermon:** Are they recruiting successfully at the moment, Stephen?



Stephen Martin: They are recruiting, yes. Also then they will seek to exploit for crime purposes. They engage in crime now, of course, but any further enhancement of the lucrative nature of crime because of a disparity in tariffs, for example, on illicit cigarettes or fuel-type things, robberies, they will engage in all that to try to seek funding for their efforts. The third point will be that they will seek to exploit it from a security point of view, which goes into your second question. I think it is highly foreseeable that if there are increased personnel operating in and around the border area—I use “the border area” and I give that a margin of appreciation—whether that be HMRC, or people engaging in checking of standards of other products, I think it is highly foreseeable that they will become the subject of threat. That will of course engage the police in offering protection for those people in going about their lawful duties on behalf of the Government and their organisations and then we will become the subject of threat and attack.

Q87 **Lady Hermon:** It is potentially a very dangerous situation?

Stephen Martin: Yes. I have no doubt that if there is not an enhanced policing profile, even if that policing profile is not supportive of other agencies, doing mobile compliance checking, for example, in yards or other places, I think it is highly foreseeable that there will be attacks on the police and attempts to murder police officers if that situation was to occur.

Q88 **Lady Hermon:** That physical increase, whether it is a soft or a hard Brexit—and we are not getting into the politics of that—

Stephen Martin: Again, I chose my words carefully, because when we are giving evidence it is very important that we are apolitical. It is something that I think we have to be scrupulous around and I make no observation on the politics of Brexit.

Lady Hermon: Yes. I am not asking you to.

Stephen Martin: If there is enhanced compliance checking, for example, by HMRC, and HMRC—as the Chief Constable said—has an uplift of up to 5,000 personnel across the United Kingdom, we can reasonably envisage that there is going to be enhanced checking and functions carried out by those personnel.

Q89 **Lady Hermon:** In Northern Ireland?

Stephen Martin: Some of those resources have already been allocated to Northern Ireland.

Lady Hermon: Yes, so there are additional HMRC officers in Northern Ireland?

Stephen Martin: As we have been briefed, yes.

Q90 **Lady Hermon:** There are additional UK Border Force officials?



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Stephen Martin: I am not so sure on the UK Border Force, but of course the UK Border Force does not operate on the land border. It operates in the ports and airports, so again that clarity around the border. One of the other issues, is it the police who Government will be expecting to adhere to all the security arrangements in the border because the UK Border Force does not operate on the land border?

George Hamilton: But it can do. It is a policy position rather than a legislative position, so if there are going to be implications around the border, however hard or soft, who is going to do that? It comes back to the point we were making earlier in the session.

Q91 **Lady Hermon:** It comes back to the point that you made about the Common Travel Area and the fact that the Government—and the Irish Government, of course—have made great play of the fact, quite rightly, that they have had the Common Travel Area, which existed before both the UK and Ireland joined the EU and it is going to continue. But the Common Travel Area has its own difficulties. How do you tell at the border those who are covered, Irish citizens, British citizens who are covered by the common travel arrangements? How are you going to distinguish between those and other EU migrants? Have you some idea how that is going to be policed, Stephen?

Stephen Martin: I think that is the very conundrum that we are pointing out, that the Common Travel Area does not apply to all European citizens.

Lady Hermon: No, it does not.

Stephen Martin: It is Isle of Man, Channel Islands, the United Kingdom and the Republic of Ireland, but the Republic of Ireland is still going to be in the EU, so people from all around Europe are going to be entitled to flow into the Republic of Ireland.

Lady Hermon: Absolutely, free movement of workers.

Stephen Martin: But their movement then into Northern Ireland, part of the United Kingdom in a post-Brexit situation, the Common Travel Area does not afford European citizens from other nations that right. How we discern whether someone is Irish or of another nationality is very difficult. Is that a police role or is that a Border Force role? It is an immigration issue and potentially a movement of persons issue. When we are talking about the lack of clarity around solutions, that is a perfect conundrum that you have highlighted.

Q92 **Jim Shannon:** Gentlemen, good to see you here with your information for us as well. Very quickly on recruitment, obviously in a different time, in the 1970s, 1980s and 1990s the police force was 13,500, supplemented by 26,000 soldiers, so therefore we had large numbers of police officers supported by the Army to try to deal with issues. I understand that the 1970s, 1980s and 1990s were very different from today, I accept that. I understand the figure to be 6,621 police officers.



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The figure that has been mentioned is that we need 7,500.

I want to ask you a question. First of all, is 7,500 enough officers to do all the work that they are doing, as my honourable friend and colleague to the left-hand side referred to earlier on? If 7,500 cannot cover the work that the police are required to do, then what is the figure? Is there a budget set aside for the recruitment and training of officers as well? That is the first question, Mr Chairman.

George Hamilton: We have stopped short of putting a specific number this morning because we want the business case to be compelling and not to look like it was presumptuous or that judgments were made before the evidence was properly gathered because this will be the subject of significant scrutiny. That business case is around the Brexit ask. There is another issue around what we need, Brexit aside, around just the resourcing levels for policing in Northern Ireland.

At a first cut, if you did not understand the operating environment, you would be drawing comparisons with Hampshire and Merseyside and Northumbria and saying you have approximately the same population, you have similar or lower crime levels, you have higher confidence rates and you have twice the number of police officers—but what we are doing with counter-terrorism operation rooms running 24/7, that is an exception in many other police service areas; dealing with burglary or domestic abuse in a number of our areas requires the attendance of maybe six or eight police officers so that they are properly protected because there is this residual threat from violent dissident Republicans.

We do have approximately £25 million a year that we are spending on legacy that other people do not have. There is almost nowhere in Northern Ireland that it would be appropriate for officers to be single officer patrolling because of the threat from paramilitarism or dissident Republicans. If we set up a pattern of doing that, even in some of the more apparently comfortable and softer areas, then that pattern would be identified and our assessment is that those people would become vulnerable.

There are many differences that mean that we cannot simply operate on the same ratio of police officer to citizen numbers that our counterparts in other parts of the UK do and it is getting people to understand that. Through the hard work of people right throughout the organisation we have seen crime at an all-time low, confidence levels at an all-time high, complaints against the police reducing. We have seen inspections from Her Majesty's Inspectorate of Constabulary showing that we are good around effectiveness and efficiency. There is an inspection ongoing. We have a high level of confidence that we will be scoring highly on all of that again.

