

Northern Ireland Affairs Committee

Oral evidence: [Organised Crime Gangs in Northern Ireland](#) - HC 184

Wednesday 16 October 2019

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Members present: Simon Hoare (Chair); Mr Gregory Campbell; John Grogan; Mr Stephen Hepburn; Lady Hermon; Kate Hoey; Ian Paisley; Jim Shannon; and Sir Desmond Swayne.

Questions 1-64

Witnesses

I: Simon Byrne, Chief Constable, Police Service of Northern Ireland; and Barbara Gray, Assistant Chief Constable, Police Service of Northern Ireland.

Examination of witnesses

Witnesses: Simon Byrne and Barbara Gray.

Chair: Good morning, Chief Constable and Assistant Chief Constable. You are very welcome. This is our first oral evidence session on organised crime gangs in Northern Ireland. It would be helpful if you introduced yourselves and stated your position for the record—I know that is slightly stating the blindingly obvious, but it would be helpful. Then, Chief Constable, I invite you to give us an overview of the scale of the problem, how it manifests itself and any further thoughts you—and, indeed, Assistant Chief Constable Gray—wish to add. Then I shall throw you open to the tender mercies of my Committee colleagues.

Simon Byrne: Thank you very much. First, in terms of introductions—I have been able to meet most of you, but not everybody—my name is Simon Byrne. I am the Chief Constable of the PSNI.

Barbara Gray: Hello. I am Barbara Gray. I am currently the Assistant Chief Constable responsible for the crime operations department in Northern Ireland.

Simon Byrne: Thank you for the opportunity to come here with Barbara to speak to you all today about this subject. We have had a few bilateral chats since I came into post in July. I thought it would be helpful if I quickly—I am conscious of time—set some of the broad context.

You will be aware that we have spoken recently about the challenges the PSNI faces in the public space. We have not come here necessarily to say something different, but I am concerned about the pace and tempo of a range of things at the moment that are putting the service under a lot of pressure.

First, the threat posed by dissident republicans cannot always be seen in isolation because of the pressure it puts on investigative resource, which could be directed towards this issue as well. You will be aware that we have had nine attacks this year, of varying degrees but all with a clear objective of killing or maiming our officers. That is clearly a huge concern, and we see no sense of the tempo changing. There are often questions about whether that is linked to a Brexit situation. I think it is too early to say—in case we go there a bit later—but, clearly, we need to keep our minds open to any change in the stance around the border.

The PSNI in general has in the region of 6,800 officers at the moment and a budget of over £700 million to deal with day-to-day policing. About £40 million of that we can directly ascribe to the policing efforts we push against organised crime, in what we call our control strategy. That is one of our key priorities. Mainly but not exclusively, detectives are used in the investigation, the gathering of intelligence and the disruption of organised crime groups.

At the moment we would assess, using the framework we have, just shy of 90 organised crime groups—we can go into a bit more detail later. They



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operate right across the country. Clearly, the effects of what they do, particularly in terms of harm to communities through drug supply, is a key concern. When you look at the totality of what the PSNI are dealing with, that is one of the reasons I have been in the public space and am now supported by the policing board, asking for an increase in police officers to up to 7,500: so we are better equipped to deal with not just organised crime but all the tentacles that come and go around it.

I believe that, if we are to make a strong impact on this particular issue, we need more police officers in neighbourhoods having dialogue with communities holding information about who is peddling drugs and importing other forms of contraband. That is all I need to say for now, Chair. We are here to take questions.

Q1 Sir Desmond Swayne: Chief constable, you were asked whether the Provisional IRA still existed as an organised crime gang. You said there was no evidence to suggest that. Your predecessor, in 2015, said, "Our assessment is that the hierarchy of the organisation, so that it can be co-ordinated, controlled, and that members can be influenced, still exists." Can you give us some insight into those different assessments?

Simon Byrne: I'm not sure they are different; they might just be described differently. Obviously, I was not in post when my predecessor made those comments four years ago. We are probably both trying to say: is there any current intelligence that the Provisional IRA is effectively out of ceasefire and into what you might describe as a war footing? No, there is not. The considered opinion is that structures still exist, so they could be activated, but there is no change in stance since George's comments four years ago.

Q2 Sir Desmond Swayne: There was a BBC report in July about the Creggan, where there had been signs posted warning people not to inform. The general consensus was that the people living on the estate did not much care for it, but simply had to accept it as reality. Are there no-go areas for the PSNI and, if so, where are they and what are the implications?

Simon Byrne: I would not countenance the prospect of there being any no-go areas across Northern Ireland. Some of you have been to see the policing, where there are some pretty difficult places to police, because of the security situation, particularly in the border areas. Creggan has featured a number of times recently, probably in most people's memories because of the killing of Lyra McKee in the spring and some recent security incidents.

We patrol in and out of there every day; we go in on foot and on bikes and we patrol by car. Sometimes, we have to carefully consider the policing stance based on intelligence, but what I hear from frontline officers is that, even back to those earlier statements about increasing neighbourhood policing, the clamour from most people in that community is that they want to see more police officers; they want dialogue and they want policing to deal with everyday crime and issues—be it tackling antisocial



behaviour, taking drugs off our streets or dealing promptly with other crimes and issues such as burglary and antisocial behaviour. I would not say that there is a no-go area in any part of Northern Ireland.

- Q3 **Jim Shannon:** Nice to see you, Chief Constable and Assistant Chief Constable. You will recall some of the comments that I made to you about police recruitment at the headquarters. I have a couple of questions on that. Do those police officers filter down to all the divisions, particularly to my own area in the Ards, North Down and Strangford area? Is the recruitment of officers totally filtering out to all the areas?

Simon Byrne: There are a few things. Our aim is to increase the number of neighbourhood officers up to 400 people by the end of March 2020, so I think that is principally what you are talking about. We are doing that in two ways. One is through the money we have been given this year to increase the number of police officers to deal with the impact of Brexit, so 190 of those officers are in the figure to be distributed across Northern Ireland into neighbourhood policing teams to help us do that.

The bulk of that 190 will go into the five districts that amount to the border area, and also into Belfast. The rest are going to come from reorganising posts within what we call district policing command, which ACC Hamilton leads, and we want to see a basic offer right across Northern Ireland where every electoral ward has one named officer who is responsible for their patch. Above that, we will build the rest of the 700 officers in total—just over 700, in actual fact. We will build the teams on the basis of need, looking at crime levels and some other pertinent issues in communities.

One of the things I have asked ACC Hamilton to be able to demonstrate—I can't do it today, if I'm honest—is what the resource allocation science is, so I can come and sit down with you and say, "There's 15 extra officers going to your area, and that is how we get to the number. It's not just a guess." That work is going on at the moment, so I could come back to any of you individually in the future and say, "The 999 team locally, which has to be the base, has X officers in, and then the neighbourhood team has Y, and this is how we got there." That work is going on at the moment, and I am keen that we get resolution in that science, if you like, by November when we go back to the policing board, but I am happy to brief individual people if they have particular areas of interest around that.

- Q4 **Jim Shannon:** One of the strengths of the PSNI in the past has been the community policing, so I am very encouraged to hear you saying that, and making sure there is a designated officer for each of the DEAs. It is very important that we have a contact, and that that contact is available.

One of the other things that we discussed at that time—again, for the purposes of the Committee meeting we are having here—has been the issue of organised gangs. In my constituency in the past month—you will be aware of this; I have been in contact with the police in my own area—we have had two shootings. For one, we were very lucky that the person was not murdered, in Upper Greenwell Street in Newtownards where a



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shotgun was fired through the window. The occupant was lucky not to be injured. The second one was just last week, when we had a paramilitary shooting in the West Winds in Newtownards, where an individual was shot in the knee and had to go to hospital.

The point I am making is that since our last meeting, Chief Constable, paramilitaries across the Province, but particularly in my area, have not gone away. Their activities continue to cause concern among my constituents, among myself as an elected representative, and among all people. You will remember a conversation that we had, and the individuals who we discussed.

I think there is a real need, when it comes to addressing these organised gangs—that is what they are; they are criminal gangs. Let us be quite clear: they are masquerading as paramilitary groups, but they are organised gangs, and I am just wondering at what stage we can address, or the PSNI will address, their empires of criminal activity where they have legitimate businesses—be it shops, taxi firms, security companies, or whatever it may be—and those assets can be taken on.

