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# COMMUNITY AND POLICE PARTNERSHIP: YOUR VOICE, YOUR CHOICE

## FOREWORD: DR MARJORIE MOWLAM

1. In April 1996, the Labour Party published its paper "Policing in Northern Ireland - A service for all people". This highlights the need for everyone in the community to assist the police in their task of upholding law and order. A law abiding society provides safety and justice for all, and maintains the standards of individual freedom and respect for human rights that everyone has a right to expect. The continuing violence in Northern Ireland has however presented the Royal Ulster Constabulary with tremendous problems in carrying out its task of maintaining law and order in a way which delivers a service of the highest possibly quality to the people of Northern Ireland and ensures the safety of both the public and of its officers. The RUC's achievements are worthy of unstinting admiration. But terrorism and the difficulties which it produced have affected not only the police, but also the other two partners in the tripartite structure which governs policing in Northern Ireland - the Government and the Police Authority for Northern Ireland. Much has been achieved despite the difficulties but all three partners believe that much more is possible.

2. Our aim in this consultation paper is to put forward for discussion some options for developing an even more effective partnership approach. To do that, we need to look at ways of involving the whole community more extensively in the work of the police service and in the fight against crime. This paper considers ways of doing that at both local and Northern Ireland-wide levels.

3. This paper is divided into two parts. Part one looks at the existing partnership structure and provides a number of options for a more participative role for the community in the appointment of the Police Authority. Part two is divided into two sections and deals with links between the police and the community. Section one of this part considers the future development of Community and Police Liaison Committees following the implementation of the current Police (Northern Ireland) Bill. That legislation will cover a range of matters but one of the more relevant new requirements is that the community will have to be consulted about new, statutory policing objectives. Section two looks at the wider picture of how crime should be tackled in the

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community in ways which involve not only the police but also other bodies that have a direct interest working together to create safer communities.

4. The improvements to the policing of Northern Ireland the Government will introduce in the current Police Bill do not pre-empt the all-party Talks process which is currently underway. This process will examine the policing of Northern Ireland, and the Government will take forward the agreements which emerge from it in due course. Meanwhile, Government is keen to assist constructive debate on policing, in the Talks and throughout the community. That is what this document is intended to do.

5. The Government will circulate this consultation document widely, including to all Talks participants; and it will be available for discussion in the Talks process. The Government will value the views put forward by the parties there, who will be in a position to relate their comments to other aspects of the negotiations. But views from the broader community will also be most welcome: policing affects everyone, and everyone should have their voice heard.

6. There is a hunger for a lasting peace throughout Northern Ireland. Now is a time of hope. This opportunity for improving policing in the community, and improving respect for the law, for the benefit of all, should not be missed. Broadly accepted and respected law and order, which guarantees justice and fairness for all, is as relevant here in Northern Ireland, as anywhere else. But achieving this depends on participation and real engagement, across the community, at all levels. If widespread consensus is found to exist around any particular matter covered in this paper, the feasibility of early implementation can be considered.

7. This is your opportunity to have your say on all these issues. I would very much welcome your comments, which will be of most help if they arrive before [10 April 1998].

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Comments should be sent to Police Division, Massey House, Stoney Road, Belfast BT4 3SX, before 10 April 1998]. Further copies of this document may be obtained either by writing to this address or by telephoning 01232 527500, extension 27508.

The Government may be asked to publish the responses to this paper. Those who wish their comments to remain confidential should indicate this clearly in their replies.

1.1 Before considering any of the options for change, the next few paragraphs explain how the Police Authority is presently appointed. The Government would welcome your views on the present method of appointing the Authority.

Who manages policing?

1.2 The present framework for management of the police service is contained in the Police Act (Northern Ireland) 1970. That Act established three partners to administer the police service in Northern Ireland. The partners are the Secretary of State for Northern Ireland, (formerly, the Minister of Home Affairs in the Stormont administration) the Police Authority and the Chief Constable.

How did this structure come about?

1.3 This system was set up following publication of the Hunt Committee Report in 1969. That Report highlighted a lack of clarity in the legal relationship between the Northern Ireland Government and the police, and the perception that the RUC was too directly controlled by the Northern Ireland Government. Lord Hunt recommended the creation of a police authority responsible for the provision of policing that would represent the community as a whole, to which the Chief Constable of the RUC could be accountable and through which the community's wishes and fears might be expressed. This was part of a series of recommendations to civilianise and professionalise policing and to distance it from partisan political control.

Why have a tripartite arrangement like this?

1.4 The purpose of the tripartite structure is to remove direct responsibility for policing from the Government, and thereby leave the police free to enforce the law impartially without the danger of direct political control. Under the terms of the present arrangements the Chief Constable makes

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# PART 1: THE NORTHERN IRELAND POLICE AUTHORITY

## INTRODUCTION

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operational decisions independently without recourse to either the Authority or the Secretary of State but he is accountable to the Authority for the outcome of those decisions. One aim of the current Police (Northern Ireland) Bill is to make accountability arrangements more transparent and effective, and to allow the Secretary of State and the Authority to set the strategic direction of policing without affecting the Chief Constable's operational independence. These aspects of the Bill are based on changes introduced for police forces in the rest of the United Kingdom by the Police and Magistrates Courts Act 1994, which are working well.

