

**OSCE Chairmanship Conference**  
**'Shared Future: Building and Sustaining Peace'**  
**the Northern Ireland Case Study**  
**27 April 2012, Royal Hospital Kilmainham, Dublin**

***Session 2: Justice and Policing Issues***

President Ahtisaari, Minister, Commissioner - can I at the outset say that I am delighted to be with you here today at this OSCE 'Shared Future: Building and Sustaining Peace' conference. The Chief Constable has asked me to apologise on his behalf that he was unable to join you today but I know when you hear that he is probably right now giving away his daughter's hand in marriage you will understand that he is involved in building a shared future of a slightly different type. We hope that there won't be a need for conflict resolution there!

I am delighted to be sharing the platform this morning with the Northern Ireland Minister of Justice, David Ford and my friend and colleague the Commissioner Martin Callinan. I thank them both for their hugely encouraging and positive comments. I was also very encouraged by this morning's session.

I want in the next few minutes to focus my comments on three main areas:

1. The journey of Policing with the Community
2. The practical application of Human Rights
3. Accountability in Policing

I want to confine my comments mainly to the past 10 years since the inception of the Police Service of Northern Ireland. It is important that we 'bow to the past but not be bound by it' and therefore over the past few years our focus has been about the identity of PSNI and the need for us now to stand on our own feet and come out from under the formidable and honourable shadow of the Royal Ulster Constabulary.

1. Policing with the Community

There is absolutely no doubt in my mind as to how equally challenging the journey over the past 10 years has been for the community generally as it has been for Policing. Many people from a range of backgrounds and communities took risks for, the albeit, imperfect peace of today.

Sadly whilst much has still to be achieved, overall when I reflect back on what policing looked and felt like when I joined over 30 years ago the transformation is quite startling.

Policing is very much a part of helping to create the confidence to pursue a truly shared future. Confidence in policing is the PSNI's share price, but how exactly will this sustain and build peace?

Story telling is apart of the Irish culture, so I want to tell you two stories.

Two officers recently came across a lady pulled up in her car in an awkward position in Derry City Centre. They quickly realised that she had a punctured tyre and assisted in getting her safely on her way. This lady had never engaged with police before and was so touched by the officers that helped her, she drove straight to Radio Foyle, the local radio station, and asked to go on live on air to tell people about what happened and thank the officers. She referred to the officers as her Guardian Angels and concluded by thanking them in Irish.

The second incident relates to the very tragic death of a teenager through suicide. The police, as with all sudden deaths, were required to attend the home to gather the necessary details for the Coroner, from a family who viewed the police with suspicion and hostility. The compassionate and professional way the officer dealt with this family transformed their view of the Police Service and led to the passing of information some time later that undoubtedly saved lives.

There is nothing soft about PWC. It is about effective policing, and keeping people safe. I use these, and other similar examples all the time to show officers and staff how, as the Chief Constable refers to, the 'strategic importance of the routine encounter' makes a difference. It's the little things done well that matter just as much as the bigger investigations and very public outcomes. If communities do not have the confidence that their police service will deliver an effective policing service then there are those who stand in the shadows of the past who will attempt to fill any vacuum. If we cannot be trusted in the small things, how can we be trusted in the major issues of confidence?

## **2. Human Rights**

Michael O'Flaherty's question earlier illustrates the importance of this in the conflict resolution process. Human Rights based policing has become integrated into everything we do. I am confident, but not complacent, that PSNI is an exemplar of good Human Rights practice and leads the debate nationally in this area. Indeed one of my proudest achievements was to ensure that Human Rights were placed at the centre of the new UK National Decision Making Model for policing.

All police services have at their disposal lethal force and in my experience the introduction of the Human Rights Act has transformed how we deal with the day to day issues whether it's officers out on patrol or a planned or spontaneous operation. The protection and vindication of Human Rights for all is what professional policing is all about.

A very real reminder of the divisions and community tension which continues to exist is the pockets of serious public disorder which have become common place during the marching season in Northern Ireland.

The Police response to such events is motivated by the duty to protect – whether it is to protect a community; a parade; a protest; property or police officers. More often than not it is police officers that become the subject of the

violence and aggression. The attack on police officers with gunfire, blast bombs petrol bombs; fireworks; masonry and burning vehicles pushed towards police lines is simply not acceptable and I pay tribute to my colleagues for their restraint and professionalism. Our policing tactics are played out very publicly for scrutiny, and where Baton Rounds or AEP's are discharged or complaints have arisen we are investigated independently by the Police Ombudsman. To date, no PONI report has concluded that our tactics have been disproportionate to the threat.

The attempted murder of a young Catholic PSNI student officer in the border town of Garrison in November 2009 was foiled when police officers intervened, arresting two suspected terrorists close to the scene who were subsequently charged. But for the thorough planning, courage, professionalism and restraint of the police officers involved in the operation, and the determination of the young student officer, there might have been a very different outcome and one which would have played right into the hands of those who had planned such a lethal attack.

I want to also very publicly thank my colleagues in An Garda Síochána without whom there would likely have been a very different outcome. As the only policing service in the United Kingdom with a land border the support and the relationship with the Garda is critical to tackling serious harm and keeping people safe on both sides of the border. If I had more time I could give you any amount of examples of almost daily co-operation which undoubtedly has saved many lives.