I said to you on that day, and I will say it again for the purposes of *Hansard*: there may be a case that the only way, or maybe the simple way, of addressing their criminal empires is to use the Al Capone tax evasion methodology to ensure that you can take on where their assets are and where they've got their money from.

If somebody is driving in their big fancy BMW, and maybe a whole lot of his workers are as well, then there have to be questions asked about where the money is coming from, especially if these people do not seem to have any sources of income. I am just wondering: when it comes to addressing the organised crime gangs, is there a real strategy to take on where their assets are, and strip them of their assets? Take them away from them—make them poor.

Q5 Chair: Could you just ally that with unexplained wealth orders, in that context?

Simon Byrne: Yes. To deal with a few bits there at once, firstly, I agree broadly with the approach. You talked about Al Capone. He was around nearly 100 years ago but I think the idea still stands, frankly. As you will know, sometimes complex investigations against "Mr Big" take time to build up sufficient evidence for the PPS to join us in prosecution. That is something that Barbara frequently reviews with colleagues, and I see it in some of the authorisations I make around intrusive surveillance.

I am conscious of the background, but I agree that we should do all we can within the law to put these people beyond bounds. They are terrorising communities and causing undue harm. The paramilitary shootings—we have seen a number of them in recent weeks—are quite brutal. They are there to intimidate and cause life-changing injuries, and there is no place for that sort of behaviour—we are supposed to protect religious communities in western society, never mind in Northern Ireland.



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Barbara and I have looked at a number of different approaches in the past few months. The general direction is one of doing more, and we need to be more audacious in how we use the law. As the Chair says, you will be familiar with unexplained wealth orders which, if we were sat outside here, are not yet available to us as a tactic in Northern Ireland. That requires legislative change. We have been prosecuting that case to the Ministry of Justice and the Northern Ireland Office.

There are three specifics that we are doing at the moment that will help us to build momentum around this. First, the National Crime Agency is working with us to review our response to organised crime—Barbara can go into more detail on that if colleagues are interested. That will take us to January to ensure that all the things we are doing reflect good practice.

We are in active discussions about improving the amount of work done using civil powers to take assets from organised crime groups, including paramilitaries. There is existing legislation, and for all the things you say—the unexplained BMW, the posh house, the business of dubious origins—we can still use civil powers without the unexplained wealth orders. We are currently having conversations with the National Crime Agency about increasing the amount of resources it can devote to that. Frankly, it doesn't even need to be in Northern Ireland—that can be done online from an office near here.

We are also considering how to tackle these groups, notwithstanding the importance of neighbourhood policing—we may come back to that issue this morning. We have looked at comparative forces—I use that word in the context of the UK. We have been to see what Greater Manchester Police and Merseyside Police do, and looked at whether they are perhaps using tactics more aggressively than we do at the moment to tackle a similar type of crime. Whether by using criminal tactics around investigation and disruption, or civil powers, we must do all we can to make these people feel in fear of justice, rather than them putting fear into their communities.

Q6 Jim Shannon: I am very encouraged by what you have said. On cross-border co-operation and working together, I am ever mindful that dissident republicans seem to have access to weapons and explosives, which on many occasions probably lie across the border.

Can you give some indication of your relationship with the Garda Síochána? You don't need to tell us about intelligence, as that is not what we need to know. We need to know that there is a good, co-ordinated policy and strategy in place to address those issues. With many of the problems in Northern Ireland—probably others will be aware of this—the explosives and weapons come from across the border. It is important that we address that source of weaponry and explosives. If that is taken away, it should reduce people's ability to carry out terrorist attacks.

Simon Byrne: I think the posh phrase is "interdiction"—how do we disrupt that supply? If Barbara wants to come in that is fine, but there are a few things I would say. First, on our relationship with the Garda, since I



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started nearly four months ago I have got off to a good start with Drew, my counterpart. I didn't know him professionally at all before we both came into each other's space. We speak regularly and have met personally, and I think we are not dissimilar souls in our approach to policing. At that top level, I have real confidence about the relationship.

Operationally, I have seen personally and have had feedback about how good relationships are on a day-to-day basis. If we take the recent incident in Strabane with the mortar, the Guards formed part of the cordon, because of where we had to put the cordon. That operates well, and Barbara does a lot of work on the Joint Agency Task Force. We had a conference in the Republic only a few weeks ago with colleagues from a range of agencies, not just the Guards, to look at our response to organised crime.

While there is always room for improvement, and there is clearly one particular investigation at the moment, following that recent kidnapping and so on, which will be a test of the strength of the relationship, if we can bring prosecution, I think we are in as good a place as we have been for years and years—so I am told. I don't know if Barbara wants to say anything else.

Barbara Gray: I would provide assurance to Members as regards the dissident republican and terrorist threat that we are dealing with. We are in constant liaison and contact and joint working with the Guards—constantly.

As regards the organised crime piece, the Chief referred to the Joint Agency Task Force. I co-chair that with the Deputy Commissioner of the Guards. That is at strategic level, but rest assured that there is very sound work at operational level, through the people who are actually implementing the strategies, with those priorities that they are setting around rural crime. That is a real issue for people living right along the border at this time, within this sphere. We are looking and watching very carefully the issues around modern slavery and human trafficking and how that may develop over the coming months, and the absolute devastation that that has on many vulnerable people.

We have talked about financial crime, which is not just bespoke to the north—obviously, there is crossover there—and again, drugs, and any further immigration crime. We work very closely with HMRC and the equivalent tax officials in the Republic. There is absolutely constant engagement and work. It is beyond just words—it is work in implementing the plans, and actions being taken.

Jim Shannon: Thank you for all that you and your officers do.

Q7 **Chair:** Chief Constable, just before Mr Shannon's line of questions, can I pick up on something that you said? It was about the lacuna that is created by Northern Ireland being effectively exempt from unexplained wealth orders. I take the point about the need for legislation. You commented that you were looking at best practice from other forces.



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Should residents of Northern Ireland be concerned, pleased or surprised that that now appears to be a new initiative, given the recent history? It should come as no surprise to anybody involved in policing that unexplained wealth and terrorism are two sides of the same coin. Do you think there has been enough proactivity in this area?

Simon Byrne: That is a good question. I think there is room to do more, which is why I have commissioned the look at good practice. I suppose when you come into somewhere with fresh eyes, there is always the opportunity to ask the whys; eventually you have got to stop doing that, because you think you are criticising all the time.

We seize assets, cash and wealth, both through the general day-to-day work of the organised crime group as well as the Paramilitary Crime Task Force. It is not that there isn't any; I just think sometimes it is about mindset. If we look at the Paramilitary Crime Task Force, we have people who work alongside the PSNI from the National Crime Agency as well as from HMRC. The capability is there, but the conversations we are having at the moment are about increasing that capability. I would say that, for example, if we ever get to the stage of increasing officer headcount to the scale that I have asked, although I wouldn't want to get into precise numbers here—

Q8 **Chair:** Is that still sort of the Patten numbers that you are talking about?

Simon Byrne: Yes. But if you got to that level, I would see the bulk of that uplift of 800 going into neighbourhood roles.

Equally, I see two other areas of growth. One of those two areas would be the Paramilitary Crime Task Force. We are looking at models within GB, not only in relation to extreme intelligence gathering, investigation and what you would call disruption, but including all the other tactics that people like Jim talked about—seizing your car, seizing your house and all that sort of stuff—and looking at if we had an explicit operational uniform arm to police some of the areas.

Barbara is looking at the moment at a number of localities; we are exploring with the Department of Justice creating a multi-agency taskforce to work in those places so that we look not only at enforcement but at other means of prevention and diversion to try to motivate people away from a path of general and also organised crime and paramilitary activity.

I would not be concerned as a resident. The benefit of fresh eyes is that you can ask new questions and perhaps change the emphasis. None of us can ever second-guess what our predecessor did in terms of what was in the in-tray when a particular decision was made, but there is probably more we can do, building on a firm base.

You have to remember that the evidence base for where we are at is that HMIC and the PEEL inspections—the efficiency and effectiveness inspections—gave this area a strong bill of health. There were things that the service had to do around how we prioritised organised crime, which



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Barbara has addressed. If there is concern, I think it is about building on a stronger base to get better rather than that we are poor and need to catch up.