All of these indicators about our success as an organisation, if you were an economist tucked away in Government somewhere, you would be saying, "They might be crying about resources, but they are doing okay



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against all the metrics” and that is a challenge for us and we are not going to play any games around that. We are going to continue to do the best with what we have. There is something about us being able to fulfil all of our functions, to maintain service delivery, to give the people of Northern Ireland what they need around policing and at the same time deal with these high-end threats. The work in the covert world of dealing with terrorism and paramilitarism and a lot of the great work that goes on there does not get seen and cannot get talked about because of the nature of it. We do not want to take any pressure off those paramilitary groups by reprioritising resources out of that.

Also we are a learning organisation. We identified that in the whole realm of public protection from child abuse, child sexual exploitation, safeguarding, dealing with vulnerable people, dealing with domestic abuse, dealing with serious sexual offending, Stephen has created within his department a whole branch of several hundred officers to deal with those, because previously we had these disparate small teams working out across all the districts who did not have the right accreditation. They were not working to the right professional standards. We have been responsive to that. We have identified areas: cybercrime was an area for growth because that is where it is now happening. Whereas conventional recorded crime might be reducing, we know that there is more crime than ever going on in cyberspace that is not even getting reported to us so we want to invest in that and deal with the harm that that creates.

The problem is when you have specialists dealing with cybercrime investigations, examining computer hard drives and mobile phones or dealing with child sexual exploitation or even indeed the victims of serious sexual abuse, they are not wearing high visibility jackets, walking up Francis Street in Newtownards. They are in a place where they are not seen, but doing terrific work that makes us very proud of the work that they do. Some of that is good news. It is always hard to get that into the news, but some of that great work goes unseen and unrecognised.

Then there are other bits, frankly, in the covert world around tackling paramilitarism and tackling the dissidents that we just simply cannot talk about or we would be giving away our trade craft and how much we know and more importantly the gaps, what we do not know.

All of that makes it difficult to draw these comparators with history, whenever we had 13,500 officers but a very different suite of problems to deal with, and even looking at benchmarking across other policing organisations. We have a business case being developed to deal with Brexit and we will see what number comes out of that. We have, on the grounds on the affordability, fallen from what we thought was the bare minimum that we needed, just short of 7,000, the work that Stephen led on a few years ago. We have had to spread the jam more thinly, frankly, down to 6,600 on the grounds of affordability.



We are a non-departmental public body. I am an accounting officer and legally I cannot overspend. Last year on our budget we came in within £200,000 of the annual budget, which had changed through the year. That was 0.25% off budget. By any measure that was down to the accountants rather than me, let me tell you, but it was an impressive piece of work. This is a piece of work that Drew has brought to bear in the organisation and we will miss him dearly. We know where every penny is spent. We know where all the people are and what they are doing and there are no non-jobs. The fat has been trimmed away. We are in a position now where numbers are falling to a point and I am not pretending that 6,600 is the right number. We have 6,600 because that is all we can afford. Then as public servants, it is our job to take what we can afford and do the best we possibly can with it.

Q93 Jim Shannon: I think it is very obvious, Mr Chairman, the job that the police are doing, stretched as they are, is excellent.

Can I just commend as well your present strategy in addressing paramilitarism? I fully support that. It is very active across my constituency and I am pleased to see it. I would like to see that more, by the way, and I fully endorse that across all of Northern Ireland.

Gentlemen, I have no doubt whatsoever you will agree with this, and that is the issue of losing experienced officers. I am of a school—and I suspect that you are probably of a similar school—who see the great advantage of having an experienced officer with a new recruit to show them how the community contacts go and just learning the tricks of the trade, who the people to watch are and things that would be unusual. You learn your policing very much, as you have in the past, from a police officer with years of experience.

We are at that stage, I understand, where a lot of those very experienced officers are leaving. Has there been any thought given to the idea that perhaps, maybe in the recruitment process, we need to have coming through that interaction with police officers who are stepping down—I am very conscious that the police officers want to retire—just to pass on that knowledge, that expertise and those years of experience that mean so much?

George Hamilton: You are right, there are very few substitutes or replacements for shared experience. What we do to try to mitigate that is around the quality of our training. It is constantly being quality assured. We have good partnerships with both universities, both Queen's and Ulster University, and indeed the Open University as well. We are doing more continuous professional development with people, right from constable level right through to our own level, than we have ever done. There was a time when I started where those were seen as discretionary spends and were cut back. That was a mistake. If you do not invest in your people, you are not investing in the most valuable asset.

Having people buddy up with very experienced officers is a valuable practice, but it is not the only way we go about filling that void. The



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reality is that during the early years of the changes in policing and the Patten severance programme, we were losing experience at a much faster rate than we currently are and people were incentivised to go early. From my point of view, thankfully we do not have that now, because it has ebbed the flow slightly.

Every five or six weeks we go along to an attestation ceremony or a passing out parade and it still makes the hairs on the back of my neck stand. I am still intensely proud of the quality of training. I was going to say "those young people". They are not all young anymore; you have people of all ages joining. I do not subscribe to the view that, even though I hold one, you necessarily need to be a graduate to be a police officer, but 60% of people who are putting their hand up and being successful through the selection process are educated to graduate level.

I say to the young people, to the newly-attested recruits leaving Garnerville every five weeks, "This is the beginning for you, rather than the end. You have come to the end of your training course, but also you are leaving here as the most recently trained and best-equipped officers that we have". There is something about being positive and giving people that awareness of the quality of training that they have had, showing a bit of confidence in them, allowing mistakes to happen, being supportive, allowing them to continue to develop. A key part of that is getting them to tap into the experience of people who have been doing the job for a long time.

Q94 **Jim Shannon:** It is very important to have the training and I respect that, but it is also important that they be streetwise.

George Hamilton: No, I get that and I do not disagree with you, Jim.

Q95 **Jim Shannon:** That is bringing the two together. Like you, George, I would love it if the hair on the top of my head was as strong as at the back of it, but that is just by the way.

You have had a strict policy on how to reduce sickness and I think by and large the reports I am getting is that that has worked very well. Can you just confirm that?

George Hamilton: Yes. It is improving, but it is still a major problem. We would have more people off every day sick than we would like, but we also are doing a huge amount of analysis around that so that we can understand it and we can intervene earlier from an occupational health perspective. In a period of shrinking budgets within the organisation, one of the very few areas of growth where we have made decisions to invest is in occupational health, because we do realise the value of intervening earlier both on physical injuries through the job that people do and also investing in people's mental health and wellbeing. For too long we did not talk about this. There was a bit of a stigma attached to it. People are now much more open about it. With that openness comes people being prepared to say, "I need to take time out and a few weeks off" and then your sickness levels go up, but for that person, that might be the right



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thing to do. We are trying to have a much more mature approach to all of that.

