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(25 March 1998)

Annex E

POLICING

1. It is essential that there is a police service in Northern Ireland which is professionally effective and efficient, free from partisan political control; and accountable both under the law for its actions and to the community which it serves. It must be capable of maintaining law and order including responding effectively to any terrorist threat. Subject to that, the British Government is effectively to any terrorist threat. Subject to that, the British Government is ready in principle to devolve responsibilities for policing matters by agreement with the Assembly. For the present, though, responsibilities for policing issues and arrangements will remain with the Secretary of State who will, after the election of the Assembly, establish an independent deliberative Commission to undertake a wide-ranging review of policing arrangements in Northern Ireland.

2. The Commission will be charged to bring forward proposals for future policing arrangements in Northern Ireland. The membership and terms of reference of the Commission will be determined in consultation with the Assembly. Its task will be to bring forward recommendation which ensure that:]/[such action will be designed to ensure that:

- the police service is so structured, managed and resourced as to ensure that it can be effective in discharging its full range of functions;
- that the legislative and constitutional framework is such as to ensure that the service maintain, as a safeguard for the impartial discharge of police functions operational independence, subject to the appropriate arrangements for their accountability in a democratic society;

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- that the police operate within a clear framework of accountability to the law and the community they serve in that:
  - ◆ the police must be constrained by, accountable to and act only within, the law;
  - ◆ the powers and procedures of the police, like the law they enforce, must be clearly established and publicly available; there must be open, accessible and independent means of investigating and adjudicating upon complaints against the police;
  - ◆ there must be clear arrangements enabling local people, and their political representatives, to articulate concerns about policing and, subject to protection to ensure police impartiality and freedom from partisan political control to influence policing priorities and policies;
  - ◆ there must be arrangements for accountability for the effective, efficient and economic use of resources in achieving publicly established policing objectives;
  - ◆ there must be a means to ensure independent professional scrutiny and inspection of the police service to ensure that proper standards of effectiveness are maintained.
- policing arrangements must be such that the police are acceptable to, enjoy widespread support from and seen as representative of, all responsible sections of the community.

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3. The British Government intends that once agreed policing arrangements have been established, in close consultation with the Assembly, responsibilities for policing arrangements should be devolved to the appropriate Northern Ireland institutions.

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