Kate Hoey: It is very nice to see you both here. Perhaps I am a bit old-fashioned, but it would have been quite nice to see you both in your PSNI uniforms—but that's just me.

Chair: Photographs can be provided, Kate, I'm sure.

Barbara Gray: Carry-on luggage, I'm afraid.

Q9 **Kate Hoey:** I am sure you do wear your uniforms quite a lot. May I ask you a bit more about the paramilitary crime taskforce, which you just mentioned? How does it set its priorities? It seems at the moment that it is conducting quite a number of crime investigations into loyalists. Of course, that is entirely appropriate if we can get back money that was gained illegally, but the amount of money on the paramilitary loyalist side is terribly small in comparison with what has been laundered by the Provisional IRA over many years, particularly after the Northern Bank robbery. It is very serious white-collar crime.

What efforts is the paramilitary crime taskforce making to investigate the PIRA side of things and the laundering of millions of pounds of republican funds? I think there is a perception sometimes that it is easier to go after loyalists and it is not politically expedient to go after PIRA. I just wonder how you feel about that.

Simon Byrne: There are a few bits. Obviously, there is only so far we can go in a public forum like this about exactly which investigations are running at the moment; I am sure you appreciate that. If I understood you right, the inference behind the question is that we are operating some form of two-tier policing against different backgrounds and communities, which we are not.

I know from the conversations I have with Barbara that the crime taskforce and, indeed, other people in different places would be targeting groups that would be seen as being from different community backgrounds. It is not just one lens looking at the paramilitary groups seen as coming from a loyalist background; there are a number of operations running against the other side of the coin, if I can describe it like that.

There is a tasking process, which sounds a bit remote and managerial but is tried and tested, both at PSNI level and within the taskforce, which allocates the priority of investigation—what gets the most resource and the most oomph—based on both risk and opportunity. Those issues are also within the review that we have asked the National Crime Agency to undertake to make sure that we have the best approach to intelligence gathering that reflects modern good practice and also the best speed of breaking out that intelligence so investigators can exploit it.

Apart from the high-level things—I know you are talking about white-collar crime—what I pick up from my visits around communities is, "What happened to that information about the drug dealer we gave you a month



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ago? Why hasn't that door gone in? Why haven't they been taken off the streets?" It is a legitimate concern to ask what we are doing about white-collar crime, which sometimes takes a lot longer because of the processes we have to go through to discover and unpick money laundering, but at the same time we have to balance the noise from communities about what we are doing to pick off people who are probably lower down the food chain but are probably more visible on the streets.

When we get information, how quickly do we turn it around? How quickly are we through a door to uncover that cannabis farm, or whatever it happens to be? Equally, what I am picking up at the moment, which I am discussing with Mark Hamilton, the ACC for local policing, is, when we do raid places, whether we are as good as we can be about telling the community why we are there and what we have done, or whether our security stance sometimes puts us a bit on the back foot and makes us more reticent to explain that we have raided the house because there is a cannabis farm or because they were dealing in drugs and so on.

Some of that very granular local stuff is as important to get right as the perceptions that people are untouchable. I don't know whether you want to go into any further detail, Barbara.

Barbara Gray: It would be useful also just to add that, right across the crime operations department and the crime investigation branch, which is where the paramilitary crime taskforce sits, are other areas and teams of responsibility, which include our economic crime unit and the cyber centre.

All those branches work absolutely in support of priorities that are set for either the paramilitary crime taskforce or other higher-end investigations. Some of the higher-end investigations going on at the moment, which sit outside the groupings that the paramilitary crime taskforce, which is a small team, is looking at, include really good partnership working with the National Economic Crime Centre—even though it works nationally, as it says in the title. There are a lot of high-end investigations that go on around that, around what you would define as more "white-collar" crime activity and so on. Some very high-end investigations are going on.

Q10 **Kate Hoey:** So you would be quite relaxed that the resources are being equally, or proportionately, shared in terms of how much effort is going into both sides of the community paramilitaries?

Barbara Gray: If we look specifically at the work of the paramilitary crime taskforce, I suppose what I am seeking to do is to reassure the Committee that there are lots of investigations that go on beyond just the remit of the paramilitary crime taskforce that may well have an impact on other groups. As regards the focus and priorities for the paramilitary crime taskforce, we look at groups that sit outside the national security sphere. Those groups have included, in the past, the likes of East Belfast UVF, the INLA and other loyalist and republican groups. They have sat outside those, and there are very proactive operations going on right across the piece against each group that has been prioritised. Those priorities changed in June this year, in consultation with the whole tackling



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paramilitarism programme board, which is chaired and managed through the Department of Justice .

- Q11 **Kate Hoey:** Would you say that there is now perhaps more work going into trying to engage with loyalist communities that has not happened in the past?

Barbara Gray: On the commitment that the Chief Constable has given on the neighbourhood policing uplift, which Mr Shannon has also kindly referred to, about the benefit of community policing, I don't think that is lost on any of us.

If it comes to tackling the dissident republican threat, the damage they are able to do or want to do to communities without any form of conscience whatsoever, and when it comes to the harm that paramilitaries do within communities, much of that sits at the heart of community policing. If local communities see those local officers and build up relationship and trust, that certainly aids every part of investigations that we see as we move forward. That commitment shows quite an intent on our behalf to do that, and I look forward to opportunities that we will have to progress in any form of engagement as we move forward.

- Q12 **Chair:** Picking up Ms Hoey's question, clearly resources follow incidents, and resources follow the incidents that are led by intelligence. If you were to take a snapshot today, for example, and I asked you to percentage out the cases, the intelligence and so on—the concern, if you will—between so-called loyalist and so-called republican activity, where does the percentage split?

Barbara Gray: Gosh—I don't know that I could tell you where that percentage is today.

Chair: Not to the nearest decimal point, but in hunch terms.

Barbara Gray: Across the crime operations department, and across the entire PSNI, I have to say that there is a massive amount of effort going into addressing the threat that is posed by dissident republicans and everything that we do to ensure the safety of communities—

- Q13 **Chair:** We understand that, but in terms of live investigations between the two camps, for want of a better phrase, is it 50:50? Is it 60:40? What is your hunch? Sometimes these statistics can be counterintuitive.

Barbara Gray: My professional assessment, as I said today, is that it would be fairly equal as regards the work that is going on within the paramilitary crime taskforce and the wider support departments that I described. There are ongoing operations today, as we speak, so I would be content that the effort is equal.

- Q14 **Chair:** Let me clarify the question. I am not talking about the effort; what I am trying to probe is which side of the coin, currently—I think the Chief Constable gets the line of questioning—is creating the need for most resource. Is it loyalist activity, or is it republican activity?



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Barbara Gray: My professional assessment is that against the groups that are prioritised under the paramilitary crime taskforce, it is relatively equal at this moment in time, because if people are living in communities despite what their community background is, with the pressure that they are feeling from those paramilitary groups, it does not actually really matter what they are called. But as regards our efforts towards the designated prioritised groups that we have at the moment, they are pretty equal.

Chair: About equal—thank you.

- Q15 **Kate Hoey:** On white collar crime, surely there must be more resources going into the republican side, in terms of the millions of pounds that they laundered.

Barbara Gray: With the higher end investigations, I could not and am not in a position to provide percentages, because many of them, in the investigations that I would be talking about, are not necessarily attributed to groupings as such. They are attributed to individual investigations—higher end investigations. Numbers wise, we may not necessarily have more people, but it is about the specialism of those officers and the particular training that they and other partners bring to those investigations.

- Q16 **Ian Paisley:** You are both very welcome. I support your bid for 7,500 police officers; I hope that this Committee can publicly back it. Given that the current position of the Prime Minister is to increase the policing footprint nationally, I think that Northern Ireland should benefit from that also. I wish you well with that.

Can we turn specifically to the case of John Downey? I congratulate you on his extradition. Obviously we cannot talk about the specifics of that case. Are the letters of comfort now to be regarded as null and void?

Chair: Order. May I take advice before that question is answered?

Ian Paisley: I think the way that I phrased the question is okay.

Mr Campbell: It is a generic question.