There is another problem that comes with trying to manage sickness absence downwards, you encourage people to come back. You give them jobs with certain duty restrictions and then you end up with a whole cadre of people across the organisation who are not fit to do the full range of duties. We want to be humane and supportive and encourage people back to work, but there is also something, that we need people to be match fit most of the time and that is not always the case. It is a constant challenge, just getting the balance right between facilitating people back into non-full functioning roles and managing sickness down. That is probably a similar problem that any chief in the UK would have.

Q96 Jim Shannon: Talking to the police officers at the top end in the same constituencies that Lady Sylvia and I represent, I think they have been quite successful in reducing the issues of sickness; a very direct policy, from my discussions with them. That is why I thought maybe it was happening across the whole of the Province, but then it is different places and different demands maybe as well.

George Hamilton: Overall we have a central management of attendance group chaired at a very senior level. We have an employee wellbeing and engagement group again chaired at a very senior level. We survey our staff annually with Durham University around their wellbeing, around what it is that is frustrating them, annoying them, making them unhappy in the workplace, what can be fixed. We work closely with the staff associations—the Police Federation and the Superintendents' Association—and I think we are pretty progressive around this, but there is a still long way to go.

When you are dealing with a workforce and exposing them to shifts, to a volatile operating environment, to unpredictable disorder, to high threat and you are telling them on one hand, "Go and do that policing with the community thing with your values of fairness, courtesy and respect. Go and make sure that you are nice to people. By the way, look under your car in the morning because there are people that want to kill you" it is schizophrenic and all of that plays on people's minds and their wellbeing and their mental health. We are probably, as an executive team, appreciating that more than we have ever done in the past. For a lot of us growing up in policing, it was just head down, keep going. You know what, you need a bit of that too, but it needs to be balanced alongside what could we do to support people and to encourage them to take responsibility for their own mental health and wellbeing and all the physical injuries that come just with policing.

Q97 Jim Shannon: My last question, Mr Chairman. Again, it is on the issue of the police stations that were to be sold, but then were retained. In my area, as you both know, we have sold off Killyleagh, Comber, Carryduff, and Saintfield; Ballynahinch and Portaferry are in the process of being sold. This is police stations we are talking about, the estate, so to speak.



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Castlederg is somewhere that I have a knowledge of, a knowledge that is quite simply because it is the area that my mother comes from. I also have a number of my aunts and uncles and cousins that still live there. There is a very high level of dissident activity in that area. The Republicans are still strong. They are not completely beaten, to use that terminology. They certainly have the power to re-emerge on certain occasions.

The question is in relation to Castlederg, Aughnacloy and Warrenpoint, specifically with the knowledge of Castlederg. I understand, George, what you are saying about the need to have strategic stations in strategic places to have the supply or the method of supply for the role that they will play for some time in the future. The decision not to go ahead with the estate sale of Castlederg, Aughnacloy and Warrenpoint, is it do with Brexit? Is it do with the dissident Republican threat?

I will just ask this question as well, because it is important that we do not forget the bigger picture of terrorism. Terrorism is not always provincial and local. It is also worldwide and we have the context between dissident Republicans and other terrorist organisations across the world. I know there are things you cannot say, so I understand if you cannot answer this question in its totality, but is there any evidence to show that dissident Republicans are actively engaged with other terrorist organisations across the world? If so, when it comes to cross-border, the importance of having that policing on the border is so important, but by and large I think the police—the PSNI here, the Garda Síochána down south and MI6 and MI5 and other bodies that are involved—have a good hold of what is happening. Can you reassure us that that is still the case?

George Hamilton: That is Stephen's day job, so I will ask him to comment on it.

Certainly on the Brexit piece, can I just be clear, Stephen brought the decision forward around pressing pause on the disposal of the stations. Those stations are a drain on resources, a liability for us and create a vulnerability if we were to try to staff them around threat and so on. They are not helping us deliver a better policing service in those areas, so the decision to press pause—and it is only pause, until we get some clarity around this Brexit stuff—it is a pure Brexit decision. The decision of the governance to close those stations, Castlederg, Aughnacloy, Warrenpoint, has been taken and we have simply stalled the process until we get some Brexit answers, but that does not mean that we are any less committed.

In fact, we are more committed. We want to be as agile as possible to respond to the needs of the people in those communities. Some of them, like Castlederg, with the horrible history of atrocity after atrocity there during the Troubles, we want those people to be reassured. We want policing in the border area to be unaffected in terms of the delivery of service that people get post-Brexit. We do not necessarily need bricks and mortar to do that. We need people mobile, agile, on the ground and being seen.



Q98 **Jim Shannon:** You can understand, George, for the people of Castlederg, who have—I stand to be corrected on this, but I do not think I am too far wrong—the largest number of unsolved murders in any single area, one of them being my cousin, of course, who lies in a grave down outside Clady, in Strabane, and others who served in the UDR as well, and no one ever held accountable—one of them, just for the record, I have said it before in this House and I will say it again, is a Sinn Féin councillor in a very prominent position in a council across the border. We do get annoyed when we see people who carry out crimes and get away with it and then we have other unsolved murders. The people of Castlederg in particular are saying to themselves, “Dissident levels of Republican activity high enough, still feel threatened”. You understand what I am saying.

George Hamilton: I understand that, Jim. I have carried the coffins and bear the scars and have lost colleagues and I can understand what you are saying. What I am saying is the continuation of a Castlederg police station will not change any of that and will not make us more fit to deal with that threat in the future. We need to invest in covert resources and mobile resources and people that are agile and can respond to policing needs to maintain a normal reassuring policing service on one hand and on the other hand to tackle paramilitarism and to counter terrorism with the use of the best resources anywhere on these islands.

You are right, I cannot talk about the detail of that, but be assured that we take both of those aspects of policing very seriously and that is not going to change whether or not a police station is opened or closed. We will deliver that. Stephen, do you want to add anything to that?

Stephen Martin: The Chief has made it very clear that Castlederg disposal pausing is a direct consequence of Brexit. We will see how Brexit evolves: if we do not need it, then we will dispose of it. I know Castlederg very well. Having been the Commander up in Londonderry for four and a half years, I covered that strip of Ireland, Castlederg and Newtownstewart area. Please be reassured: it is obviously policed from Strabane, but there are patrols and resources every day going to Castlederg. Castlederg still has a neighbourhood team presence there and we recognise everything that you have stated there.

