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June 2018

The News Magazine of The Police Federation for Northern Ireland



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Mark Lindsay
Chair, Police Federation
for Northern Ireland



'We will never accept moral equivalence between those who upheld the law and those who sought to destroy it.'

Karen Bradley MP
Secretary of State
for Northern Ireland

also inside this issue

Conference Reports • Rowland Betty Application • Menopause Survey • PRRT

Editorial

PFNI welcome for 'no moral equivalence' stance on legacy

Words used by the Secretary of State, Karen Bradley MP, at our annual conference were welcome and reassuring.

Legacy is a toxic issue, loaded with the very ingredients that could achieve the direct opposite to what was intended. Feelings run deep, no more so than in the police family which suffered so much to deliver the imperfect but still infinitely better peace we enjoy today.

This Federation has consistently made its feelings known on legacy and amnesty matters. We re-stated those candid views in front of the Secretary of State when we set out our total opposition to any legislation which proposed an amnesty for any crime irrespective of whether it was committed by a Police Officer or a terrorist.

Our colleagues in the Royal Ulster Constabulary did what was right and frequently prevented Northern Ireland from descending into anarchy. They saved tens of thousands of lives and prevented even worse carnage at the hands of republican and loyalist terrorists.

In the Legacy Consultation currently underway, it would be massively offensive to link their good name in the same breath as the killers and bombers. Our Chair said such linkage would be "a disrespectful and shameful act of betrayal."

The Secretary of State echoed those words in her plain-speaking address to delegates. "We will never accept", she declared, "moral equivalence between those who upheld the law and those who sought to destroy it."

Ms Bradley was also at pains to declare that the Government would always reject attempts to re-write history "in ways that seek to justify or legitimise republican or loyalist terrorism."

Naturally, these were welcome comments from the Minister, and reflected our view on legacy and the past. As part of the Legacy Consultation, this Federation will be making a detailed and forthright Submission which builds on what was said during conference by both the Chair of the PFNI and the Secretary of State herself.

Dealing satisfactorily with the past also carries a hefty price tag and impacts greatly on policing the here and now. Financial resources will have to be reviewed if the task is to be undertaken professionally and competently.

The cost should not be borne out of existing budget lines, which are already badly stretched and, some might argue, are incapable of delivering the full range of present-day services. For that very reason, the Chief constable is seeking an additional £60 million over ten years to deal with legacy issues, and we would urge the government to treat this request favourably.

For some, legacy is tied to the word 'collusion', a word that has no legal definition, but which is bandied about in an attempt to demonise, undermine and destroy. 'Collusion' is widely open to misinterpretation, and is an attempt to retrospectively criminalise policing and both serving and retired. Any inferences of criminal activity should be backed up by evidence and not through the use of ill defined words, rumour or story telling.

As we know from the Loughinisland High Court ruling late last year, the Police Ombudsman used unrestrained and "destructive" language in his report alleging "collusion" by Police. His office was unable to back up this allegation of participation in murder by criminal charges or disciplinary proceedings. Mr Justice McCloskey said "the Police Ombudsman's 'determination' of Police collusion in the Loughinisland murders is unsustainable in law..."

That phrase is worth repeating – unsustainable in law. "Destructive" language has inflicted considerable damage on the Office of the Police Ombudsman. Without belabouring the point, or citing specific instances of high-handedness in cases involving our members, the PFNI is of the view that the time for PONI to be answerable to an oversight mechanism is beyond doubt.

Conference keynote speech at a glance

'Shameful act of betrayal' to link Officers with terrorists in legacy debate - Lindsay

The Chair of the Police Federation for Northern Ireland says it would be 'a disrespectful and a shameful act of betrayal' to link the names of Officers with those of the terrorists in the debate on legacy.

Mark Lindsay told more than 100 delegates attending the PFNI's Annual Conference that the organisation was opposed to any amnesty and to attempts to define the word 'collusion', which sought to retrospectively criminalise both serving and retired Officers.

The RUC GC had 302 Officers murdered and thousands injured during the 'Troubles'.

Dealing with the government's current consultation on legacy, Mr Lindsay said: "Closure on the past delivers up raw emotions, none more so than with the relatives of our colleagues who gave their all...for peace.

"Let me be clear: This organisation is totally opposed to any legislation which proposes

an amnesty for any crime. That's any crime, whether committed by a police officer or terrorist from any side of the divide.

"Society must now decide, whether the solution is a political solution or a criminal justice solution.