**Was this something completely new?**

1.5 No. The creation of a Police Authority in Northern Ireland represented an extension of the English policing model, where there was a history of local police watch committees and police authorities. The responsibilities of the new Authority were modelled closely on those given to police authorities in England and Wales in the Police Act 1964, although Northern Ireland circumstances were different and the funding arrangements of the Authority were not the same.

## PRESENT SYSTEM OF APPOINTING THE POLICE AUTHORITY

**Who appoints the Authority?**

1.6 The Police Authority for Northern Ireland is the only one in the United Kingdom where all the members are directly appointed by a Government Minister (the Secretary of State for Northern Ireland).

**Are these appointments governed by statute?**

1.7 Section 1(1) and (3) of the Police Act (NI) 1970 governs the establishment and constitution of a Police Authority for Northern Ireland and Schedule 1 to that Act requires the Secretary of State to appoint a Chairman, Vice-Chairman and between fourteen and twenty members.



## Do appointments represent community interests?

1.8 The 1970 Act requires that as far as practicable the membership of the Police Authority is representative of the community in Northern Ireland; and as far as practicable the members appointed include persons representative of the interests of:

- district councils and other public bodies (including universities and other institutions of higher education);
- the legal profession;
- trade unions;
- agriculture, industry and commerce; and
- voluntary organisations having as their principal object, the welfare of children or young persons.

The current Police (Northern Ireland) Bill retains this principle of 'representation' as the core attribute for Police Authority members, but omits the list of particular sectors which should so far as practicable be represented, because there are many other sectors (women; the unemployed; disabled people; ethnic minorities; the elderly; the churches) which could also merit inclusion.

## Are there any other laws which apply to appointments?

1.9 Yes. Section 19(1) of the Northern Ireland Constitution Act 1973 prohibits the Secretary of State from discriminating in the exercise of any of her functions, for or against any person or class of person on the grounds of religious belief or political opinion. In addition, legislation on sex discrimination and racial discrimination is also applied to the exercise of the Secretary of State's functions in appointments.



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Are there any specific guidelines on the appointments process?

1.10 Yes. The Nolan/Peach guidelines for public appointments apply to the Police Authority appointments. In 1995, Sir Leonard Peach was appointed as to the post of Commissioner for Public Appointments. This post had been recommended in the Nolan Report, the remit of which was "to examine current concerns about standards of conduct of all holders of public office". Annex A sets out the NOLAN/PEACH principles, the most important of which is that all appointments must be made on the basis of merit. This of course creates a tension with the requirement to make the Authority representative.

When and how was the present Authority appointed?

1.11 In June 1997 the Secretary of State appointed a Chairman, Vice-Chairman and 17 members for a 3-year term. Some members, the Chairman and Vice Chairman had served one term on the previous Authority and were eligible for re-appointment on the basis of their satisfactory service. The vacancies were filled by appointments made after scrutiny of all applicants under the guidelines for public appointments laid down by Sir Leonard Peach. This process involved advertising the vacancies in the three main daily newspapers. These advertisements outlined the desirable characteristics of potential applicants. Candidates were then shortlisted using the published criteria as demonstrated in their application forms; and at interview were assessed against these criteria. The interview panel included a person with no operational role, either in the Police Authority or in the Northern Ireland Office, which is the Government department responsible for advising the Secretary of State on appointing new Authority members. A complaints procedure was available for anyone dissatisfied with the process. The only criterion which can be used in the process of selecting from amongst the applicants, members of the Police Authority (under the Peach guidelines) is that of 'merit'.

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# CHANGING THE PRESENT APPOINTMENTS SYSTEM

### Why change?

1.12 In "Policing in Northern Ireland - A service for all people" published in April 1996, the Labour Party stated that it wanted to review the method of appointing the Police Authority. The Government sees the Authority as providing a vital link between the police and the community, without coming under political control. The Authority's existence helps to ensure that Northern Ireland is effectively and impartially policed, and that the police are properly accountable to all sections of the community. The Government believes that the new provisions in the Police (Northern Ireland) Bill will strengthen the key community representative role of the Authority by making its duties and responsibilities clearer and providing the opportunity for enhancing its links with District Councils. The Bill will also give the Authority new powers to set objectives, performance indicators and performance targets for policing. This will have to be done in consultation with the community. The Authority will be empowered to monitor the delivery of the police service to the community and to hold the police to account for the delivery of that service. But the new provisions in the Bill do not address the very important question of whether the Authority's membership can be made more representative of the entire community. Concerns have been expressed, from all quarters, about this; and about the Authority's own independence and strength.

1.13 Through this paper, the Government seeks to establish whether or not the present system of appointing the Authority can be improved to achieve greater representation from all sections of the community, and so to address also the questions about the Authority's independence and strength.

1.14 There can be no doubt that, in the past, the Authority experienced huge difficulties in trying to establish a high public profile primarily because of the considerable security requirement surrounding much of the Authority's work. The Authority has been attempting to become a more open and accessible body. It is clear, from community surveys, that it now has a significant profile and a new appointments process might well help to enhance its relationship with and standing in the community.