On the wider threat, I just want to reassure you I work in very close partnership. It would be every day either myself or my senior colleagues would be engaging with MI5 around the dissident threat in Northern Ireland. That includes clearly that north-west area and in the parts of Gregory’s constituency there. We are well aware of it. I want to reassure you. It is very important I do not educate the terrorists in my comments, but I can assure you that, in collaboration with An Garda Síochána, MI5 and the PSNI, we are being effective and many terrorist conspiracies are thwarted and do not come to fruition. We have thwarted terrorist conspiracies this year and we are, in my view, being successful at that.



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However, every day there are people in Northern Ireland who are waking up and high up on their agenda is trying to plan ways to do harm to police officers, prison officers or members of Her Majesty's forces and we have people in the midst of our communities who are doing that or are seeking to do that. Thankfully their capability does not match their ambition, but regrettably I think I can sit here and say with reasonable certainty that unfortunately there will be further acts of terrorism carried out by dissidents.

While we are working very hard about it, and we appreciate the reduction in national security attacks of that nature that I have described, we are not complacent and we will continue to work very hard and that includes right across. Wherever the threat is in Northern Ireland, we will work against it and just because there is not a police station in a town does not mean there is not a policing presence and that presence can be covert as well as overt.

Jim Shannon: Thanks very much, appreciate that.

Q99 **Mr Campbell:** Welcome, gentlemen. I endorse the congratulations to Drew Harris on his post as Garda Commissioner and congratulations to Stephen again on his award.

Just on the issue of the hard border, it has become something of almost a phenomenon now, not just within the UK, but because of the EU discussions. It has been going on now for the best part of 18 months. Chief Constable, you have alluded to the uncertainty, which I think everyone is concerned about—and clearly with the security implication arising therefrom—because of the continuous uncertainty feeding into the local community and people asking, "What would a hard border look like?" I think you said at the very start that you welcomed the widespread political response that there is not going to be infrastructure because of the reasons you have outlined.

Given the context of those things, has anybody in your discussions, either at prime ministerial level or with any of the officials in Whitehall, indicated that there might be a hard border? I know everyone is talking about the difficulties that would arise if there was one, but has anybody said to you, "It looks like there might be one"? Because we have not heard anyone saying it. They have talked about what might happen if there was one, but then when you say, "Who is going to advocate this?" given that everybody is saying there is not going to be one. Has anyone said to you there might be one?

George Hamilton: No.

Q100 **Mr Campbell:** That endorses what we have been hearing. So nobody has said, "There could be a hard border and you better get ready for it"?

George Hamilton: No. I think people have said, "The UK is leaving the EU. There is only one land boundary. That is between the Northern Ireland and the Republic of Ireland". That land boundary has been there anyway, it has just been within the EU frame and it is going to continue,



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except that there will be a difference around the movement of people and goods and customs issues and so on that fall out of the UK's departure from the EU. Nobody has proposed to me that a hard border is the answer to that, but there are consequences of leaving the EU, and in our jurisdiction—unluckily—we have the only land border with the rest of the European Union. I suppose this hard and soft border discussion falls out of that reality, that the UK is leaving and there is only one land border and we happen to be the police service that covers it.

Q101 Mr Campbell: I know you have answered fairly comprehensively the issue of the current retention of the stations and I can see the sense in that; that does make sense. When you look at the three, it looks to me there is a slight distinction. Is it just purely a geographic thing in terms of their being the currently retained stations closest to the border and they happen to fall where they are? Because Warrenpoint is slightly different to Castlederg and Aughnacloy, in that Castlederg and Aughnacloy obviously are inland stations. Warrenpoint is quite close to Warrenpoint Harbour, which may well bring in Border Force implications. Was there any thinking around that?

George Hamilton: No. Stephen, apart from leading the AGC's Crime Operations, also leads on Brexit for us. It was he and the Head of Support Services, who runs estates, that identified this and brought forward what we all agreed was a wise decision to press pause. Do you want to just comment on that?

Stephen Martin: Yes. There was no method, as you would describe, other than timing. Jim referred to the stations that had been disposed of in his constituency. I think we are close to having disposed of about two-thirds of our operational stations since Patten in 1999. There has been a huge number disposed of and that has been an ongoing process. Those three stations had already been through the disposal approval process and they just happened at this stage when the Chief Constable asked me to take the lead for Brexit and I started to think about the potential implications. I identified there were three stations that had been marked for disposal, but had not yet been disposed of and I just thought it was prudent, for all the reasons that the Chief outlined earlier, to put the foot on the ball and say, "Let's just wait and see how Brexit transpires just in case and if we do not need them then they can be disposed of" but there was no particular thinking. It just happened to be that Aughnacloy, Castlederg and Warrenpoint were the three stations at that point in time that had been marked for disposal, but not yet gone and were in that broad border area.

Q102 Nigel Mills: Mr Martin, can I just perhaps go back to one of the answers you gave Lady Hermon a little while ago on the potential for dissidents to exploit goods perhaps newly with tariffs for their operations? Do you have any insight or advice into perhaps what goods we should be careful to avoid putting tariff differentials on because they would be ripe for such exploitation?



Stephen Martin: No, I would be reluctant to answer that. Instinctively I think I could answer it, but because it is also in the realms of HMRC's locus, perhaps that would be one I would be better consulting with HMRC and remitting to you in writing on. We do see significant trades in illicit alcohol, illicit cigarettes, illicit fuel and often some of those are manufactured, but often some of those are purchased in other jurisdictions and brought in en masse where they can exploit tariffs.

Q103 **Nigel Mills:** That is the issue we already have because of the different duties that apply to those goods, isn't it? I do not think they are changed by any Brexit arrangement. That is already a problem.

Can I just shift on to the Historical Investigations Unit? Mr Hamilton, are you happy with the proposals? Do you think the consultation for that covers the right issues or anything you would have liked to see done differently?

George Hamilton: All of the proposals are out for consultation at the moment and we had a lengthy meeting on Monday talking about our own input to that. I think broadly the architecture that is being proposed to deal with the past is a sensible one. I do think there are some interdependencies and also some conflicting aspirations around some of the pillars, but I think that all of the pillars of the Stormont House Agreements around dealing with the past and information retrieval and archiving and the criminal justice input through the HIU and so on are all necessary elements. Each iteration of proposals to deal with the past, right back to Eames-Bradley, had pretty much the same ingredients attached to them. We are supportive of the proposals in a general sense. We are going through the provisions in the Bill and in the consultation document with a fine-tooth comb because we realise that we will need to deal with the implications of this.