Ian Paisley: Without speaking about the John Downey case specifically, congratulations on the extradition—

Chair: No, I think the question is in order. Clearly this is sub judice; I just put that on the record. Let me just advise and urge colleagues in the questioning on that, and indeed in the answers, to ensure that nothing from this Committee, inadvertently, in any way prejudices the next course of events.

Simon Byrne: I think, within the bounds of what we can say, it is probably fair to say that we will pursue lines of inquiry where the evidence takes us. That is probably about the best; I know it seems a bit vague, but given the sensitivities—



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- Q17 **Ian Paisley:** Okay. I certainly don't want to try to get you on the slippery ice on this, but can we expect further arrests of people who potentially thought that they were above the law because of these letters of comfort?

Simon Byrne: Again, it is that general thing; it is on a case-by-case basis. For example, there is a lot of interest at the moment around what is being said and claimed in the "Spotlight" programme that the BBC are broadcasting. I think it is fair to say that in that sense we have specific people looking, as the programmes unravel, about claims made in the programme to see if that causes us to revisit investigations in the past and reopen them. I think that is probably about as far as we should go—

- Q18 **Ian Paisley:** You do have a team, however, in Omagh that does look at these historic cases.

Simon Byrne: Yes, we do.

- Q19 **Ian Paisley:** I assume that people who have received those letters—as you know, we received in a previous Committee the details of those people. It was not necessarily made known publicly, but the details of these people were then gathered. You are obviously looking into those cases, I assume.

Simon Byrne: Given that I was not here last time when that brief was given, I think it is probably best that we check that offline with you to see what was said in the past, and as specific cases changed, to the degree that we can discuss that. The letters themselves have their place in the past, and I do not want to unravel all of the politics of that in this meeting. The general principle is that, if fresh evidence comes to light, we are duty bound to look at it.

Chair: If you have any additional information that you wish to submit, if it is submitted formally in writing to the Committee so it can be circulated that would be helpful.

- Q20 **Ian Paisley:** Chief, you had some success. We obviously had a spate of ATM robberies across Northern Ireland. That thankfully has come to an end. Obviously, some actions that you have taken have had a very immediate impact, and we welcome that. Again, without prejudicing anything, are you able to give us any insight into what is happening? Will there be prosecutions? Will there be further activity in that regard?

Simon Byrne: As far as I am aware, there will be prosecutions. I think the bulk of the investigations took place just before I came into post, so Barbara might be able to update about the numbers of those. I think there is also learning about, as the spate of crime happens, our patrolling stance when ATMs were attacked. Obviously, you can't be everywhere at once. People exploit weaknesses in the system quickly. It is the nature of crime. Criminals are quite adaptive individuals. I have seen personally since I have been in post how the patrolling stance has changed, where there have been concerns about particular places, to try to look at the prevention of theft of plant, for example, which was often used to attack the machines and rip them out of the wall, as well as the progress of the



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investigations into this particular group. I do not know whether there is anything else that you want to say, Barbara.

Barbara Gray: I suppose I was pretty close to this one. I was, as we call it, the gold commander for the series of ATM thefts, which was declared a critical incident, really due to the damage that was being done within communities—very often rural communities who were already losing a lot of services. None of that was lost on us at any point. The assessment at that time was that four different OCGs were involved in the ATM thefts across the geographical area of Northern Ireland, one or two probably working cross-border as well. There have been a significant number of arrests. There are a significant number of people within the judicial system at the moment. I can only remain hopeful that there will be successful prosecutions at the end of that.

Again, to provide reassurance to the Committee, there was a tremendous effort and a co-ordinated response right across the police service, which saw a real uplift from uniform colleagues, district policing, I suppose, where I spent the majority of my career, through the crime side, the investigative teams, the intelligence teams, and the specialist operations that could go in in support around that. Especially, and never to be left out within this, there is the role that the public played within it. As the Chief Constable referred to, so many areas are isolated and vulnerable. The public were absolutely fantastic in our appeals for help around that and reported lots. We would actually ask, if I can use this opportunity, for the public to remain mindful and observant, as we go forward now into darker winter nights.

Certainly, to answer the question, I absolutely hope that there will be prosecutions of various different members of those gangs. There was not necessarily the co-ordination, for your information, that I would have thought across the four different gangs. The majority were acting autonomously at the time. It has been an issue right across GB as well, with regard to ATM thefts, and they have been pretty brutal and dangerous.

Q21 **Ian Paisley:** They seem to be a very vulnerable target.

The Impartial Reporter—it is not a paper in my constituency; it is the other end of the Province, but their MPs do not bother to turn up and I think it important that those people get representation here—has, over the past seven months, run a series of very important stories about a litany of sex abuse cases. No one has yet been arrested. The most recent story it ran was about children and young people caged in a particular home and sold into the sex trade by a gang. There have been no arrests as a result of that and nothing has happened that we are aware of publicly. Can you update us on that? Do you have any leads? Is that a cross-border crime that is going on? Is it one being run by overseas interests, or by very nasty local people?

Simon Byrne: I know it is a very important issue locally, because effectively the campaign that has been run almost singlehandedly by the



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reporter you mentioned has been fed in a number of times. I am aware that an investigation is ongoing. Barbara might be able to bring a bit more detail on quite where it is up to.

Barbara Gray: The investigation is being led by one of the branches within the crime operations department: the public protection branch. The investigative process is absolutely moving forward. We are seeking to ensure that this is a victim-centred investigation.

Witnesses have been interviewed by police, but those interviews have had to take place, as you would expect, with the most suitably trained officers—officers who are specially trained to deal with vulnerable victims. Some of those have been quite lengthy, as they have had to be, to provide the essential support for the victims, but I am content that we as a police service and within the department are moving forward with those investigations.

We have had to do those at an investigative pace that is thorough and victim-centred; not, I suppose, to be pushed by the media around this. We have to ensure that we have the best evidence before we move to the point of executive action, as we would call it—an arrest and questioning phase.

Q22 **Ian Paisley:** Best wishes with that. On 24 December last year, a Northern Ireland security company was deployed by a bank in the Republic of Ireland to protect properties for that bank in a kind of bailiff operation. Those bailiffs from Northern Ireland, who in many instances are former security service personnel, were set upon by a gang of 20 men and beaten severely. Many were hospitalised, and their dogs were killed.

Again, there have been no arrests in the Republic of Ireland about that. The gang leader is a well-known prominent Irish republican. Could you have a conversation with your colleague Drew Harris and ask him what is happening with this case? If a Northern Ireland citizen is working in a foreign jurisdiction, he has a right to expect that he will not be subject to that sort of abuse.

Simon Byrne: Certainly, I can take it away and speak to Drew. It is not a conversation we have had up to now, because it was not an incident I was personally aware of. We can take that away and write to the Chair on where the investigation is up to.

Q23 **Ian Paisley:** I would certainly appreciate that. Some of these people were constituents of mine.

In the past 10 years, Sinn Féin has raised £12 million in the United States of America through its activities. For that money to make its way to Northern Ireland to be used in political campaigns would of course be illegal. Have the police decided to do an investigation into the illegal supply of money into political parties in Northern Ireland, given that it is hardly likely that Sinn Féin could spend £12 million on political campaigning in the USA but it would be very usefully spent either in this



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jurisdiction or, indeed, in the Republic of Ireland?

Simon Byrne: I am not aware of any current investigations. Are you, Barbara?

Barbara Gray: Not necessarily to discuss at this time.

Simon Byrne: We would have to take that away and see where the broader issues are in relation to that.

Q24 **Ian Paisley:** It is a massive amount of money to be raised for political campaigning for no investigation to be taking place.

Can you bring us up to date with regards to the war on adulterated fuel? Has there been any progress on that matter?

Simon Byrne: Principally, that would be an issue for HMRC. We carry out operations in concert with them in the border area. It is clearly something we are keeping a close eye on in relation to what may or may not happen tariff and price-wise with Brexit.

Like many of you, I personally did the border tour about two months, where only recently one of the illegal fuel stores—garages, whatever you want to call them—has been raided and closed. That is ongoing, and is active work in concert with customs and excise. I am not sure I can give more specifics than that at the moment.

Q25 **Ian Paisley:** There was an action task force set up by the Stormont House agreement, I believe.

Simon Byrne: Yes.

Ian Paisley: Does that meet regularly? What is the format of that?

Simon Byrne: Well, Barbara is heavily involved in that.