"If justice is to be done fairly, then society must move away from rumour, story-telling and political agenda and deal only with facts in law.

"It would be the most monstrous injustice to our murdered men and women if we were to accept some half-baked idea that resulted in the names of our colleagues being sacrificed for the sake of political expediency.

"That would be the ultimate insult!

"Our colleagues did what was right. They must not be treated the same as the people who pulled the trigger or planted the bomb.

"They saved tens of thousands of lives while terrorist groupings wrought havoc and misery.

"So, it would be intolerable and massively offensive if their good names were to be used in the same breath as the killers who sought 'parity of esteem' by using a warped parity of misery and pain.

"A disrespectful and shameful act of betrayal.

"It is also unacceptable that terms such as 'collusion' are bandied about, without either legal definition or proof.

"There is a clear and determined attempt to define the word 'collusion' as a catch-all, which would be widely open to misinterpretation.

"It is attempting to retrospectively criminalise policing and Officers, both serving and retired.

"It also does a great disservice to those men and women who put their lives on the line to protect our communities.

".....It is perverse that the very people who built the foundations for peace should now be scapegoated for the sake of political expediency."

Mr Lindsay also set out the case for the recruitment of hundreds of additional Officers to deal with whatever emerged from negotiations about the border in a post-Brexit era.



The Chief Constable and the Secretary of State during Mark Lindsay's keynote address.



Legacy, Brexit, pay, assaults and declining Officer numbers featured in a wide-ranging keynote address to Annual Conference.

‘Still Under Attack’ was the theme of the two-day event which covered a continuing ‘severe’ terrorist threat by dissident republicans and pressure on budgets and resources.

Here is the address in full delivered by PFNI Chair, Mark Lindsay.

Secretary of State, distinguished guests, colleagues, you are all very welcome to this, our 46th Annual Conference.

You will see from the screen behind me that our theme is: **STILL UNDER ATTACK.**

Budgets are reducing.

Our pay process has been a mess.

Officer numbers are going down.

We see an increase in assaults on our colleagues..

And, then, we have the challenges brought by legacy and Brexit.

On top of all this we still operate, on and off duty, under a severe terrorist threat.

Last year, we said that the Service, and the people we represent, were UNDER ATTACK.

In the intervening twelve months, nothing has changed.

We are **STILL UNDER ATTACK.**

There's no disguising the fact that we meet at a time of great disquiet in policing in Northern Ireland.

Criminal gangs and terrorist remnants, are still bullying, preying on communities, carrying out unimaginable acts of violence and, from time to time, launching vicious attacks on our officers.

Twenty years on from the signing of the Good Friday or Belfast Agreement, we're still far from a settled community.

"I stand four-square with the Officers and their families. And society needs to do likewise."

Better than before

That said, Northern Ireland is a better place than it was 25 years ago.

In that year, eighty-eight people were killed. Eighteen of them members of the security forces.

Six of the eighteen were our colleagues in the Royal Ulster Constabulary.

Since then, much progress has been made.

And, yes, it is worth reminding ourselves that with all its imperfections and flaws, the peace we enjoy today is slowly – **all too slowly** - transforming this community.

Peace remains a work-in-progress and just as we held the ring in the seventies, eighties and nineties, our Officers remain the bulwark against violent dissident republicans and loyalist gangsters.

Standing with you

In recent weeks, dissident republican elements have turned their attentions to the family homes of some colleagues in the hope of driving them out of the PSNI.

Mothers, fathers, brothers and sisters are understandably angry and fearful. Their loved ones volunteered for a job because they believe in policing.

They believe in protecting communities. In making a stand against the masked thugs who would terrorise and brutalise.

Like everyone else in this room today, I stand four-square with the Officers and their families. And society needs to do likewise.

You and your families should not have to endure this abuse.

You and your families are part of the community.

We are alongside you and, from this conference, I say to the people who make and plant pipe bombs, and who orchestrate violence against our men and women, and society in general, that you will never succeed.

And to the communities that remain blighted by these gangsters, I make this earnest appeal:

Deadweight of terrorism

If you want a better future, rid yourselves of the deadweight of terrorism, and those who see it as a strategy for the future.

Conference, don't forget, the masked men encouraging youths to petrol-bomb Police vehicles in the Creggan area on Easter Monday are the very same people who will not hesitate to shoot those same young rioters in the knees for anti-social behaviour.

Together, we have to put them out of business once and for all, so that this community, moving as one, can create a future we can all share and be a part of.