There will always be, under the current proposals, a massive demand placed upon policing because even though with the Historical Investigations Unit the responsibility for investigating all of those cases, those deaths, will move to someone else. We will retain the information for two reasons. One is we will need the information for other purposes because there will be other issues that we will retain responsibility for, like the coronial process, like civil litigation, like non-death related matters that we will remain the investigative authority for and also the Historical Investigations Unit is time-bound.

I think the consultation document says five to seven years. I think that is optimistic. I think it will take much longer than that, but I suppose the point is that it is time-bound, so at some point you would need to create an industry to move ownership of all of the legacy materials from me to the HIU and then do the same coming back again at the end of the process, so it does not make any sense. Even though that would have been our preferred option, when you looked at the implications it became almost unworkable.



Also, looking at the information means that we are going to need an army of disclosure officers to service it, because there are going to be 200 to 300 investigators in HIU if the proposals go as planned. We welcome that, if they can find them. That is another practical issue: where you are going to get these investigators, because clearly in some quarters there was an unhappiness with recently retired Northern Ireland police officers engaging in legacy issues, as they perceived a conflict of interest and all of that. That will be a problem for the Director of the HIU to work out, the practical difficulties in just staffing this thing. But when that happens—and let us assume it does and I hope it does—I think it will be a good thing for getting closure for families and so on.

Q104 Chair: There is an assumption that many of these officers are going to be ex-PSNI and RUC officers, however, and that has always been the case. Is that not so? Has that changed?

George Hamilton: It depends who you talk to. The framework came out of the Stormont House Agreement and the two largest parties agreed that. There would be a variance of views over what is acceptable in terms of who is doing the investigations. This is for others to decide upon, not me, but we have a mini-version of this running in relation to Operation Kenova under Chief Constable Jon Boucher from Bedfordshire, who is largely—85% of the time—England-based with English officers and recently retired officers, still fully accredited investigators. I think there are about 60 of them working on Operation Kenova. That is a legacy case with some parameters around it, dealing with up to about 50 murders and associated offences.

I think that model is something that the implementation team would do well to take account of because it is working. Interestingly, it is based in England and largely draws upon either seconded or recently retired detectives from across England. There are ways of working through this. I think it is a practical issue. My point was that if you are going to create increased investigative capacity, then the demands for disclosure will fall on us. That will be problematic because at the moment we get unfair criticism, I think. I have inquests, judicial reviews, court timescales being set without any judge ordinarily knowing the scale of what they are asking us to do, setting arbitrary time limits, then we do not meet them. That is disrespectful to the court. It is traumatising for families and all of that needs a process to make it more manageable.

I think the current infrastructure in the consultation is a sensible way forward. The detail requires attention. We are going to give very fulsome feedback on that, but in terms of the general direction of travel I think the HIU and the other legacy institutions make sense.

Q105 Nigel Mills: We have been trying to lure you into the politics of Brexit this morning, but you will be aware there is a big debate here about statutory limitations and trying to stop certain inquiries taking place. Do you have a view on whether that is a sensible way forward?



George Hamilton: I suppose, like all other citizens, I will have a personal view, but I need to talk to you in my capacity as the Chief Constable. I think that is a political discussion that is ongoing that is best left in the political space. What I would say is that I do believe, as a police officer, that everyone should be equal under the law. In terms of our legitimacy, having been the subject of a very serious criminal investigation in which I was fully vindicated recently, even having been through that mill, I still think that no one should be above the law, police officer, politician, soldier or anybody else and certainly not terrorists. There is something about us all being equal under the law, the police following the evidence, doing their piece, passing it to the prosecutor and someone free of political or other pressures making objective legal decisions about prosecutions.

If the law changes and there is a statute of limitations, then we need to be respectful of the will of Parliament and all of that. Other than saying that everybody should be equal under the law, I cannot get drawn any further than that. I, as a public servant, would not want to be treated any differently under the law than someone who is not a public servant. I think that gives us legitimacy. It is the key to policing with consent. It is the key to confidence in the process. That is probably as far as I could go, if I have not already gone too far, Mr Mills.

Nigel Mills: You have not gone too far.

Lady Hermon: Fascinating.

Chair: That is a good answer, thank you.

Lady Hermon: It is a very good answer.

Q106 **John Grogan:** I just have one question. I was studying the satisfaction ratings of the PSNI, which are very good, and have been consistently good and across all communities as well, with very little distinction. Could you comment on recruitment in terms of Catholics to the PSNI, because a couple of years ago I think Deloitte were brought in, weren't they? I know it is not easy at all, but could you comment on the latest figures and the trends on what is being done to encourage more Catholics?

George Hamilton: We are waiting on a more formal finalised report from the current recruitment campaign. I suppose if we wanted to look at it positively, things are not any worse. In fact, they are marginally better. On the negative side, it is only marginal improvements in terms of representativeness. What we see is an application rate—and forgive me, because the report will probably come out and contradict me by a percentage or two—and generally speaking about a third of our applications are from people from within the Catholic community, but only about a fifth of the people that we appoint, so it drops from 32% down to about 19% or 20% between application and appointment. There is a greater attrition rate for people from within the Catholic community than any other community between the point of applying and the end of the process.



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It was that stuff that Deloitte started to unpick for us and we found a number of factors at play there. One was that the length of our process was too long, so we have shortened that. We are doing a lot more of it online. The process has all the same component ingredients, but it is condensed in terms of timescale. That was probably the only thing that we could do ourselves that we were not already doing. We have a number of positive action initiatives. This is not just about Catholics and non-Catholics, by the way. It is about people west of the Bann not applying from both communities; it is about younger people not applying in the numbers that we would like to see; women are still underrepresented, but better than they were.

The key issue that fell out of the Catholic community piece was that people were more likely to be put off by family members and a lack of support, not even the broad Catholic community or the church or anything like that, but within their close network of family and friends, "Something might go wrong in policing or someone might get hurt" or whatever. Anecdotes like that are factual, but they may well be presented as, "Do you really want to do that?" whereas that tended to have more of a negative impact in Catholic communities than in non-Catholic communities, for example.

We have a better understanding than we have ever had, but it is getting the solution in place to deal with the under-represented. Patten talked about a sort of critical mass of around 30% of the organisation being from the Catholic community. It is just over that with 32% and we have held that over the period. Clearly 50:50 recruitment was highly controversial, but even without that we have maintained our overall percentage at around 32%. Of course probably there is a preponderance for those of my generation who are retiring—not that I am going anywhere soon—and it is probably an overrepresentation of people from the non-Catholic communities retiring that probably keeps the percentage in the right place, if that makes sense. There is a real need for a wider nationalism to take yet another step in terms of policing.