Barbara Gray: That is the one I co-chair with the deputy commissioner of the Guards, so there is a specific sub-group that is chaired up that looks at excise and tax fraud. That very much includes the actions around fuel laundering, and that is done very much, as the Chief Constable says, in partnership with the relevant tax agencies north and south. I think it was last financial year that the cost to the Northern Ireland economy of tax fraud related to fuel laundering alone was estimated at about £40 million by HMRC—just a huge amount.

Q26 **Ian Paisley:** Would that be a similar amount in the Republic?

Barbara Gray: I do not know what it is for the Republic off the top of my head, I am afraid. I know that across the UK, it was about £190 million, with £40 million in the Northern Ireland jurisdiction.

Q27 **Ian Paisley:** In terms of the Northern Ireland jurisdiction, who is directing the activities that are taking place in Northern Ireland? Are they also the ones who are leading it on the British mainland, or is it a different set of crime gangs?



Barbara Gray: No, it would be assessed to be different, I think. The assessment is that it would be quite localised operations north and south of the border as such. That is where the assessment would be at the moment, but certainly it has been an issue for decades, and it is something that our partners are continuously working on. We work to support them around every operation that comes forward.

Q28 **Lady Hermon:** Thank you very much indeed for coming to give us evidence this morning. It has been very interesting indeed.

Chief Constable, if I may start with you, you mentioned that you are only four months into the job, and you had come with a set of fresh eyes. When you arrived in Northern Ireland and you discovered the extent of organised crime, were you shocked, or had you an awareness from your previous police force and previous police service of the intensity in Northern Ireland—a small jurisdiction—of the number of highly organised crime gangs? Had you that awareness before you came to Northern Ireland?

Simon Byrne: I had the awareness in the sense of the preparation for the role and the conversations I had between being appointed and arriving, in terms of raw numbers. However, like anything, it is only when you are sat behind the desk and start to listen to people like Barbara and go out yourself—frankly, I have spent a lot of my time out and about, looking at the work of both specialist and frontline teams to try to get a sense of what they are dealing with, what their issues are and what their frustrations are.

If I am being entirely candid, the issue around paramilitary crime did shock me as I understood it better; how brutal and pervasive that is. Obviously I was aware of it, but again, only when you walk those streets and see those terraced houses—which frankly remind me of my policing past, particularly in Merseyside.

Actually, with the type of activity and organisation—it is no surprise in terms of the contraband—the issue here does remind me a lot of my experience there, in Merseyside in particular, probably partly because of historical links between Northern Ireland and that part of the north-west. A lot of the exportation of drugs, particularly, is between the north-west of England and into Belfast and beyond, so there were probably more similarities in terms of what I saw than differences.

That is one of the reasons why, soon after coming into post, we decided we were going to look at what Merseyside police were doing around what they call their Matrix programme, which is their framework for tackling organised crime. That has been seen by Her Majesty's Inspectorate of Constabulary as outstanding, so we thought we should pick the best, and go and have a look at it and see what we can learn from.

Q29 **Lady Hermon:** In your response, you referred repeatedly to paramilitaries, and that it was only when you were sitting behind the desk that you realised the full extent of that in Northern Ireland and were concerned about that. Is there a neat overlap, if I can put it that way,



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with organised crime gangs that operate in Northern Ireland and have international links? Are they always linked to paramilitary organisations in Northern Ireland? *[Interruption.]* I see Barbara shaking her head. That is not what I thought—I thought there were organised crime gangs with international links that did not necessarily overlap with paramilitaries. Could you say something more about that?

Simon Byrne: It could be worse—I could be nodding, and Barbara could be shaking her head.

Lady Hermon: Since Barbara was nodding in the right direction, we will go with Barbara first.

Barbara Gray: I take your point—it is entirely right. We do deal with paramilitary groupings—under a strict definition they are organised crime gangs, but their motivations are quite different in many aspects.

Q30 **Lady Hermon:** What are their motivations?

Barbara Gray: It is around the control of communities—that is what I feel and what we see played out. For example, there are paramilitary-style assaults, but that description does not do justice to the actual harm and nature of the attacks. We have about 11 organised crime gangs that are specifically international and include foreign nationals, and 30 organised crime gangs that we currently assess as having cross-border links. That is out of a total of 88 organised crime gangs that we are currently seeking to manage on a prioritised list. There are 88 organised crime gangs within my responsibility at this time.

Q31 **Lady Hermon:** We will separate this out. We have cross-border gangs, and other gangs with international links. Are you able to tell us which countries they come from, in order of priority, given the number of gangs you have? Are they European based? Are they from the Far East?

Barbara Gray: Both—we have far eastern gangs and, for example, Romanian and Lithuanian gangs. We have some concerns with Nigerian individuals—I am not being very specific with those descriptions at the moment—but there is certainly a mixture including south-east Asian gangs and European gangs.

Q32 **Lady Hermon:** Right. And what sort of goods are they primarily trading in? Drugs?

Simon Byrne: People.

Barbara Gray: People. Money laundering. Really it is what gives the most financial gain at any given time, but money laundering has been a huge issue for us. People trafficking is obviously a huge issue that we are very alive to.

Q33 **Lady Hermon:** Is this aided and abetted by the internet and the dark web, and the ability to communicate across the world and organise this sort of trade?



Barbara Gray: Very much so. The dark net, as it is now known, is a high-risk area across policing. It tests our capacity and capabilities by all accounts. In the past year, cyber-enabled incidents have increased by almost 50%, and those can range from frauds to high-end embezzlement of money.

- Q34 **Lady Hermon:** How many officers within the PSNI are dedicated to that sort of crime? What you are describing is very sophisticated crime. These are people with wealth who want to make more money.

Barbara Gray: I do not have a specific number of officers to share with you at the moment. As the investigations move through, the lead for those investigations can sit within one of the branches that I referred to—within the crime operations branch—and it will have dedicated priority for that organised crime gang. Behind that comes our economic crime unit, and again we can reach out nationally to the NCA and the National Economic Crime Centre.

We can reach out to our own cyber-centre, which plays an integral role in these investigations. It is actually much smoother than it sounds. The different units, with the highly specialised skills that they bring, probably dip in and out at different times of the investigation as such following those investigative plans; but we have a really well advanced cyber-centre—if any members of the Committee are in Belfast and wish to come and visit it, you are welcome at any time. We recently had the national cyber lead across in Belfast, who also cited the premises, and the ability, capacity and capability of the officers in Belfast, as one of the leads across the United Kingdom.

- Q35 **Lady Hermon:** I think you would describe these gangs as being highly sophisticated?

Barbara Gray: Yes.

Simon Byrne: Mostly, yes.

Barbara Gray: In that higher end—in that piece that we are talking around here—people in money laundering. Absolutely.

- Q36 **Lady Hermon:** So what has been the attrition rate—successful disruption of their activities?

Simon Byrne: I think overall we had over 100 disruptions across organised crime last year, against the 88 groups.

- Q37 **Lady Hermon:** Is that going up?

Simon Byrne: It is not an exact science of describing like for like, because a disruption can be a raid, or it can be more of a long-term investigation. I think compared with the previous year, it was actually less than 2017-18, from the figures I have seen. Actually, in relation to the specific groups in terms of the dark web, I do not have figures in front of me about the number of disruptions we have run there, but we can get those about some scale of current investigations, if that would be helpful.



Q38 **Lady Hermon:** I think that would be very helpful.

Barbara Gray: I should add drugs: I don't know how I forgot, but drugs is one of the major international and cross-border issues that we have. Again—I am conscious that this is a public session—we have had some really significant arrests and charges recently around money-laundering; that is in the last two to three weeks. We have had really significant arrests and charges as regards people trafficking and human slavery issues. So those are moving through the investigative process to get, hopefully, a successful conviction in court.

Q39 **Lady Hermon:** I am going to have to mention the word: after Brexit—after the UK leaves the European Union—are you anticipating being able to continue to access the assistance you need, the intelligence that you need from Europol, and obviously from Interpol, as well?

Simon Byrne: I think the broad assessment, both for the PSNI and across the UK, is “the same, but slower” in terms of how we share information or access information. For example, in our case, people often ask what the comparison would be with the European arrest warrant. So again, depending on where we end up—we probably are all slightly in the dark this morning about where things are at—if for example there was no deal and we lost that power, we would have to rely on legislation from 1957 to extradite people across borders; so that would take longer, but it would still be possible to do.

