



Northern
Ireland
Office

The Rt Hon Chris
Heaton-Harris MP

Secretary of State for
Northern Ireland

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Simon Hoare MP

Chair - Northern Ireland Affairs Committee

By email: NORTHIRCOM@parliament.uk

31 May 2023

Dear Simon,

Thank you for the opportunity to attend the Northern Ireland affairs Committee (NIAC) and provide evidence to your inquiry into the effect of paramilitary activity and organised crime on society in Northern Ireland.

I am writing to follow up on three issues raised by members of the committee.

The percentage of the NCA budget spent in NI

The following has been provided as a response by the NCA:

“PSNI contributes £1,390,652 annually to the overall NCA Budget which is just over £800 million. We are not able to break down Agency spending by region, but our approximate costs for estates and headcount for officers alone in Northern Ireland is broadly six times more than the PSNI annual contribution. Our work to tackle serious and organised crime (SOC) provides excellent value to communities in Northern Ireland because this figure does not include wider costs, including those associated to NCA niche capabilities located across the UK which are accessible to PSNI as part of our partnership working. It is also worth noting that officers based outside of Northern Ireland do have a direct contribution on tackling SOC in Northern Ireland. An example of this is the work to disrupt the Kinahan organised crime group, which operates across the UK and internationally. We worked alongside multiple partners to dismantle their network; a result that had an impact on communities across the whole of the UK.

The NCA is the only law enforcement agency exercising civil recovery powers in NI. PSNI cannot apply for unexplained wealth orders (UWOs) as they are not an enforcement authority under the Proceeds of Crime Act (POCA). The only NI Enforcement Authorities are the Director of Public Prosecutions (PPSNI), who have consciously chosen not to do so, and HMRC. While NCA teams are testing the UWO tool in the absence of any court rules, the NCA will consider the use of UWOs in all cases, however, we are duty bound to use less intrusive orders if they will suffice (Disclosure Orders in particular).”

Terrorism Act 2006

Statistics on the use of Terrorism Legislation in Northern Ireland are published annually by the Northern Ireland Office and available at <https://www.gov.uk/search/research-and-statistics?organisations%5B%5D=northern-ireland-office&parent=northern-ireland-office>

S1 of the Terrorism Act 2006 makes it an offence to make statements that are likely to be understood by some or all of the members of the public to whom they are published as a direct or indirect encouragement or other inducement to them to the commission, preparation or instigation of acts of terrorism. Since April 2011 three people in Northern Ireland have been charged with this offence.

While these powers under S1 are available, decisions on their use and any resultant prosecutions are matters for the PSNI and the Public Prosecution Service of Northern Ireland, both of whom are independent of government.

This Government is clear that terrorism in Northern Ireland is not justified today and was never justified in the past.

Status of the Loyalist Communities Council

I also gave a commitment to provide an assessment of the status of the Loyalist Communities Council (LCC). It is important to note that the UK Government played no role in the establishment of the LCC and has provided no support, financially or otherwise since its formation. As previously indicated the Northern Ireland Office does not have a definitive list of representatives of the LCC, nor does it have set criteria for what constitutes being a representative of that organisation.

I am therefore not in a position to provide a well informed/accurate description of the status of the body. However, it is my understanding that, when launched in 2015, the LCC was described as an independently chaired organisation with a focus on addressing economic underachievement in Loyalist communities, law abiding responses to criminality, and loyalist disenfranchisement in the political process.

Committee Members may wish to refer to the ‘*Joint Declaration of Intent*’ made at the time of the launch of the LCC which is attached to this letter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Chris', written in a cursive style.

**THE RT HON CHRIS HEATON-HARRIS MP
SECRETARY OF STATE FOR NORTHERN IRELAND**

RED HAND COMMANDO

Joint Declaration of Intent, 13 October, 2015

UNFINISHED WORK

Twenty-one years on, since the 13th October 1994 CLMC ceasefire announcement, Northern Ireland is in a state of relative peace. The constitutional position of Northern Ireland as an integral part of the United Kingdom, for which many loyalists gave their lives and freedom, has been secured and recognised by republicans as well as unionists.

We recognise that the Northern Ireland Assembly, which we continue to support, is not inclusive of the loyalist community. We accept the democratically expressed will of the electorate however a vacuum in loyalist communities has been created which has led to significant disenchantment with politics, and to our communities being largely ignored and neglected. It is no coincidence that the attainment levels of working class loyalist young people are the lowest in the United Kingdom.

It is our desire to make a meaningful contribution to reversing this situation, to give our young people hope for the future, and to help build structures which will improve our communities and protect our culture.

1. We are re-committing to the principles of the Belfast Agreement. We eschew all violence and criminality. If there are those who attempt to use current or past associations with our organisations to further criminality they will be disowned and should be aware that they will not be permitted to use the cover of loyalism. We expect the authorities to take whatever steps are necessary to deal with any offenders. Anyone mis-using Loyalism for criminal purposes should be held accountable to the Criminal Justice System.

2. We recognise the relevance of this to recent events and the current political talks, and hope that this Declaration will encourage Loyalists to be included in the Legacy issues currently under discussion.

3. We will work to improve our communities and to encourage loyalists to engage fully with political parties that promote and preserve our heritage and culture.

4. To ensure the effective monitoring of Loyalist requirements we are forming a **Loyalist Communities Council** which will be independently chaired and supported by a secretariat. It is our hope that the Council will become a vehicle for attracting meaningful funding and initiatives to assist loyalist communities throughout Northern Ireland, enabling loyalism to play a full and active role in the community and wider remit and in constitutional politics.

4. The LCC will initially focus on three main areas of work:

- Addressing economic underachievement in Loyalist communities
- Law-abiding responses to criminality
- Loyalist disenfranchisement in the political process.

We trust that this Loyalist Communities Council will provide fresh hope to those who have become discouraged, and will be met with widespread support.

GOD SAVE THE QUEEN