Assaults up 6%

Petrol bombing Police vehicles is only one part of the story when it comes to assaults on our colleagues.

They also face the threat of being assaulted as they go about their work.

Last year saw an overall increase of 6% in the number of assaults on Officers. That's 2,664 assaults or the equivalent of 40% of all regular PSNI Officers.

This figure is far too high and shows a worrying disrespect for the work Officers do and the rule of law generally.

"There's no disguising the fact that we meet at a time of great disquiet in policing in Northern Ireland."

“Officers aren’t some kind of societal punchbag. They’re not there as a stressball...”

Officers not societal punchbag

Officers aren’t there as some kind of societal punchbag. They’re not there as a stressball for those who seek to engage in street disorder or bring violence into the home place.

They are there to protect people, and most certainly do not deserve to be singled out for violent assault whenever they step in to difficult situations.

Assaults of varying severity cannot be tolerated. They place Officers at risk. They place some of them in hospital. They lead to longer-term psychological problems.

And, whenever Officers are in recovery, it means there are fewer available for duty. All of which places added pressure on colleagues who are asked to do more with less.

Assaults are something that have to be addressed. To that end, this Federation would like to see assaults treated more seriously in our Courts with tougher sentences handed down to serve as a

deterrent or to make a would-be assailant think twice before assaulting an Officer.

Time for long, hard look

It’s also time to take a long, hard look at the number of Officers who make up the PSNI.

Officer numbers are at their lowest since the formation of the service in 2001.

“Recruitment is simply not keeping pace with the numbers leaving.”

Recruitment is simply not keeping pace with the numbers leaving. Since our last conference, Officer numbers have diminished and currently stand at 6,621.

Delivering the full range of services is seriously undermined by this erosion.

We are at dangerously unsustainable levels right now, and unless urgent action is taken to halt the slide, then I fear what will happen in coming years.

It is entirely likely that a whole range of relatively minor crimes will not be investigated. It is not inconceivable that certain calls for help from the public will go unanswered.

The situation is exacerbated because of the absence of service integration and collaborative working between Government Departments and agencies.

This effectively means that the Police Service are not only carrying the weight of policing society, but also dealing with the shortfall in funding experienced by other Public Sector providers.

More and more, the PSNI is not the emergency service of last resort, but the emergency service and social service of first resort. Funding and resourcing need to take cognisance of it.

Now, we find ourselves almost 500 fewer than what the Chief Constable said he needed to effectively police Northern Ireland. This is purely down to slashing budgets. The days of finding significant savings are over and we are now seeing reduced numbers as a direct consequence of budget cuts.

Austerity

In England and Wales, Government-led Public Sector austerity has given way to a commitment to invest in policing. In this respect, we welcome the forthright comments by the Home Secretary last week. We expect nothing less than a similar commitment to policing in Northern Ireland.

There is no excuse for persisting with austerity in Northern Ireland when we

“There is no excuse for persisting with austerity in Northern Ireland.”



PFNI Chair, Mark Lindsay, updates Conference on Wellbeing.



PSNI Deputy Chief constable Drew Harris, Chief Constable George Hamilton and Mark Lindsay answer questions from the floor.

Brexit: "There is a time to get real around all of this, and that time is now."

have already seen the dire consequences on policing elsewhere.

Brexit and the Border

As if to compound matters, we have the looming implementation of Brexit and the debate around the form the frontier should take.

We're not involved in the dispute over whether it should be a 'hard' or 'soft' border.

The job of working out the fine detail of how the UK deals with its only land border with the European Union is best left to the politicians.

What does concern me is how, whatever is eventually decided, is going to be implemented.

Whether there is to be a hard or soft border, there will be an expectation that Government agencies such as Border Force, HMRC and proactive policing operations will increase dramatically along the border.

With the severe terrorist threat in NI, it is a fair assumption that any increased activity will provide a potential target for terrorists.

The PSNI will, therefore, be required to provide protection for all Government agencies working along the 300-mile border and, as such, additional resources will need to be redeployed.

In the absence of adequate funding, this will be to the detriment of policing elsewhere.

300 more Officers needed

In effectively policing a soft border, there is the requirement for at least 300 officers to be redeployed. Quite simply, these are Officers we do not have at present.

Additional real estate will need to be retained, and we have already seen the sale of Warrenpoint PSNI station halted.

I would anticipate that stations previously earmarked for closure will now need to be retained.