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1.15 This consultation about the Police Authority for Northern Ireland coincides with a UK-wide consultation about Non-Departmental Public Bodies (NDPBs or Quangos) which the Government is also undertaking. The Government acknowledges the valuable work which Lord Nolan and his committee on Standards in Public Life has done. That work has led to the establishment of clear standards of propriety for board members and staff of NDPBs. Sir Leonard Peach has been appointed as the first Commissioner for Public Appointments to regulate, monitor and report on the public appointments process.

1.16 The Government wants to build on that foundation by addressing a number of the criticisms of Quangos. These include the perception that many NDPBs are unelected and unaccountable, secretive and remote, and unresponsive to the communities they serve. Appointments to NDPBs are normally made by the Minister of the Department sponsoring the body and there is concern that this system is giving rise to allegations of 'patronage' in the appointments process. Additionally, there is a feeling that the pool from which members have been drawn has tended to be too narrow.

1.17 The Government is particularly concerned that these general concerns about Quangos apply with especial force to the Police Authority. In addition, it is also concerned that there may be a general perception that the Police Authority lacks real independence and power. In order to address this, the Secretary of State would like to have the community's views on how members of the Police Authority are, or ought to be, appointed.

1.18 This section of the paper sets out a number of different options for appointing or selecting members of the Police Authority to achieve broader community representation, and an Authority which is seen to be genuinely independent. These range from the encouragement of a broader base of applicants; through some form of direct election; to seeking nominations from political parties for elected representatives to serve on the body in proportion to party strengths province-wide, or giving any new political institutions in Northern Ireland a significant role in the composition of the Authority. The system of direct election or of nomination of elected representatives (whether from any new political institutions or otherwise) could be used to select some, or all, of the Authority membership. The following important factors form a backdrop in considering the options:

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- the size of the Authority - its membership should not be unmanageably large;
- the guidelines for public appointments laid down by Nolan/Peach (see Annex A);
- the comparative cost of different methods of appointing an Authority against increasingly tight financial constraints;
- community views and the importance of achieving a consensus on the policing of Northern Ireland.

1.19 The political talks process, with the prospect of agreement leading to new democratic institutions in Northern Ireland, is another important element to consider. Any new institutions could clearly have an important part to play, and it could be that such institutions could provide a basis for local political representation on the Police Authority, or be linked to policing structures in some other way. The Government would welcome ideas and views on these issues, which will figure in the Talks as they progress.

### OPTION 1

#### A BETTER GEOGRAPHICAL SPREAD

##### What is it?

1.20 This option looks at two different ways of making appointments to the Police Authority on a regional basis to achieve a broader base of applicants, a better geographical spread and foster closer regional ties. This is important because of recurrent criticism that the current system leaves geographical factors out, so that some areas may have no 'local' representative on the Police Authority.

##### How could this be done?

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1.21 By allocating places on the Authority either to each county or on the basis of some other existing geographical framework such as the District Council Environmental Health Group structure (Northern, Southern, Eastern and Western Groups). Because of its population size, the Belfast region would have to be treated separately. There could also be a core element of places to be filled on a Northern Ireland wide basis.

### How could the seats be shared out?

1.22 By using the current population figures for either the County, Group or Belfast and allocating seats in proportion to the fraction of the total Northern Ireland population figure which the County/Group or Belfast represents. Figures 1 and 2 show these population figures.

1.23 Figures 3 and 4 illustrate how seat allocations might work out on the basis of a twenty two Member Authority, all of whom are appointed on a regional basis, by Environmental Health Group and County respectively.

1.24 Figures 5 and 6 show how this works out for a twenty two Member Authority, fifteen of whom are appointed regionally and seven of whom are appointed on a Northern Ireland wide basis.

### How would candidates be selected?

1.25 In accordance with the Peach guidelines, there would be three stages to this process:

- Advertisements, stating the required skills for the posts would be placed in both the local and main daily newspapers.
- All applications would then be divided according to County/Group/Belfast and then sifted to ensure that those who possess the best qualifications for the job are selected for the next stage of the process. Those who have the best overall record when measured against the published competencies would then be called for interview.

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- Those who perform best at interview would be shortlisted in order of merit for each County/Group or Belfast; and the Secretary of State would then appoint members from the shortlists as described in paragraph 1.21 above. So, for example, if Belfast qualified for three seats on the basis of its population, then three candidates from the Belfast shortlist would be offered appointment; if Fermanagh qualified for one seat, then one candidate on the Fermanagh list would be offered appointment.

Throughout the entire process, the overriding principles for this process of selection are the Nolan/Peach principles which are set out in Annex A.

### Questions to consider:

- What size should the Authority be? Is 22 Members too small to achieve proper representation? Or is it too large for a strong cohesive body?
- Does this option deal with the criticisms of Non Departmental Public Bodies described in paragraph 1.16?
- Would this option achieve broader geographical representation of the community on the Authority?
- Will it result in wider community participation in the appointments process?
- Will these methods attract sufficient candidates?
- Is the idea of linking with an existing District Council group what you want to see? Or would you prefer the traditional 'County' basis?
- How will this option tie in with the policing of the community?
- What about the application of the Nolan/Peach criteria?
- What about the idea of a separate, Northern Ireland wide element to cover, for example, Trade Union or other interests which are not geographically based?
- Would any safeguards be required? If so, what?
- Will it protect policing from partisan political control, as the Hunt Report recommended?