I accept the bona fides of Sinn Féin, SDLP and the Catholic Church in relation to support for PSNI, law and order. Many people have come on a long journey. I do not know if my view counts, but that is my assessment, that people have come a long way in terms of support for policing and for law and order. It still feels like we are a couple of clicks away from people advocating for a career in policing. I am not sure that it is seen as an honourable, credible profession. I think sometimes the perception—and I do not mean to stereotype an entire community here—but the Deloitte research tells us that people are likely to be put off quicker from within the Catholic community than within the Protestant Unionist community for example. We therefore need politicians, civic leaders and church leaders to advocate for a career in policing to encourage young people, not so young people, to step forward and serve their community through a career in policing and not just to do it, but to be proud of the fact that people are doing it as public servants.



Q107 **John Grogan:** If I could come in just on the recruitment, Chief Constable. You said about we may be a couple of clicks away from people taking another step. Whenever you have recruitment days, I remember being at one in Londonderry when dissidents tried to disrupt it, there was a bomb attack on one and then when it was relocated, quite a sizeable crowd emerged to try to intimidate people. Are you saying that when events like that happen it would be appropriate or proper or advisable for political representatives across the board to stand with those who are applying?

George Hamilton: Yes. However it is done in terms of symbolism or how it presents itself, it is probably just getting people to move from, "We support the police"—and I do not doubt that, support the rule of law and that we need to tackle paramilitarism and all of that—to, "I would be happy for my son, daughter, nephew, niece to be pursuing a career in policing". Not just, "I would not say no" but, "I would encourage, I would advocate, I would see it was an honourable thing to do, it would be a good way to serve one's community". It is that level of advocacy that I think we need to make a sea change. That has been our position, but I think it is now reinforced with the Deloitte research.

Q108 **Mr Hepburn:** As you know, George, I have been dealing with a case with my constituent, Craig Agar, whose father, Corporal Agar, was killed in 1984 in Enniskillen. In 2014 his case was referred to the Historical Enquiries Team and now events have taken over with the consultation that is going out now et cetera and the formation of the Historical Investigations Unit. What personal message would you give to Craig Agar, and indeed the many thousands of people who are waiting to get closure on the death of a relative, loved one or whoever? What message would you give them?

George Hamilton: I think the fact that we have had several attempts at political agreements to work out mechanisms for dealing with the past shows the complexity of it. People who have lost loved ones, in whatever circumstances—this is clearly a military case, and I have close friends from within policing and beyond that we have lost and families that are still heartbroken, and I acknowledge their pain and their loss, but the complexities of what people need, the diversity of what will bring closure for people means that we need more than a criminal justice strand to deal with this.

The HET, the current attempts that we are making through the Legacy Investigations Branch, which are good faith, within the law and well-intentioned, but I know that they are not meeting needs. They are not giving people the answers that they need. The chances of a criminal justice outcome for them is remote. Witnesses die, lose their memory, exhibits get lost, get destroyed, evidence deteriorates with time. Yes, there are technological advances in forensic science and so on, but on balance, the longer a case goes on the less likely it is to have a satisfactory criminal justice outcome.



Even if it does have a criminal justice outcome through prosecution in the court system, for a number of people who signed up to the Good Friday Agreement and groups associated with it, the maximum that anybody found guilty will serve will be two years in terms of former terrorists, unless of course they are a state actor. Would that feel like justice for them? I am not criticising that. That was a political decision, the subject of a referendum and all of the rest of it, so it is just the way it is, but I am not sure for those people who long for a criminal justice outcome that they are ever going to get it.

Cases need attention. I have not spoken to the family that you have mentioned, but I have many families, and they all want different things. Some people just want to know what happened on the day or the night or the morning that this atrocity occurred. They want to know who the last person to see them alive was. They want a briefing to be assured, so that an assurance is given from a senior level that everything that was done could be done. Closure means different things.

I think for me to give them a message would be me trying to get into their shoes and I cannot do that. What I can say is we take it seriously. We do see it as a responsibility that detracts from us being able to do policing today and tomorrow because of this demand that was placed on us in the past. When you say that it sounds a bit clinical, that you do not care about the past. I know that their pain and their loss is felt as much today as it was back then. For them, it is not a historical or a legacy issue, it is ongoing pain and unresolved issues.

To try to give one single message when the diversity of needs are so broad would be presumptuous. All I would say is I recognise that people have unanswered questions, people have frustrations, there are feelings of injustice out there and that our collective response through the political spectrum into the policing and investigative one is not necessarily one that collectively we could be proud of because I do not think victims have been well served.

Q109 Lady Hermon: One of the issues that has not been covered this morning—the evidence has been interesting concerning it and I must say very worrying in cases—is one about which I want to hear the PSNI's assessment, and that is loyalist paramilitaries. Presumably the PSNI has been monitoring the reaction of loyalist paramilitaries to the growing demands by Sinn Féin for a border poll. Who would like to respond to that? Where are we with loyalist paramilitaries? We heard the earlier statement from loyalist leaders that they are going to abide by the rule of law, but some of us are thinking, "It is 20 years since you signed up to the Belfast Agreement". Where are we with loyalism? That is a subject, an important subject, which has not been aired this morning.

George Hamilton: I did make the comment that an implication of Brexit could be that some communities could feel that their sense of identity is in some way under threat and that could result in creating tension. I am not legitimatising or justifying any unlawfulness.



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Lady Hermon: Yes, you are describing it. I take that.

George Hamilton: I am describing just how this connection between Brexit and a border poll, for example, from one political persuasion could be winding up loyalism. That does not justify any unlawful activity by them, but one can understand that if you come from that perspective and your identity feels under threat, then that is not good for a society in transition in a pretty fragile peace process. Stephen, do you want to just talk about what we are doing against paramilitarism and the assessment of where we are at?

Q110 **Lady Hermon:** I want to concentrate on loyalists. We heard the statement by Jackie McDonald and others and very courageous church leaders—again 20 years after the agreements were signed—that loyalist paramilitaries are going to, we hope, abide by the rule of law, but what is police intelligence telling you about loyalist paramilitaries?

Stephen Martin: Our view would be that the leaderships of the UDA and Ulster Volunteer Force remain broadly committed to a conflict transformation process.