Similarly, there are specifics—because the PSNI is not part of the Schengen arrangements—about how we exchange data, information, at the moment, where my brief is that we would be able to broadly do the same in certain cases through Interpol, and that to get basically back to where we were would take, in the event of no deal, specific international agreements bilaterally between countries.

Q40 **Lady Hermon:** Well, let's hope it doesn't come to that.

Simon Byrne: We will soon see.

Q41 **Lady Hermon:** We talked about the international gangs and the links with individual Nigerians, and you mentioned two of the European countries and then the far eastern countries; but you did say that in fact there were specifically organised criminal gangs operating cross-border on the island of Ireland. Would you say something more about the size of those gangs and, indeed, the organisation and sophistication of those gangs?

Simon Byrne: Well, if you are talking about the foreign national gangs, our assessment is that the numbers in them are quite low; so as a group, you only have 50 to 60 people if you are talking about the Slovaks, the Romanians—if that is the case. Other gangs come and go in terms of who operates either side of the border—if you are talking about into the Republic. We would assess that to be about 30 of the 88 gangs.

Lady Hermon: Thirty of the 88 gangs operating in—



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Simon Byrne: More or less.

- Q42 **Lady Hermon:** When you are talking about a gang, are we talking about three or four people, or 10 people? What are we talking about?

Barbara Gray: Generally, anywhere between three and 10. We are not talking about huge gangs of 20 or 30 people, or networks of people. Generally, they are structured in smaller, tighter structures.

- Q43 **Lady Hermon:** Do they tend to be structured closer to the border or throughout the Republic?

Barbara Gray: The ones with cross-border links can operate around borders and the geography does not present any particular boundaries to them, so they can be from some of the major cities, predominantly the Dublin-border area through the north.

Simon Byrne: It may help to get some sense of scale. Obviously, this is a changing picture, because people come and go. While there are 88 gangs in the way that we describe them, they only comprise 450 people when you add them all up. Some are small groups, some are slightly more, but we are not talking "Peaky Blinders"-scale. They tend to be tight.

- Q44 **Lady Hermon:** It is the viciousness of what they are involved in—it doesn't have to be the numbers—it is the size, scale, value and sinister nature of their operations.

Simon Byrne: And they collaborate sometimes as well which gives them a bigger reach. That is the sense of what we are taking on here.

- Q45 **Lady Hermon:** Barbara, you offered to say a little bit more. You mentioned, Chief Constable, that you asked the National Crime Agency to review what the PSNI is doing to tackle organised crime. When you said that, you volunteered that Barbara would say something more. Would you say something more about what the National Crime Agency is doing?

Barbara Gray: Yes. It is the National Crime Agency and us. It is like a peer review that we are seeking with the National Crime Agency as partners across many different areas. We work in partnership with them around cyber-crime. Sometimes it is about indecent images; they provide great capability around that. We have sought to learn from their experience, which is on a more national and international basis, around some of the techniques they may bring, even around some of the prioritisations around further investigative techniques that may be available to us, but which we don't know.

In the preliminary week that we spent with them, there have been areas where they have looked to us and said, "Gosh, that is really good. We hope to be able to pick that up and replicate some of the practices that you have in place," but there are other areas and developments that will come through. I think a lot of that—without pre-empting the end point—will be about our tasking and prioritisation, and then that additionality, which is really useful in the issues that we are talking about, such as assets and the pieces that probably impact on some of the members and



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criminals more, by impacting on their lifestyles, ensuring that we are maximising every opportunity that we have around that.

- Q46 **Lady Hermon:** You give the impression that this will be a short review. Could you tell us when the review will finish? We will then have more confidence that the pace now will intensify.

Barbara Gray: We are reporting to the Chief Constable in January.

- Q47 **Lady Hermon:** I have one last question. It would be helpful for the Committee to know that this review of the National Crime Agency has the full support of the Policing Board.

Simon Byrne: Yes.

Lady Hermon: Excellent. That is very encouraging.

Simon Byrne: It is worth saying that January is a deliberate date, alongside some other work that we are doing, because the Policing Board has just agreed its draft high-level plan, and obviously that drives our activity for the next five years. We are basically trying to get our ducks in order for spring 2020, so that we can align a plan with a sense of reprioritisation and budgets, whether we are working with an existing resource and seeing how we have to adjust that to the issues we want to address, or in deed if we get any extra resource we will be able to respond that as well, within the tight financial envelope that we have to work with. We have to reset the budget every year at the moment because of the way the finance is given to us.

- Q48 **Chair:** I want to ask two quick questions that flow from what Lady Hermon asked. Do you have a figure that you can give us today or at a later date on the number of people you have rescued from people trafficking? Could you put that into some sort of comparable context with GB, in terms of figures? This is perhaps a weird question, but given the fact that getting illegal shipments of whatever is becoming increasingly tricky, as people carve up territories for different types of illegal activity, is there any evidence or indication of collaboration taking place between people for whom, in ordinary circumstances, collaboration would seem absolutely unpalatable?

Simon Byrne: Taking the second question first, I am not aware of any unusual or unpalatable collaboration—that is a bit an amorphous, subjective term, isn't it? Broadly, probably two thirds of crime groups will trade in more than one illegal commodity. That will inevitably put them into contact with different people, both within Northern Ireland and in other parts of the Republic and into GB. That is probably the easiest way of saying that, unless any specifics spring to mind, Barbara. In terms of the trafficking figures to compare with GB, we have to go to the modern slavery centre and get those figures for you, because we have not come with them today.

Barbara Gray: I respond by letter to the Committee on those numbers. I am pretty sure we had 38 referrals through the national referral mechanism, which works with the NCA on particularly vulnerable cases,



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where there is screening done. We were certainly close to a couple of hundred screenings that were carried out by our own modern slavery and human trafficking team. I prefer to respond by letter with the actual figures.

- Q49 **Chair:** I think there is always a tendency to presume that this sort of behaviour takes place in Northern Ireland and only affects people in Northern Ireland but, clearly, an awful lot of behaviour is effectively the seed bed, where the biproduct is destined for the mainland. Could you give some indication of where your analysis sits on that? Is Northern Ireland being used just as a gateway to England, Wales and Scotland, rather than just within Northern Ireland? There is a tendency for a lot of people in GB to think that this is a Northern Irish issue only affecting Northern Ireland, but that would be as bizarre as saying that organised crime taking place in Kent affected only people who lived in Kent.

Simon Byrne: I see your point.

- Q50 **Mr Campbell:** I am delighted to see you both here. Chief Constable, there are 643 MPs who take their seats in the House of Commons, and 642 of them live in and represent constituencies further away from the border than I do. I am very, very aware of the border issue, and I think you became very aware when you took up your present position. Can I give you a recent quote from August to see if you recognise it? It is, "we have over 300 crossings between the two countries. How on earth are my officers supposed to police that effectively?" Do you remember that statement? Do you remember who said it?

Simon Byrne: Probably George Hamilton or me.

- Q51 **Mr Campbell:** It was you, yes, in August. I and many others were extremely glad that you did. Did you make that comment as a result of being on the border and seeing it yourself? You have talked about being in the office and meeting people, but were you out on the ground when you made that comment at the end of August?

Simon Byrne: I have commented a number of times about the challenges of policing the border area. To be quite honest with you, in terms of dates and specifics, I would have to look at the date of the quote.

- Q52 **Mr Campbell:** I do not mean where you were when you made the statement; I meant, when you said that, was it as a result of having been on the border?

Simon Byrne: Again, I am trying to think, from a sort of mind-map, when I went to the border. I think that the first time I went was in July. So I went into Crossmaglen and visited the police station, and I have been to Newry and visited the area there, so I have done a number of trips in and out.

If I am being honest, Mr Campbell, I think it is a combination, between what I had seen personally and then—once you get that context—you get briefs from other people. But particularly in relation to those general comments, which I have repeated a number of times in different places, I



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suppose it is just trying to state publicly the practicalities, and that even if it was part of somebody's plan, physically we could not protect so many crossings.

You know yourself that sometimes the border is not even a precise thing; it can be two thirds of a road, or it can be halfway through a field. So coming from the jurisdictions that I policed, it was quite stark when you actually physically see it, in terms of its being imprecise. There are doglegs and rivers.