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## OPTION 2

## A MORE DEMOCRATIC SYSTEM OF APPOINTMENT

What is it? How could it be done?

1.26 Some form of elected representation "as of right" on the Authority. Three possibilities are explored:

- Direct election (either "first past the post", or on a proportional representation basis).
- Appointing Councillors in proportion to the strengths of the political parties.
- If the Talks process reaches agreement, and new political institutions are established, using these as a basis for elected representation on the Police Authority.

How much might this cost?

1.27 The estimated cost of, for example, elections to the Forum, was £1.5m. The cost to the political parties would be additional to this figure. Direct election is, therefore, quite a costly option. Appointing Councillors, or representatives elected for another purpose, reduces these costs.

How would individuals be chosen?

1.28 In the case of direct elections, it would simply be the candidates who did best under the chosen electoral system.

In the case of Councillor appointments, the political parties could nominate their candidates and the number of seats allocated to each party could depend on the Northern Ireland-wide party mix of elected Councillors. The results of the May 1997 elections were:

UUP	185
SDLP	121
DUP	91



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SF	74
Alliance	41
Other*	70

(\* includes: Independent councillors; PUP, UDP, Womens Coalition, etc).

Figure 7 shows the percentage of votes cast for each party in the May 1997 local government elections.

1.29 This could result (Figure 8) in an 18 member Authority consisting of 6 UUP, 4 SDLP, 3 DUP, 2 SF, 1 Alliance and 2 "others", depending on the precise method of seat allocations.

1.30 A Police Authority wholly made up of elected Councillors would broadly mirror the current arrangements in Scotland. In the case of members drawn from any new institutions, selection of members might take a number of forms. For example, the new institutions might themselves select members from their number for the Police Authority, in accordance with their own rules (which might incorporate safeguards to ensure cross community representation). Or they might be required to do so in proportion to party strengths. Such elected representation drawn from any new institutions on the Police Authority would of course leave open the question of the respective roles of the new institutions themselves and the Secretary of State in relation to policing, which is a matter to be agreed in Talks, and which could form an explicit part of the overall agreement.

1.31 These are just three possible examples of how this system might work. Government would welcome comments on the elected/appointed balance and any other aspect of the proposal.

### Points to consider

- Does this option deal with the criticisms of Non-Departmental Public Bodies described in paragraph 1.16?
- Will this option be too costly for both Government and Political Parties (particularly relevant if direct elections are to form part of the system)? For example, the Forum elections are estimated to have cost Government £1.5m; parties' own expenditure would be on top of this.

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- Will this option result in having the best qualified people for the task?
- Will this achieve a broad, representative community mix of people on the Authority?
- Will this protect policing from partisan political influence, as the Hunt Report recommended?
- Are there particular drawbacks to any of the three variants?
- Would there need to be safeguards to ensure proper geographic spread of representation?
- Would other safeguards be needed? If so, what are they?

### OPTION 3

#### A COMBINED AUTHORITY

##### What is it?

1.32 This option is the appointment of an Authority consisting of some elected and some independently appointed members.

##### How can this be done?

1.33 Elected representatives could be appointed using one of the methods already suggested in the previous option. Independent candidates could be appointed by the Secretary of State and, in line with the usual procedures for appointment, would have to meet the Nolan/Peach criteria. This option is broadly in line with current arrangements for selecting members for Police Authorities in England and Wales. For example, (Figure 9) in an Authority of 22 Members with 12 elected representing, the UUP might have 4 seats; the SDLP 3; DUP 2; SF1; Alliance 1 and "others" 1.

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### Points to consider

- Does this option deal with the criticisms of Non Departmental Public Bodies described in paragraph 1.16?
- Will this process be too costly for both the Government and the Political Parties?
- Will there be a broad enough field of candidates for both the elected and independently appointed candidates?
- Will it protect policing from partisan political influence, as the Hunt Report recommended?
- Would there need to be safeguards to ensure proper geographic spread of representation?
- Would other safeguards be needed? If so, what are they?

### ELECTION OF THE CHAIRMAN

#### What is the option for change?

1.34 Empowering the Authority to elect its own Chairman and Vice Chairman members, rather than as at present his or her direct appointment by the Secretary of State.

#### How can this be done?

1.35 Once the Authority has been appointed, members could be given the power to arrange the election of their own Chairman and Vice Chairman from amongst their number for the period of office of that Authority; and in specified circumstances, to replace them. This option could be combined with any of the previous ones or it could be introduced separately. It involves minimal change to the existing appointments procedure. It has the advantage of increasing the independence and cohesiveness of the Authority.

### Points to consider

- Should the Authority appoint its own Chair and Vice Chair?
- Should these appointments be subject to approval by the Secretary of State?

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- If the Authority has the power to remove the Chair and Vice Chair should this be subject to the approval of the Secretary of State?
- Should the Secretary of State have a reserve power to require the resignation of the Chair and Vice Chair?