Q111 **Lady Hermon:** “Broadly committed” means that there are some dropping off the edge who have joined some other groups?

Stephen Martin: Yes. We would say they are broadly committed. However, they are increasingly splintered in places and there are certainly members who are engaging in criminality and indeed violence.

Q112 **Lady Hermon:** Splintered in places. Would you like to identify what places? Should areas be concerned?

Stephen Martin: Take the UDA, for example. The UDA is not necessarily a cohesive organisation. It is made up of a number of brigades. Those brigades are saying there are autonomous units—

Q113 **Lady Hermon:** Across Northern Ireland?

Stephen Martin: Across Northern Ireland and they would collaborate to a certain extent. But you see this, for example, in the south-east and from the UDA, who for some years now have absented themselves from that broader consensus. You see West Belfast UDA, and it would be our assessment, for example, they are very heavily involved in crime and criminality, drugs, extortion, for example. They are not a cohesive homogenous organisation. In the UVF, while they do have an overall organisational commander for the entire organisation, which the UDA do not, there are elements of the UVF that would certainly be much more engaged in crime, drugs, shipping, extorting businesses. For example, East Belfast UVF would be much more involved in that than some other areas of the UVF.

Q114 **Lady Hermon:** Are they recruiting? Are they actively recruiting? Are they drawing membership?



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Stephen Martin: Yes, parts of the UVF and parts of the UDA would still be recruiting.

Q115 **Lady Hermon:** Both of them?

Stephen Martin: Both of them, parts of them. On your other point about the growing discourse around the border poll, we have noticed that and I have certainly taken steps to try to ensure that if there is a reaction to that type of discourse within loyalist paramilitarism that we have the best opportunity of understanding that.

Q116 **Lady Hermon:** That is coded for meaning—you need to translate that.

Stephen Martin: We would be certainly seeking to try to identify through a whole host of means if there was an increasing unsettled view within loyalist paramilitarism around public discourse of a border poll. We would be seeking to ensure that we were aware of that and understood the extent of it and the implications of it.

Q117 **Lady Hermon:** While there is speculation and talk at the present time, we are still nine months away from Brexit happening, but the agitation particularly by Sinn Féin for a border poll presumably has consequences within the organisation that you mentioned?

Stephen Martin: As a police service, if I have heard that discourse and I have recognised, "I wonder what the reaction will be within another set of organisations". I am certainly trying to ensure that as an effective police service we will know what that reaction will be.

Q118 **Lady Hermon:** So loyalist paramilitaries are closely monitored?

Stephen Martin: I would like to think that anybody engaged in criminality and organised criminality in Northern Ireland is closely monitored.

Q119 **Lady Hermon:** Good. I hope that clear message has gone out to those who would be intent upon any sort of violence from whatever on whatever corner.

I think, Chief Constable, you mentioned in relation to the policing board right at the very beginning of your evidence that it could be weeks before the summer intervention in relation to the policing board. Is that a hope, an expectation?

George Hamilton: I do not know because it all rests with the IO. It will require some parliamentary time. The last briefing I had was if it could not happen by mid-July, it would be mid-September.

Lady Hermon: If it does not happen in mid-July, it would happen mid-September?

George Hamilton: Yes, but that is just me asking the question, "Is there light at the end of the tunnel?" and I have been told if not before the summer recess, then immediately after it.



Q120 **Lady Hermon:** It would require legislative change here at Westminster.

Stephen Martin: I understand the Secretary of State is giving evidence, is it today or next week?

Lady Hermon: Next week.

Stephen Martin: Next week. She will be able to answer much more fulsomely than me on this, but it is to allow the Secretary of State—

Lady Hermon: We live in hope. You have been very fulsome here.

Stephen Martin: To have the powers to make appointments to the policing board. I do not know what the breadth will be, whether it will extend beyond the policing board, but it may be that other bodies, in the absence of the relevant Minister in the devolved Executive, will need that piece of authority to be legislated for to allow the Secretary of State to do that. That is certainly what the issue is in relation to the policing board.

Q121 **Lady Hermon:** Yes. You have been very frank and very open with us today. I think we have benefited greatly, though it is worrying, Northern Ireland being a key part of the United Kingdom and you still having no clear indication from the Prime Minister or indeed the Secretary of State about the concerns that you have raised in your briefing paper.

Can I ask about the policing board? Because we have had to manage in Northern Ireland for 18 months without a functioning Assembly, it has obviously impacted, because you do not have a fully quorate policing board. If the policing board were to be reconstituted ahead of the Assembly and if there were to be changes—I think the speculation in the early part of the evidence was it could be weeks before there is some intervention in relation to the policing board—isn't there an anxiety within the police now that if you had the policing board reconstituted through legislative change via Westminster that it would become the forum, unfortunately, for political argument and debate about Brexit, about all sorts of issues? Is that not an anxiety within the police now? Or is it better to take that risk and have a full complement on the policing board?

Stephen Martin: At the public meetings that generally happen once a month at the policing board, when we have the full range of independents and politicals across the five parties there, there are some times when the discussion can almost be taking place between them, particularly the parties, about policing rather than a conversation with policing, but I think that is just part of the cut and thrust of policing being quite a politically-charged issue in Northern Ireland. If there is a risk that it becomes one of a very small number of public fora where political parties can position themselves publicly and potentially adversely against each other, to me, that is a pretty—

Q122 **Lady Hermon:** Is that a price worth paying, to have a policing board?

Stephen Martin: It is a price worth paying and it would depend on a strong chair, which we have, to manage that. Certainly policing would not



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get drawn into that. What tends to happen is that we move into spectator mode and let the parties get on with it, frankly, if it goes down that route. The real challenge is for the chair of the board to deal with it and she does very well in difficult circumstances. I do think that if there is no Assembly for public political debate and the media is always curtailed and restricted by times and all the rest of it, then things like the public meetings of the policing board can become a political forum for debate on issues—

Lady Hermon: It could become more of a—

Stephen Martin: It could, but I do not think it is a risk that would justify doing nothing. The current stalemate, no board, no appropriate authority for chief officers, nobody to do the hiring and recruiting of chief officers, as we have talked about earlier, all need to be dealt with.

Q123 **Lady Hermon:** You would welcome the restoration of the policing board, a full policing board, even in the absence of the Assembly?

Stephen Martin: Yes. I would like to have both, clearly, but even if we cannot have an Assembly and an Executive functioning, there needs to be some mechanism to provide both accountability and advocacy and all the administrative governance that goes with policing that the policing board should be fulfilling.