Given where we were, not just with what we are talking about today—the organised crime situation—but particularly with the brief around Brexit, we are trying to point out some things. The things I picked up were that, first, the physical geography makes it very difficult and, secondly, I know from both sides of the border, including conversations that I have had with Drew Harris, that normality is what people clamour for, whatever happens with Brexit. That is hugely important.

Thirdly, I think I said recently when I met the Policing Board that I had even taken legal advice about my own statutory position in terms of policing the border, and what was a policing purpose and what was not, so that we were not being lured into a different policing stance in that part of Northern Ireland.

Q53 Mr Campbell: Okay. The reason why I said that, Chairman, is that for a period of what is now probably 18 months or two years there have been political comments—some informed but most of them ill-informed, and some mischievous—that seemed to indicate things. The term “hard border” is bandied about and back at home most people's perception of what that means is coloured by what they knew in the past. So they had this image of structures, watchtowers, soldiers and police officers checking these 300 crossings.

I took at face value what you said, namely that—given what you have—it would be virtually impossible to do that. I just wish Monsieur Barnier had realised that two years ago and I wish that people in the House of Commons had realised that. Then we could have dispensed with this notion of a “hard border”. But that's a political point.

Moving on, Chief Constable you made the point about the number of officers you have, not just to police the border but to police the rest of Northern Ireland. You say that you will indicate that you probably need about another 700 or 800 to get you up to the Patten limit.

There are some comments that both you and your predecessor have made about how you do that and about the ways in which you try and get back there. My community were very, very aggrieved and offended at the former 50-50 process, which actively and systematically discriminated against members of my community when they applied for positions with the police. And they looked at other parts of the public sector where they didn't see any attempt to get any sort of proactive promotion of our community where they were disadvantaged.



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Have you given any thought to what you do in the absence of a return to 50-50, which I think most people don't want to see? However, if we park that and say, "That's not going to happen", can you talk about how you would like to see greater involvement by either community, particularly working-class parts of those communities, in getting the police up to the level that you need it to be, but doing that in a way that more accurately reflects the communities in which you are placed?

Simon Byrne: Thank you for that. First, this goes back to other things that I have said in different places about 50-50, because, like some things we talk about today, it is an emotive issue. I recognise personally that it was a product of its time to achieve a certain end and it would be foolish to discount entirely something like that returning, because be careful what you wish for.

Indeed, when I used to work not far from here at Scotland Yard, in a previous life, I called for something akin for 50-50 to help the Met to address the under-representation of black people in London some six years ago, but I accept its historical relevance and connotation. We are about to launch the next recruiting round for police officers in January, and you are hitting the nail on the head for me in that what I, and colleagues in Northern Ireland in the PSNI, need to do is to redouble our efforts to make the organisation representative.

The 50-50 was there to talk specifically about the Catholic community, but we have under-representation, as you say, right across working-class communities, be they Catholic or loyalist, and, notwithstanding Barbara sitting here today, we do not have enough women in the PSNI, particularly in leadership roles. We need to reflect the changing society in which we all police. The fact that I was talking to Lady Hermon a few minutes ago about the changing nature of crime that, for example, emanates from parts of eastern Europe, is also a reflection that communities from eastern Europe are now settled in Northern Ireland, and we need to see how we recruit from there, as well as from the LGBT community, to ensure that the PSNI is a service that represents everybody's interests.

The way forward is about positive action to encourage—in other words, you can support under-represented groups up to the point of selection with open days, with how to go about the recruitment process, to ensure that across a range of criteria, we see an organisation that better reflects the modern society that the PSNI polices than it does at the moment. I would not see a return to 50-50, but I would see more effort to ensure that we use the legislation that currently exists to the edge of the wire, to ensure that we boost representation across the piece and across the ranks.

Chair: Is that it, Mr Campbell?

Mr Campbell: That's it. Brief and to the point, Chairman.

Chair: You are the personification of pithiness.

Mr Campbell: I would not go too far now.



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Ian Paisley: Did you say “pithy”?

Chair: I did say “pithy”. I have got new teeth. Mr Grogan?

John Grogan: I will try to be equally brief and to the point.

Chair: It is not a competition, John. We have plenty of time; there is no PMQs, so don’t worry.

Q54 **John Grogan:** I have just two questions. Thank you for the quality of the evidence; I am certainly much clearer than I was at the beginning about what we are dealing with.

Following on directly from that question, though, as a devil’s advocate, could someone interpret what you have just said about the importance of inclusiveness, involving all sorts of different groups and so on, as downgrading the importance of ensuring that, bluntly, there are enough Catholics in the police force to give confidence? You referred to that as historical. Has the battle been won, then? Are you downgrading that ambition that has been there since Patten, and so on?

Simon Byrne: No, I did not want to leave that impression, Mr Grogan. What I was trying to talk about was the fact that, as you settle in and learn, 50-50 in certain ways is, again, an emotive issue in communities, because, frankly, there were winners and losers. What I absolutely recognise is that we have to make sure that the PSNI represents the demographics of Northern Ireland as best we can.

Actually, one of our top strategic worries is about the falling numbers of Catholic officers within the PSNI. If you reflect the surge of people who joined after the Patten recommendations, with the way the retirement profile now looks, if we keep on recruiting at our current ratios and balance that against the predicted retirements, that will see us going backwards.

In terms of confidence in communities, that is absolutely the wrong thing. We have just employed a new third-party recruitment expert to see that we use the latest ideas to attract people from a range of different communities, but I am absolutely not regressing from that commitment. We need more Catholic officers within the PSNI. We need support from people who can advocate into Catholic communities.

I personally have met people behind the scenes from both faith communities, influential people within the Catholic community, to listen and to encourage their advocacy. Going back to what we have talked about today, though, when I speak to people in communities, but also listen, there are some impediments that seem to be difficult for us. The whole issue of legacy is one that would be cited as a reason for not joining the PSNI, because of all those perceptions around collusion: what is the organisation they are joining? Whether you accept that or not is a separate question. More than once we have asked for legacy to be taken off the PSNI, because it is a barrier to recruitment from the Catholic community.



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If we are being quite honest, we started the morning with a quick commentary on the dissident republican threat to attack officers. That makes it very difficult to join, particularly for colleagues from Catholic communities, because they sometimes need to have conversations about not telling their family per se, or they have to move away from friends, family and all sorts of networks. It can isolate people. We need to redouble our efforts. Only eventually when we get critical mass will we achieve that. My worry is that if we are not careful, we will be on a slippery slope and be going the wrong way.

- Q55 **John Grogan:** Following something that Lady Hermon asked about, you spoke about the good co-operation that sometimes exists between criminal gangs. Is there also evidence of turf wars from time to time? Do newer gangs sometimes fight the more established gangs? Is that a factor?

Simon Byrne: I think it happens from time to time, but it is difficult to make comparisons with other policing experiences because the world moves on. I have been here four months, but I have seen more brutal turf wars in places such as Manchester, London and Merseyside than I have here. That is not to say it never happens. Sometimes armed groups will try to exert power and influence over territory, but—without tempting fate—although there are attacks and shootings from time to time, it doesn't seem to be as extreme.

- Q56 **Chair:** May I ask for your assessment, prediction and overview? As with any jurisdiction in the UK, there is clearly a problem with organised crime. Given the history of Northern Ireland, that problem is clearly exacerbated because of the percentage of proceeds that go into funding paramilitary and other violent activity—it is a sort of double jeopardy.

I am amazed that the B-word has been mentioned only once by Lady Hermon, but I am going to add to that. In the scenario of competitive tariffs and customs, my instinctive hunch would be that that provides a fertile ground for a dramatic increase in the call for illegal activities and organised crime, because it becomes more profitable. That in itself presents a policing challenge, with the potential for new entrants—either national or international—into the arena.

It is on the record that I am violently pro securing a deal in order to mitigate such a thing—I state that in case it is a registrable interest. You will be aware of the conversations that we are about to have in this place, and some of the crunch decisions that we are fast approaching. What is your assessment of that? In a situation of competitive customs and tariffs, will you have the resources to deal with that, or does the Patten figure look slightly out of date? What, if any, new challenges for policing might that present, and what will be the concomitant impact on the day-to-day security and ordinariness of the lives of the vast majority of people who live in Northern Ireland and just want to get on with their lives quietly and peacefully?