### SUMMARY OF OPTIONS FOR CHANGE

1.36 There are a number of options, each of which merits careful consideration, and each has its individual attractions. The paper includes the following options:

1. The Secretary of State appoints all Authority members on merit, on a broader geographical basis. This could take the form of either representation on the Authority by county or by the existing regional Environmental Health Group structure. There could be a set allocation of seats for each county/Group, in proportion to the population of each area. Separate selection competitions would be run in each county/Group. The entire Authority could be appointed using either of these options; or a certain number of appointments could be made for each county/Group, with the balance of the Authority members made up of Northern Ireland wide representatives, possibly representative of certain specified interest groups.
2. Introduce a directly elected Authority. This could involve either a separate election for that purpose; or an Authority where seat allocation would be based on the number of seats held by each political party as a proportion of the total number of Council seats; or (when political agreement produces new political institutions in Northern Ireland) an Authority whose members are drawn from those institutions.
3. Introduce an Authority which is made up of a specific number of elected representatives (drawn up as described in 2 above) and a specific number of appointments made by the Secretary of State, in accordance with the Peach/Nolan guidelines.
4. Devolve authority to PANI membership to elect their own Chairman and Vice Chairman - this can be combined with any of options one to three above.

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# PART 2: THE COMMUNITY AND THE POLICE: PARTNERSHIPS AGAINST CRIME

## Introduction

2.1 There is a wide recognition that more is achievable by working together than in isolation. The Government is keen to encourage voluntary collaboration in more places and in more varied and innovative ways than ever before. A vast field of experience is already available throughout Northern Ireland and the Government wants to ensure that the community is able to benefit to the full from that pool of expertise and talent.

2.2 This Part of the paper looks at partnerships between the police and the community. It is divided into two sections. Section one explores the future development of Community Police Liaison Committees; and section two draws attention to the good work which is already being done by existing bodies which are directly involved in crime-prevention, and at the efforts being made to provide a more holistic service to the community.

2.3 The Police Authority has worked hard to establish links between the police and the community. It does so in many different ways, each attempting to meet the requirements of a diversity of interests and needs. Many people know that the Authority carries out surveys to find out what the community thinks about the police service they receive. The responses to these help the Authority to see where more work is needed. For example, recent surveys revealed a need to develop work with ethnic minority groups and young people, to make sure that their views were properly represented. The Authority produced pamphlets to cater for the needs of both these groups.

2.4 The Royal Ulster Constabulary is also directly involved through its Community Relations Unit in ascertaining and meeting the needs of the community. Perhaps the most intensive and meaningful way in which the Police Authority, in close co-operation with the police, consults the community is through the growing network of Community Police Liaison Committees. These Committees provide a natural way for effective dialogue between the police and the community.

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2.5 The Government aims to encourage and develop the future work of Community Police Liaison Committees, and of all groups which work with the police to assist in the prevention of crime.

### SECTION 1: COMMUNITY POLICE LIAISON COMMITTEES

**Is there any legal requirement to consult the community?**

2.6 Yes. Article 82 of the Police and Criminal Evidence (Northern Ireland) Order 1988 imposes a duty on the Police Authority to consult the community on policing matters. In 1988, the Police Authority and the RUC decided to review the existing arrangements for consultation in order to have them in place in time for the introduction of the provisions of that Order. That initiative led to the formalisation of a variety of existing informal bodies and arrangements under the new title "Community Police Liaison Committees". The current Police (Northern Ireland) Bill consolidates Article 82, in Clause 7, without change.

**How is the community consulted?**

2.7 The main way in which this happens is through the Community Police Liaison Committee network. Apart from this, the Police Authority carries out regular community surveys. Other techniques such as focus groups on particular issues are also being considered.

**What is a Community Police Liaison Committee?**

2.8 There is at present no precise legal definition. It can, perhaps, be described as a group of people who meet regularly with the local police to discuss matters of concern and to exchange views on issues of common interest. Their chief objective is to try and resolve policing problems that concern their community and to arrive at mutually agreed solutions to them. How such groups come into existence, how they are made up and the way in which they operate vary, depending on the individual circumstances of each.

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## How long have they existed?

2.9 Community Police Liaison Committees (CPLCs) have existed in some form or other since the early seventies. The Police Authority and the RUC have worked in partnership with the community in order to establish them in all areas of Northern Ireland.

## What are their aims?

2.10 CPLCs currently have four main aims, which are:

- to develop and maintain public confidence in and support for the police by making sure that policing decisions are in tune with the needs of local people;
- to improve relations between police and public;
- to involve local people in finding solutions to local crime problems;
- to help explain to the public what it can realistically expect from the police and ways in which the public can help the police.

## Points to consider

- Are these suitable aims for community-police liaison bodies?
- Should there be other additional aims?

## Do CPLCs function independently?

2.12 Yes. These committees are independent of the Authority, the police, and the Government.



## How are they organised?

2.13 The way CPLCs are organised and what happens at meetings does not have to follow a rigid pattern. The sorts of subjects that form the agenda are likely to vary from area to area, and over time, as local concerns and circumstances change. The Police Authority does not specify what actually constitutes a CPLC. They are generally based on either a police Sub-Divisional area or a District Council area.

## Who can belong to a CPLC?

2.14 It is most important that CPLCs are widely representative of their localities and that the membership reflects a broad range of views. Although there are no hard and fast rules about who belongs to one, the membership usually includes people who represent the views of:

- elected representatives;
- young people;
- minority groups;
- churches;
- industry and commerce;
- residents' and tenants' associations;
- women's groups; and
- opinion-formers.