Q124 **Lady Hermon:** You are prepared to take the risk that it just becomes a political forum for debate?

Stephen Martin: We hopefully do not get political, but end up with the rough and tumble of political debate because that is the way that policing and politics are in Northern Ireland. I am not saying we always get it right, but for me it is not something that I would want to walk away from just because of that risk. It is a price worth paying and a risk worth taking.

Lady Hermon: That is a very good reply. Thank you.

Chair: No doubt we will address that with the Secretary of State next week. Briefly, Ian.

Q125 **Ian Paisley:** Chief Constable, you will be aware that there was a very high profile rape trial in Northern Ireland recently and a retired judge, Justice Gillen, has been asked to review rape trials and sex crime trials. Indeed, he made very open comments on Radio 4 recently about where he already was in his thinking about future rape trials and sex crime trials. I am wondering about four things. Has the Police Service of Northern Ireland been involved in that review? Will you be involved in that review? Will he be questioning you and seeking your opinions on these matters? Could you tell us something about how difficult it is to manage a high profile rape trial like the one we have witnessed? Do you have a view on Judge Gillen's already explicit comments, that he intends to make recommendations that both the accused and the accuser should remain anonymous until or unless there is a guilty verdict and therefore



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there will be change to our open justice views?

Finally, are there any prosecutions pending arising from the very torturous Twitter comments that were made throughout the rape trial? As you will know, BBC Northern Ireland covered one particular comment by a prominent politician that brought the rape trial to an end at one point, or in their view or words, "disrupted the rape trial", a tweet by the Alliance Party leader. Are you doing anything with regard to looking at Twitter and rape trials?

George Hamilton: I will make an attempt at answering this from my experience of Sir John Gillen and the work that he is doing, then Stephen, who owns the Public Protection Branch, which deals with all the investigations, could probably fill in some more meaningful detail.

We are fully involved with Sir John Gillen, former Lord Justice of Appeal in Northern Ireland. In fact, he was commissioned through the Criminal Justice Board, which I sit on, chaired by Justice Minister, and we have the Permanent Secretary in his absence. There is myself, the Lord Chief Justice and the Director of Public Prosecutions who make up that board, so not only am I supportive of him, but I was part of the body that commissioned the work and once commissioned, allowed to get on with it.

I have met with Sir John Gillen personally and discussed a lot of these issues with him. We also have appointed the Detective Chief Superintendent, who is in charge of our Public Protection Branch, which includes rape and serious sexual offences investigations, as the point of contact. I know she has been involved and engaged with him directly, along with colleagues in the Criminal Justice Branch. Those are the people who look after disclosure, look after partnership, working with the PPS and the Court Service and so on, so we have a Superintendent in there who is working routinely alongside Sir John Gillen in all of this.

We see this as a good opportunity and we are fully engaged with the review, are contributing to it and servicing the needs of Sir John in terms of information and police practice and all of that. I am sure he will be making recommendations and findings, some of which may bring some discomfort for us and some challenge, but that is okay. We would far rather have that than not and get the benefit from it.

I think there are reports to the Public Prosecution Service around some of the social media activity. Perhaps Stephen can clarify that.

On the other point, where Sir John did comment on Radio 4 that he was at least thinking about the defendant and the victim remaining anonymous until a verdict, I do not mean to sit on the fence, but I am going to. I see the benefit of having somebody of Sir John's stature, ability and experience in running trials to almost arbitrate on that point. I can see arguments for and against and I could be persuaded either way. I am open to it, but not entirely convinced, so having somebody of his



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standing bringing us his balanced view would be welcomed. This is about servicing justice and getting the right outcomes for victims. This is a huge balancing exercise and it would be a significant change in our criminal justice practice if we did move in that direction. Stephen, do you have anything else to add on all of that?

Stephen Martin: No. I have huge respect for the work that Sir John is undertaking. He has been, for example, in recent days in our cyber centre, trying to understand how we do a lot of the work around these matters. We are fully engaged and trying to ensure that from a PSNI perspective we are embracing everything that he is asking us to do.

In the Republic of Ireland, there would be anonymity for both the injured party and the defendants, which is different from our jurisdiction. We did have, I suppose, the spectacle of tourists coming up from the Republic of Ireland for the day to watch the trial in circumstances where they would not be able to watch that trial in their own jurisdiction. That does seem bizarre and strikes me as inappropriate. While absolutely acknowledging the criminal justice process, the court proceedings, the trial by your peers and transparency are very important, that does strike me as inappropriate.

On the social media aspect, I would need to see where exactly those cases are, but my understanding was we were certainly investigating and linking in with the PPS about the possibility of a number of people who had identified the injured party on social media. That would be contrary to statute and we were engaging with the PPS around the possibility of pursuing those and bringing those before the PPS, but I will maybe just find out exactly where those cases are and come back to you.

Q126 **Chair:** Very useful, thank you very much indeed. Finally, because we will be pinning the Secretary of State on this matter next week, just for clarity, you have described Government agencies preparing for Brexit scenarios and in particular you cited HMRC. Are you saying, just so that we are clear, that you have been unable to make those similar preparations, parallel preparations because you have not been given a sufficient steer by those who you would naturally expect to be giving you that form of direction or at least painting scenarios for you? Or have we misunderstood?

George Hamilton: I do not think you have misunderstood. There have been working assumptions made that in all the uncertainty of Brexit are sensible ones, which I think a reasonable person would support, that have been afforded to the likes of HMRC and UK Border Force, particularly regarding increase in staff levels, for example, the 4,000 for HMRC, 2,000 for Border force, if my figures are right; certainly into the thousands. Meanwhile there has been £1.5 billion set aside by the Treasury for funding preparations for Brexit. The police and I have received £300,000 of that. It is enough to employ two or three people on a planning team for Brexit. That is a UK figure, but of that, £14.5 million came to Northern Ireland, and of that £14.5 million £850,000 came to



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the Department of Justice, and out of that £850,000 the police and I received £300,000.

All of the implications that I have been pointing out to you today we have pointed out to a plethora of people and we cannot find the person who has responsibility for co-ordinating the multiagency response to helping us deal with the Irish border issue in light of the UK leaving the EU.

Chair: I have that, Chief Constable. Thank you very much indeed. That, I have to say, is very serious and will be something that we will take up with the Secretary of State next week.

Can I thank you for being here? We have kept you for two and a quarter hours, which is quite extraordinary. Well done for your patience. Thank you for everything you have said. You have been candid and frank with us and we thank you for that. We will certainly be taking action on some of the points you have raised with us today.