In order to protect officers, there is an expectation that additional armoured vehicles will be required. Not inexpensive on their own!!

There will no doubt be considerable extra legal costs required in extradition cases. Again, this needs to be adequately funded with additional budgets.

We are painfully aware that even when we had 13,500 Officers, supported by 26,000 soldiers, it proved a daily challenge to police the border.

So, if we were stretched in the seventies, eighties and nineties, is it not fair to say that we will be well and truly incapable of performing the task with officer numbers of 6,621 or a sixth of what we had then?

Time to get real

There is a time to get real around all of this, and that time is now.

By this time next year – despite talk of a two-year transition period – the border will assume greater importance.

We don't possess the numbers, the security apparatus or specialist resources for increased counter terrorist, search and support duties along the border.

There continues to be a real and worrying terrorist threat, and I believe it's reasonable to assume that personnel expected to police the border will themselves become terrorist targets.

What we don't want is to see a few hundred Officers re-deployed to border duties, leaving towns and cities under-staffed to deliver professional Police services to the community.

Chief Constable, we would expect you to put forward a strong and robust case for additional resources to take into account this new dynamic.

And we would like the Government to accede to whatever the Chief Constable says he requires, and to our calls for a properly resourced Police Service.

That means an immediate increase in the PSNI budget.

An immediate commitment to engage in a meaningful recruitment programme.

And a promise to invest in the equipment that Officers will need if they're to protect themselves and other Government agencies in simply doing their jobs along the border.

I know there's a long way to go in negotiations, but it would be foolhardy not to plan for a worst-case scenario, and to begin the job of ramping up numbers and resources.

Let's face it, even without an increased presence on the border, we will still require hundreds more Officers on the payroll to meet minimum requirements.

Running sore

Policing doesn't get any easier as new demands are added to the notice board.

Not surprisingly, we feel we deserve to be fairly paid for the work that's done.

As we are all too painfully aware, failure to implement a pay award had been a running sore for eight months.

This award should have been implemented from 1st September last year and caused justifiable anger and resentment.

“Police pay has slipped in the region of 18% since 2010...this is a disgraceful situation.”

It's not that the pay rise would keep pace with inflation. Far from it!

No Minister in place, and 'false dawns' on political agreement locally, all conspired to put our award on the backburner. It was only because of well-meaning intervention that we got pay across the line, and I would like to formally thank all those involved in that task.

We're now well the into pay process for 2018/19, and my hope is that whenever they are concluded, we will see an award for 3.4% implemented immediately in September. This is not an increase in real terms but merely keeps us in line with government's own forecasts on inflation.

Clearly, in the absence of a Minister, we must see a streamlined system on pay put in place, which sees pay commitments honoured and implemented from September.

Police pay has slipped in the region of 18% since 2010. That means our Officers are being paid significantly less in real terms for actually doing much more. Police pay is **STILL UNDER ATTACK!**

This is a disgraceful situation. Officers are not properly valued and when I hear fulsome and honeyed words for the job they do, I wonder about the disconnect.

Saying Officers go the extra mile is one thing, but it must be matched by meaningful, realistic and respectful pay levels.

Policing has taken a disproportionate hit under the austerity programme.

Making savings by dipping into the pockets of Police Officers is unacceptable and short-sighted.

We are also hearing worrying noises on CRTP and Police College Workforce reforms. Reforms that have not been properly piloted and assessed.

My worry is that what we will see is a complete re-writing on pay and conditions.

Devaluing the job of an Officer is bad for policing, and bad for the communities they serve.

Undermining the profession will only lead to an erosion of the laudable values of policing, and it is something we will oppose every step of the way.

Relations with PONI never worse

Against such a backdrop, we remain the most heavily scrutinised and accountable Police Service in Europe.

Barely a week goes by when the Police Ombudsman for Northern Ireland doesn't announce some investigation or other.

We are not afraid of investigations or justifying our actions, and we will stand up whenever we get it wrong.

For many of us in this room, we remain dissatisfied with the operation of the PONI.

Rightly or wrongly, there is a perception that PONI is wedded more to a headline than thorough and professional investigations.

Relations between this organisation and the PONI have never been worse. This is to be regretted, and until there is a willingness to better understand policing and apply common-sense and a bit of understanding, that relationship will remain strained.

Requests to have officers repositioned or suspended, do have an impact on officer morale and Service resilience. They should only be made after careful consideration of evidence, and as a last resort.