## Can you find out what CPLCs do before becoming a member?

2.15 Yes. As a starting point, CPLCs may invite people to attend meetings as observers in order to gain an understanding of how they operate and how they provide an interface with the local police.



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Can CPLCs seek guidance from any central body?

2.16 Yes. In 1992, the Police Authority set up a CPLC Steering Group. The membership comprised a representative from each CPLC. Officials from the Police Authority assist with administration, and the Police Authority provides a Chairperson for the Steering Group, from amongst its members.

What is the Steering Group's function?

2.17 The aims and objectives of the Steering Group are:

- to develop, support and promote the network of CPLCs throughout Northern Ireland;
- to co-ordinate the views of the community on policing;
- to provide a forum for individual CPLCs to raise matters of common concern;
- to develop and promulgate best practice guidelines for CPLCs/Community Representatives/Police;
- to assist with the arrangements for the Annual CPLC Conference;
- to provide advice to the RUC and the Police Authority on measures to increase the effectiveness and public awareness of CPLCs.

What Government policies involve CPLCs?

2.18 The Government recognises that, just as in other public services, one of the major factors contributing towards the improvement of the policing service received by the public is deepening the co-operation between the police and the community they serve. It also recognises that one of the most effective ways of achieving this is by the police working in partnership with other agencies in the community. Much has already been achieved, but more needs to be done to ensure full

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participation by all. The Government is committed to facilitating and encouraging existing developments, and looking constructively at new initiatives.

2.19 This, in turn, requires dialogue at local and Northern Ireland-wide levels. The Government cannot address this in isolation from the community; neither can the police provide a completely effective service without the community's help. Everyone can assist the police in reducing crime levels and creating a peaceful and law abiding atmosphere in their particular community. The Government is particularly keen to facilitate these efforts.

2.20 The Government wants to enhance the links between CPLCs and the police. One way of doing this is to build on the provisions of Article 82 of the Police and Criminal Evidence (Northern Ireland) Order 1989 (now Clause 7 of the Police Bill) which requires the Police Authority to consult the community.

2.21 The Labour Party paper, "Policing in Northern Ireland, A service for all people", emphasised that there are many aspects of local policing that need larger scale back-up. The Government endorses crime prevention programmes such as street lighting, closed circuit television and educational initiatives that will meet the needs of local communities for reduction in crime and the fear of crime. CPLCs could obviously play a role in developing and shaping such initiatives.

**Are there any new Northern Ireland provisions for obtaining and reflecting community views on policing?**

2.22 Yes. The provisions of the Police Act (Northern Ireland) 1970 will be amended by the new Police (Northern Ireland) Bill. This will introduce new provisions which will require:

- **the Police Authority** to determine annual objectives for policing; these will be based on community consultations and will complement objectives produced by the Secretary of State;
- **the Chief Constable** to prepare a draft annual policing plan for the Police Authority showing how he intends to deploy his resources to pursue those objectives;
- **the Police Authority** to consider, approve and publish the annual policing plan;

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- the Police Authority to monitor police performance and progress, and to issue an annual report which includes a commentary on the implementation of the policing plan.

2.23 [A pilot policing plan for 1998/99 has been launched by the Police Authority.] [A pilot policing plan for 1998/99 will be launched by the Police Authority soon.]

### Why make these changes?

2.24 One of the main reasons for making these changes is to provide an even closer link between the police and the community and provide an open mechanism by which public priorities for policing can be expressed, police performance monitored and evaluated, and difficulties analysed and overcome. In particular, it is important to find out what level of satisfaction the various geographic and social communities in Northern Ireland have in the policing service they receive; and to focus joint efforts on tackling difficulties, in partnership, in an efficient and effective way.

### How will the changes affect CPLCs?

2.25 When the Police Authority is compiling its report on the Chief Constable's success in implementing the annual policing plan, CPLCs will respond on behalf of their particular communities. They will be able to give a focused view of each community's opinions about the implementation of the policing objectives for specific localities.

### Does this require changes to CPLCs?

2.26 The Government has no fixed views about changes in this important and rapidly developing area. It is keen to look constructively at any suggestions that are made. It considers that the precise way in which a CPLC operates is primarily a matter for the local community to decide, in light of its particular circumstances. It is willing to facilitate any changes which are widely regarded as beneficial. It recognises that the development of local police liaison committees makes a real contribution in forging an active partnership between the police and the community, and is prepared to support initiatives which would assist this process.

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2.27 The Government suggests two possible options for developing CPLCs. There are probably many others, and you now have an opportunity to put forward your own ideas for their future development. The Government welcomes your ideas, and also your comments about the following options:

### OPTION A - A LEGAL FRAMEWORK

#### What is it?

2.28 This is a means of providing some legal framework within which Community Police Liaison Committees may operate.

#### How could this be achieved?

2.29 By introducing legislation which could for example:

- formally set out the aims of CPLCs;
- specify the way in which CPLC meetings are conducted;
- cover the types of issues which should be common to all CPLC agendas; require the recording of minutes of meetings;
- specify groups that should be represented on all CPLCs;
- require some means of feedback to the local community; and
- establish statutory lines of communication to the police and the Police Authority.