Simon Byrne: Two things: I don't want to end up saying anything that unravels patient negotiation with a throwaway comment. That is the last



thing I would want. That is a very broad question with a few bits to pick up on.

Broadly—I think Lady Hermon touched on this earlier—the brutal fact of this topic is that the motivation is mainly financial gain. Sometimes it is about influencing power, and that has another purpose such as patrolling territory or getting people to carry out nefarious acts and so on. If differences in tariffs make commodities dearer or cheaper, you can predict that these groups will be adaptable. They deal in poly-crime types, and they will reorganise and exploit. Clearly, we have our eyes open as well, given some of the historical links that we have in Northern Ireland with Scotland and the north-west of England; if the market shifts—that is really what it is—you can see changes.

There is stuff going on below the radar that is also a concern that we have not really touched on yet. Notwithstanding Brexit, you have commodities that are traded that probably need more attention, such as illegal prescription drugs. In many of the deprived communities in Northern Ireland, I have spoken to frontline workers, from not just the police but youth agencies and so on, who have real concerns about the rise in drug deaths and the exploitation of people through the peddling of illegal drugs—not traditional heroin or cocaine, but poisonous alternatives to painkillers, frankly.

Q57 Chair: So we are talking, really, about the opiate market?

Simon Byrne: Yes. That is below the radar. At some point, we need a different conversation—perhaps separate from this one—about the whole public health approach to drug dependency and drug deaths in Northern Ireland.

Frankly, when you go beyond the question of tariffs and people exploiting things, there are some unknowns as we sit here at the moment. Whether or not we end up with the common travel area will affect freedom of movement of people and all the risks that go with that. Sometimes, people are trafficked, but equally, criminals themselves move freely across borders. You then go beyond where we may be on 1 November to how people will feel in a country like Northern Ireland depending on the nature of the deal. We have an ACC who is now our gold commander—our person in charge of the policing response to the Brexit situation. We would monitor community sentiment, in both the loyalist community and the republican community, depending on the nature of any deal or, indeed, no deal.

You hinted, Chair, at the question, “If the dynamic changes, what policing challenges are we likely to see?” We can only predict based on history. Obviously, as history itself tells us, that is not always the best course, but we can speculate about changes to the dissident republican threat in one scenario, or changes to sentiment, particularly in working-class loyalist communities, who history tells us can mobilise very quickly, in another scenario. We have to plan for that.



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Frankly, given the headcount we have at the moment, which, even with Brexit uplift, is 6,800, I am worried that if there is a significant change in patterns of crime—patterns of public disorder—we do not, long term, have enough police officers to deal with that. I have been pretty impressed since I started with the can-do and flexible attitudes of people, which began for me when I had my first experience of watching the policing of bonfires in the run-up to 12 July. We were standing up and then standing down hundreds of police officers a day to deal with risk there. That requires planning, and it also requires good will, but that is not a sustainable approach to policing over many months.

Given all the unknowns, if there was a dramatic shift in barriers, tariffs or sentiment, I would want to be confident that we were able to recruit more officers more quickly to make sure that we had sufficient people and they were not distracted from all the work we have talked about today simply by sitting in the back of Land Rovers and policing potential protests in different parts of Northern Ireland. That is the enduring risk that we have to manage.

- Q58 **Chair:** Could I touch on that, very briefly? My hunch—if it is wrong, please tell me—is that that sort of policing in those circumstances would take us back very much to the type of policing prior to the PSNI's creation. My hunch is that a recruitment drive may be as proactive as before, but the attractiveness of working for the PSNI would decline incredibly sharply. You would therefore have an increasing problem with either, at best, a maintained staffing level or a declining staffing level, as people who had taken the decision to join the police service in one set of circumstances decided that the new set of circumstances for policing was really not for them. Is that a sensible, realistic, potential hunch?

Simon Byrne: There are a few things that we are acutely aware of at the moment. I noticed yesterday that the Secretary of State was celebrating low unemployment figures for Northern Ireland; regardless of anything else that is going on, we have to compete in the marketplace, mostly for young people who are making decisions after school or university about joining a career or an occupation. We are competing, despite some of the recent high-profile stories, in a relatively strong economy, which means that we need to be able to pitch in that space.

As I said earlier, even at steady state we hear, particularly from Catholic communities, about the difficulties that the current state faces.

I think I would be careful in terms of language about returning to a pre-PSNI stance. Frankly, if we are talking about policing public protest and disorder, the PSNI has a lot of experience of that, before my time, around flags and emblems and other totemic issues. I don't think it is necessarily as far back as the type of policing style that you would say is an RUC thing, but we have to be conscious that people—

- Q59 **Chair:** I wasn't necessarily talking about the policing style, but the policing environment.



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Simon Byrne: I would hate to think that we would return quickly to such a violent situation in terms of terrorism, bombings and killings. We can predict—

- Q60 **Ian Paisley:** One of the issues now, though, is that basically people are no longer joining the police for life. They are seeing it as maybe a 15-year career and then they are moving on, which puts pressure on your ranks and on promotions. Is that not one of the emerging problems?

Simon Byrne: You might have some examples, Mr Paisley, but we have not actually seen a lot of evidence of that. Without going down a rabbit hole, clearly there is commentary about changes to police pension arrangements that people will take into account. You now have to work longer as a new police officer than someone who joined when I did 30-odd years ago if you want to access your pension. On the days I was signing on the dotted line in Hendon in the '80s, the pension was the last thing on my mind—I did not really even understand what it was, if I am honest. Maybe it is only when you get to a later stage in life that it becomes a concern.

Chair: We were all young once. I am very conscious of time, but Lady Hermon is indicating that she has a teeny, tiny supplementary.

- Q61 **Lady Hermon:** Chairman, you have provoked me into using the word "Brexit". In that context, Chief Constable, your predecessor and his leadership team agreed that they would take three unused border police stations off the market because they just did not know how Brexit was going to end. We still don't know how it will end—hopefully it will be with a good deal. For clarification, may I ask what has become of those three stations? Are they still being held by the PSNI in reserve? If so, for what use?

Simon Byrne: As far as I am aware, they are effectively mothballed. From memory, they were going to be sold, but they have not been. They are there particularly because we have increased the number of officers in the district areas that border the border—those 190 we talked about at the start of the session. We have bid to the Department of Justice this coming year for more police officers again, effectively to double the number to deal with different scenarios arising out of Brexit. Frankly, it is about making sure that we have sufficient bases available to patrol from, depending on what we have to deal with in terms of Brexit.

- Q62 **Lady Hermon:** So those police stations have been mothballed. Does that mean that they have not actually been put in a state of readiness?

Simon Byrne: I think they are ready to go. Whether someone is going to—

- Q63 **Lady Hermon:** Right. So they are not mothballed; they have been made ready.

Simon Byrne: Well, I suppose it depends what you mean by "mothballed", doesn't it? The heating and lighting are still being paid; they are ready to occupy; they may still be people actually in them.



Q64 **Lady Hermon:** Are there people in them? That is a more straightforward question.

Chair: I am conscious of the time.

Lady Hermon: I think it is a valid question. Are there people in the police stations?

Simon Byrne: I think we can find out if there is physically anyone patrolling this morning.

Lady Hermon: Yes, that would be very helpful.

Barbara Gray: My understanding is that they have access to and from them, but they would not be used as stations at the minute. On the chief's point, the IT and everything is there, so actually tomorrow if we needed a full complement of staff based there and working out of there, they would be good to go. That is my understanding.

Lady Hermon: Thank you. If you confirmed that in writing, that would be very helpful.

Chair: May I thank both of you very much indeed for attending the Committee today? It is probably more than likely that the Committee will wish to submit further questions to you; we reserve the right to do that in writing. As the inquiry unfolds, we may also hear evidence or views on which we would value your contribution; again, we reserve the right to write to you to ask for your advice. Obviously, anything that you submit will then be put in the public domain. As the principal face of policing in Northern Ireland, that would be very helpful indeed.

Thank you very much indeed for coming, and thank you for the straightforwardness of your answers. I hope you found the questions interesting and stimulating; if you did not, you are far too polite to say so.

Thank you very much indeed. Order, order.