Well documented Court cases in the past year also showed deficiencies in the investigative standards of PONI and when there is judicial criticism of investigations, then there needs to be redress for those involved in such shoddy work.

We would reiterate our call for independent oversight of the office and for redress for officers subjected to malicious complaints.

Legacy

The Government has embarked on a Consultation on the vexed issue of legacy – a hangover from 1998; unfinished business that now needs to be tackled.

Throughout the 'Troubles', we lost 302 colleagues and had thousands injured due to murderous terrorist actions. Hundreds of these crimes remain unsolved.

That makes us wholly qualified to speak on how we move forward on this issue.

We are the first to recognise that there are no easy answers on legacy. No quick fixes. Whatever the outcome, many people throughout all sections of our community will be left disappointed...re-traumatised...angry....and feeling abandoned.

Closure on the past delivers up raw emotions, none more so than with the relatives of our colleagues who gave their all...for peace.

No amnesty

Let me be clear: This organisation is totally opposed to any legislation which proposes an amnesty for any crime.

Any crimes, whether committed by police officer or terrorist from any side of the divide.

Society must now decide, whether the solution is a political solution or a criminal justice solution.

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If justice is to be done fairly, then society must move away from rumour, story-telling and political agenda and deal only with facts in law.

It would be the most monstrous injustice to our murdered men and women if we were to accept some half-baked idea that resulted in the names of our colleagues being sacrificed for the sake of political expediency.

That would be the ultimate insult!

It is also unacceptable that terms such as “collusion” are bandied about, without either legal definition or proof.

This only adds to the hurt and misery of families who, for so long, have suffered as a result of conflict.

Collusion cannot criminalise

There is now a clear and determined attempt to define the word ‘collusion’ as a catch-all, which would be widely open to misinterpretation.

It is attempting to retrospectively criminalise policing and Officers, both serving and retired.

It also does a great disservice to those men and women who put their lives on the line to protect our communities.

Society and policing have evolved since the dark days of the troubles, but this cannot detract from the fact that there was a full-on terrorist onslaught, which had to be dealt with by the police and military.

With the benefit of hindsight, mistakes may have been made but the context should not be underplayed.

Multiple terrorist incidents on a daily basis were the norm, not the exception. Any organisation or Police force would have struggled to cope.

Society should not lose sight of the fact that it was Republican and Loyalist terrorist groupings that preyed on society. They were the ones who murdered and maimed thousands of innocent civilians, including hundreds of our brave colleagues.

It was the actions of our colleagues that frequently stopped Northern Ireland slipping into anarchy.

Whilst some of the frameworks of accountability which are in place today were not present during the Troubles, the way policing had to evolve rapidly during the 1970s and 1980s was unprecedented.

Much of what is being pilloried and criticised today was, and is, lauded as best practice and replicated the world over.

Scapegoat for political expediency

It is perverse that the very people who built the foundations for peace should now be scapegoated for the sake of political expediency.

The irony of terrorists being released under the Good Friday Agreement, and Police officers now being vilified, is not lost on us, nor the wider elements of our communities.

Policing is in a different arena than it was 25 years ago, as is society. Much hard work has been done to see policing accepted in communities and, where communities were previously hostile to policing, are engaging. Engaging in a way that enables society to be safer.

The space to do this was created by the Police in Northern Ireland and, in the rush for political or emotional point scoring, this should never be forgotten.

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They saved tens of thousands of lives while terrorist groupings wrought havoc and misery.

Shameful act of betrayal

So, it would be intolerable and massively offensive if their good names were to be used in the same breath as the killers who sought ‘parity of esteem’ by using a warped parity of misery and pain.

A disrespectful and shameful act of betrayal.

Where does that leave us?

As you would expect, we will make an unequivocal and unambiguous submission to the Consultation which will be forthright and blunt.

In our view, this isn’t something you can continue to play politics with. There is no room for a shoddy trade-off that equates what our colleagues stood for with the cowardly actions of terrorists who are being asked to simply tell their stories.

Irrespective of the outcome of the Consultation, legacy cannot have a financially adversely impact on policing the here and now.

The Chief Constable has asked for additional funding of £60 million over ten years to deal with legacy issues. This should be provided and not taken out of existing policing budgets.

Still under attack

So, Conference, I think what I have said summarises the extent of challenges policing faces in 2018.

We still have a ‘severe’ terrorist threat; assaults on Officers; issues over funding and resources and, of course, how we deal with the past.

Policing is still under attack!