#### Points to consider

- Do you want CPLCs to be under a formal duty to report to the Police Authority about the RUC's performance in meeting local objectives?
- Would such arrangements prevent local communities adapting the CPLC concept to their own specific circumstances?
- Would these measures detract from the informal way in which members of the community meet with their local police?

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- Should CPLCs receive more financial or other (eg administrative) support? Should this be provided by central or local Government?
- Are there any specific areas of CPLC work, either any of those already mentioned, or additional ones, which might benefit from a more formal, legislative footing?

2.30 A way of establishing a more formal link with District Councils by requiring them to provide at least one CPLC in each District Council area.

2.31 Many police sub-divisions already correspond closely with District Council areas and the Government has stated its preference for police command units to correspond with the geographical boundaries of District Councils. This is also one of the recommendations of the Fundamental Review of policing in Northern Ireland.

2.32 The Government wants to ensure that the views of democratically elected representatives upon law and order issues are heard. The new Police Bill (Clause 7) provides that District Councils may make arrangements to raise questions on policing matters, and places a duty on the Police Authority, given reasonable notice, to send an Authority member to the Council to answer such questions.

2.33 The Government also suggests that consideration might be given to providing a statutory link between CPLCs and District Councils.

How could this be achieved?

2.34 By introducing legislation which could for example:

- specify that at least one CPLC should exist in each District Council area;
- place a statutory duty on District Councils to maintain such CPLCs and provide equal members of it from among elected representatives.

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### OPTION B - FORMAL LINKS WITH DISTRICT COUNCILS

#### What is it?

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- place a statutory duty on District Councils to maintain such CPLC's and provide some members of it from among elected representatives.

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## Points to consider

- What would happen to CPLCs that operate successfully and independently of the District Council structure?
- Do you want Councillors to be required to attend CPLC meetings?
- Do you want District Councils to be required to set up a CPLC within their areas?
- If Councils are required to form CPLCs, should there be a corresponding right for the Council or the local CPLC to require a nominee of the Chief Constable or a member of the Police Authority to appear before the Council or CPLC to answer questions on the policing arrangements for the Council area?
- Should consideration be given, in addition, to introducing some form of statutory objective setting/police planning mechanism at local level?

## SECTION 2: PARTNERSHIPS AGAINST CRIME

2.35 The Government recognises that the strong community infrastructure in Northern Ireland, together with a tradition of effective partnership working, provides a good basis for a holistic approach to crime prevention and community safety. This section of the paper invites views and suggestions on how community and partnership based structures and activity can best work with and complement those of the RUC, CPLCs and the criminal justice system as a whole. It does so, not in an attempt to devise systems that are necessarily applicable throughout Northern Ireland - diversity of approach has much to recommend it in local arrangements - but rather to encourage debate and exchange of ideas on best practice.

2.36 Community organisations and groups, sometimes at estate and street level, have played an important role in this area. So too have the public agencies, often in the most difficult circumstances. Schools, the Youth Service, Social Services, the Housing Executive, DOE, the Probation Service and the RUC are in the forefront of social provision and the creation of a safer and better environment. The voluntary sector has also played a key role. There has been much innovation and a great deal has been achieved thanks to the commitment of people from all the agencies and the community.



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2.37 The Government's approach is reflected in the work of the Community Safety Centre. Established in September 1996 and managed by representatives of a range of agencies in the statutory and voluntary sectors, the Centre promotes a co-ordinated approach to crime prevention, is a clearing house for information on best practice and facilitates local groups and organisations in their development of ideas and projects.

2.38 The Government welcomes innovative ideas aimed at empowering local people, in partnership with the public agencies and voluntary sector, to improve social cohesion, promote social inclusion, resolve disputes and reduce crime and the fear of crime. These mutually reinforcing objectives can be approached from a range of perspectives. The physical environment may have an impact on crime and anti-social behaviour, while the availability of community and youth facilities at the right time of day can play a part in diverting people away from offending behaviour. There is also a role for such concepts as restorative justice (aimed at restoring and repairing relationships between offenders, victims and the community) and mediation as means of resolving problems without recourse to formal procedures.

2.39 None of this can replace or provide an alternative to the police or other organisations and procedures associated with the criminal justice system. The formal procedures of investigation, adjudication and compulsory intervention or referral must remain the preserve of the appropriate statutory bodies, operating within the legal framework which protects and balances the interests of individuals and the community. Effective partnerships, between the informal and the formal and between community-based approaches and the statutory agencies, can achieve much in the fight against crime.

2.40 The Government welcomes your suggestions on how to enhance the partnership approach and the effectiveness of community-based initiatives in securing a reduction in crime and anti-social behaviour.

### Questions to consider

- What role can locally-based initiatives and organisations play in addressing the problems of criminal behaviour and the causes of crime?

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- What arrangements can be made for partnership with the statutory, voluntary and private sectors to achieve these objectives?
- How might this approach link into the work of the police, CPLCs and other parts of the criminal justice system?

### Summary of Options for Change

#### Section 1

- *Option A:* Introduce statutory provisions laying down procedural rules for CPLCs.
- *Option B:* Require District Councils to form CPLCs in their areas and be represented on them.