In December 2010 the two police services published, for the first time, a written cross border policing strategy to build on the existing practical co-operation. We are currently working together to refresh this strategy with a view to re-launching it over the next few months.

Human Rights are at the very centre of the planning, delivery and the tactical decisions which are required every single day to keep people, police officers and communities alive and safe. But it's also about respecting everyone as

an individual, and providing the personal service that individuals, with their own unique needs and vulnerabilities require.

### **3. Accountability**

There is a sense that after 10 years the PSNI has proven itself to be a police service of integrity and honour - an organisation which seeks to do the right thing. Whilst the significant level of scrutiny was necessary, at a time, to demonstrate that the PSNI was a police service which could be trusted the burden of bureaucracy and accountability must now be relaxed, if not only to save money in a very different economic climate, but to allow the PSNI to focus on those things which matter most.

It is important that I acknowledge the support of the Public Prosecution Service and the Police Ombudsman in working with us to identify how we might return to dealing with minor complaints and crimes in the best interests of the victim and perpetrator. Not everyone wants or needs a first time offender to be brought before the court system and sometimes when a police officer gets it wrong a conversation or apology is all that is required rather than a protracted investigation process with a sometimes less than satisfactory outcome.

We welcome scrutiny and accountability. Our relationship with the Policing Board is healthy and challenging and rightly so. Their challenge in areas such as performance, the use of force, closure of police stations, risk and financial management is important and provides the Chief Constable with an opportunity, both publicly and privately, to give an account of how the police service is performing generally and specifically.

The development of the newly appointed Policing and Community Safety Partnerships, an amalgamation of the previous District Policing and Community Safety Partnerships, provides a layer of local accountability for local Police Commanders.

Sir Hugh Orde, our former Chief Constable in the book 'Policing the Narrow Ground' said "If a police service anywhere is to retain its privileged position as an operationally independent service, then it must be subject to robust challenge". *Patten* made recommendations on democratic accountability, transparency, legal accountability and financial accountability. While all were uniquely important, the formation of the Northern Ireland Policing Board and the District Policing Partnerships were perhaps the most fundamental in the process of change in policing in Northern Ireland.

The provision of an independent and impartial complaints system through the Police Ombudsman for Northern Ireland has also been an important part in building confidence in policing. Whilst some police services might not welcome this external scrutiny, it is important to also recognise that, given some of the reservations and perceptions that people had regarding policing, there is strength in an independent authority scrutinising and where appropriate endorsing the actions of police. Police representative bodies in Northern Ireland also recognised this themselves.

One particular example is the very controversial, and judicially challenged, introduction of Taser – every single Taser discharge since this weapon was introduced has been independently endorsed as proportionate and necessary by the Police Ombudsman. Whilst at times the Ombudsman's reports on other issues have made very uncomfortable and challenging reading, their role is recognised as a vital accountability structure by both the community and police officers in Northern Ireland.

There have been Obstacles / setbacks on the way

All this said the continuing severe threat from terrorist groups sadly shapes the delivery of policing in some areas in ways that we had hoped were confined to the past. This morning's ongoing security operation in Newry, right on the border, is testament to this. Despite this we are determined that we will continue to deliver a personal, professional and protective policing service to everyone area of Northern Ireland.

Just a few Sundays evenings ago, shortly after 9.30pm, police received a report that two masked men had placed a suspicious object in a hijacked taxi that had been abandoned in the Newry area. Army Technical Officers were tasked to the scene and police began evacuating residents shortly after 10.30pm. After examination the device was declared a hoax shortly before 3am.

Police were very publicly criticised for not responding more quickly to the initial incident but the difficulty and reality is that the issue of hoax devices is a well rehearsed tactic of the terrorists to draw police into an area for further attack.

When our colleague Constable Steve Carroll was brutally murdered in March 2009 he was doing exactly that – responding to a call for assistance from a young woman in an area of Craigavon. I welcome the recent convictions of two men for his murder.

The murder of Constable Ronan Kerr, just over a year ago, and the very public local, national and global support for policing in Northern Ireland makes us all the more determined to continue to do what we do. There were many powerful words and visible displays of support at that time, none more so than those of the Commissioner when he said

“... we in An Garda Síochána stand together with our colleagues in the Police Service of Northern Ireland. Our uniforms may be woven from different cloth, but the police on this island are bound together by a shared resolve and determination to bring those responsible for this senseless crime to justice.”

Our determination is relentless – the people of Northern Ireland want, desire and need a policing service which is representative of, and clearly understands, the needs of all communities whether they be loyalist, republican, unionist, nationalist, urban or rural.

Thinking back to the title of our session today a Justice and Policing in the context of a 'Shared Future: Building and Sustaining Peace'. I am a relentless optimist, if I wasn't I probably should have chosen a different career. There are many challenges still to come, perhaps one of the greatest is how we deal with the legacy of the past, but Northern Ireland is definitely not the place it was when I embarked on my policing career.

There is a bright future for Northern Ireland, and the potential for an even brighter one. Next year, in August, we will host the World Police & Fire Games in Belfast (perhaps some of you are already planning a trip to Belfast), the third largest sporting event in the world. Derry will be the UK City of Culture and we have just marked the 100<sup>th</sup> anniversary of the Titanic as well as having hosted the MTV Awards.

The Police Service of Northern Ireland are absolutely determined to play whatever part they can in ensuring that Northern Ireland has a shared future and that together we build a sustained and lasting peace.

Thank you