#### Section 2

- Seeking innovative ideas for co-ordinating crime prevention activities and bringing together statutory and voluntary agencies that are involved in the prevention of crime.

## CONCLUSION

2.41 The Government will welcome all comments about this Consultation Document. It will carefully consider them.

2.42 The options for changing the method of appointment of the Police Authority outlined in Part 1 are by no means exhaustive but represent some ways of obtaining more openness and wider community involvement and representation in the important task of setting policing objectives and targets, and holding the police to account. In the final analysis, the most fundamental principle is to ensure that the community is able to rely on an efficient, effective, accountable and impartial police service. To achieve this, a strong and representative Authority is needed.

2.43 The Government acknowledges and applauds the excellent work that the Royal Ulster Constabulary and the Police Authority have already done in difficult circumstances and at great

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sacrifice. It will continue to support them in their efforts to involve the community in the work of the police service. No individual has a monopoly on wisdom. The Government wants to see the widest possible representation of the community in the future structure and development of links with the community. Everyone has a part to play in making this community safer for all.

### Origin of the Role

The post of Commissioner for Public Appointments for Northern Ireland was created in 1995 in response to a recommendation of the Nolan Committee<sup>1</sup>. The Nolan Committee was appointed by the then Prime Minister to "examine current concerns about standards of conduct of all holders of public office"<sup>2</sup>. During their enquiries the Committee encountered public concern about appointments so 'Quangos' and reported a widespread belief that such appointments were not always made on merit. They concluded that the evidence for this belief was circumstantial and inconclusive and identified the main weakness in the public appointments system as being the absence of effective external scrutiny. As a means of introducing a mechanism for reviewing the work of individual departments and identifying failures of system or practices, the Committee recommended the appointment of an independent Commissioner for Public Appointments. The Government accepted this recommendation and decided to create two posts; one to cover appointments in Northern Ireland and an equivalent post for Great Britain.

### The Commissioner's Role

1. Sir Leonard Peach was appointed to both the above-mentioned posts after a competitive selection procedure and took up office on 18 December 1995. The Commissioner is independent of Government and his role is to monitor, regulate and provide advice on departmental appointment procedures for ENDFBs and HPSS bodies. In addition, the Commissioner has the right to investigate complaints<sup>3</sup>.

<sup>1</sup> Nolan Committee, recommendations number 26

<sup>2</sup> Hansard, 20 October 1994, col 798

<sup>3</sup> The Commissioner's duties and powers are provided by the Commissioner for Public Appointments (Northern Ireland) Order, 1995 which is regulated in accordance with his first report

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## NOLAN/PEACH PRINCIPLES FOR PUBLIC APPOINTMENTS

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<sup>1</sup> Cm 2850-I, recommendation number 38

<sup>2</sup> Hansard, 25 October 1994, col 758

<sup>3</sup> The Commissioner's duties and powers are prescribed by the Commissioner for Public Appointments (Northern Ireland) Order. The Order is reproduced as an annex to his first report



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2. In Northern Ireland there are some 78 ENDPBs and HPSS bodies which together account for approximately 965 appointments. It is estimated that the annual number of appointments and reappointments subject to the Commissioner's jurisdiction will be around 150.
3. The Commissioner has no powers in relation to appointments made to advisory non-departmental public bodies, to tribunals or to nationalised industries, though he is willing to give advice if requested. In addition, he has no responsibility for making public appointments or holding a register of those interested. He works closely with the Central Appointments Unit, which keeps the central database in Northern Ireland of those who are interested in obtaining public appointments.
4. Using the work of the Nolan Committee and after a period of consultation the Commissioner published a Code of Practice on 1 July 1996 setting out the seven principles which must be applied to public appointments. These principles are:

**Ministerial Responsibility:** The ultimate responsibility for appointments is with Ministers.

**Merit:** All public appointments should be governed by the overriding principle of selection on merit, by the well-informed choice of individuals who through their abilities, experience and qualities match the needs of the public body in question.

**Independent Scrutiny:** No appointment will take place without first being scrutinised by an independent panel or by a group including membership independent of the department filling the post.

**Equal Opportunities:** Departments should sustain programmes to promote and deliver equal opportunities principles.

**Probity:** Board members of ENDPBs and HPSS bodies must be committed to the principles and values of public service and perform their duties with integrity.

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*Openness and Transparency:* The principles of open Government must be applied to the appointments process, its workings must be transparent and information must be provided about appointments made.

*Proportionality:* The appointments procedures need to be subject to the principle of “proportionality”, that is, they should be appropriate for the nature of the post and the size and weight of its responsibilities.

5. The Commissioner also provided guidance on applying the seven principles to the public appointment process. This guidance is wide ranging and includes:
  - establishing the competencies required to fulfil the mission;
  - applying the seven principles to the Public Appointment process;
  - defining the task (job specification) and the qualities sought (person specification);
  - identifying a field of candidates;
  - selecting a shortlist and recommending candidates to Ministers;
  - choosing the preferred candidate;
  - confirming the appointment.
6. All appointments to ENDPBs or HPSSBs should be made after advice from a Panel which includes at least one independent member. Independent members should usually account for at least one third of the membership.

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