



Northern Ireland
Assembly

Committee for Justice

OFFICIAL REPORT (Hansard)

COVID-19 Response:
Police Service of Northern Ireland

2 April 2020

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Paul Givan (Chairperson)

Ms Linda Dillon (Deputy Chairperson)

Mr Doug Beattie

Mr Paul Frew

Mr Patsy McGlone

Miss Rachel Woods

Witnesses:

ACC Alan Todd

Police Service of Northern Ireland

The Chairperson (Mr Givan): Assistant Chief Constable Alan Todd, who is operating gold command for the PSNI will join us now for the next half hour of the session. Alan, just as you are settling, I welcome you to the meeting and advise you that it will be recorded formally by Hansard. Obviously, it will be published in due course. We have promised to detain you for 30 minutes maximum. I will hand over to you at this stage.

ACC Alan Todd (Police Service of Northern Ireland): Thanks, Chair. From a policing perspective, things are steady. There are no significant strains in the system. Whilst I do not intend to be publicly definitive about absence rates, we do have absence rates that are associated with the current situation. Changing our working practices plus, frankly, a reduction in some of the demands that we would normally deal with as an organisation around the night-time economy, retail theft and road-traffic issues have offset some of the challenges that we have as an organisation. Clearly, we are planning on things becoming more demanding in the weeks ahead. We have arrangements in place to deal with that. At this time, demand is steady, as is our capability and capacity. That is all in a good place for policing currently.

With regard to today specifically, as you will know, new regulations came into force late on Saturday evening. It is pretty early days with that. Our sense from a policing perspective is — as we would expect — that the vast majority of people across Northern Ireland are broadly compliant with those regulations. In understanding that it may be a lengthy process and the need to keep people's goodwill and cooperation, our approach has very much been in the space that the Chief Constable outlined with regard to the "three Es": engaging with people, explaining what the situation is and encouraging them to comply where we feel that they may not be. We have not moved significantly towards enforcement. In fact, we have not moved towards it at all, but that will inevitably come. There is always a percentage of people who need more than encouragement in order to comply, and we expect that that will be the case. However, certainly in the first instance, we have not rushed into that space, and we do not intend to do so just immediately.

The Chairperson (Mr Givan): OK. Thank you. I know that you do not want to be definitive on absentee levels. The Prison Service was able to tell us that it has 197 absentees because of COVID-19, plus another 94 off with normal sickness. I have heard that the different health trusts are now giving out precise figures. If you do not want to give exact numbers, are you able to give a percentage figure for those who are off as a result of COVID-19?

ACC Todd: Disclosing the percentage or the actual number is pretty much the same, Chair. If you do not mind, we would like to reserve the right not to talk about that at this stage, as there are operational implications. The important thing to say for the reassurance of the public is that there is no diminution of service, and we are not close to that point either.

The Chairperson (Mr Givan): OK. We have highlighted the fact that the PSNI is one of the best-performing forces in the United Kingdom when it comes to absentee numbers, but, in the absence of those absentee numbers, it is difficult to quantify.

ACC Todd: That remains the case, Chair. I said in the media earlier this week — I do not mind repeating it here — that it is a reflection of two things. It is a reflection of police officers in Northern Ireland's commitment to providing that service to their communities. However, we also need to be realistic and say that we are tracking a little bit behind GB on infection rates. We would therefore expect to be in a better place than some of our colleagues in England and Wales at this point, and the numbers bear that out.

The Chairperson (Mr Givan): Is that the basis on which correspondence has gone out to officers who are due to retire this year, asking whether they are able to hold off on doing so? Is there a concern about the manpower that will be needed?

ACC Todd: It was just judicious on our part to make the offer to people to consider staying on if they wish. It would not make a major contribution to the capability of the organisation, but it would be useful and is something that we encourage if people wish to explore the offer. However, we also understand that, notwithstanding the current restrictions, people had made their own plans financially and personally and had made up their mind to go. We as an organisation regularly see 300-plus people leave a year. We therefore thought it prudent and judicious to tell those people that, if some of them want to stay and help out for the duration of this, we will certainly not be pushing them out the door.

The Chairperson (Mr Givan): Do they all leave at a particular time or is leaving staggered throughout the year?

ACC Todd: It is staggered throughout the year. I am not an expert on this, but there is a little bit of a peak at the end of the tax year for financial reasons and pension purposes. People leave throughout the year pretty much as they reach the retirement age. We find that half the people who can go tend to go when they reach pensionable service. The other half is made up of people who could have gone previously but have now decided, in the scheme of things, that retiring is what they want to do.

The Chairperson (Mr Givan): OK. You indicated that having fewer officers is offset against the night-time economy not existing. You are therefore not experiencing the same disruption at weekends as when nightclubs, bars and so on reach closing time. That has had a pretty significant impact on available police resource. Can you outline how some of what you regard as normal policing duties have changed in the current environment?

ACC Todd: Indeed. Without going into too fine detail, we normally have a shift system for uniformed officers in local districts. That provides for overlaps, which give increased availability in the late evenings and early mornings over the weekend. We have come away from that system as of today and moved to a flatter shift system, which will provide us with increased numbers across a line as opposed to me having to make provision for weekends. We have effectively taken some of the people who work at weekends and during the week and made them available at other times during the week. We are seeing a steady reduction across a range of crime reporting and incident reporting, and that allows us to flex further how we do our business. As of this week, a lot of operational support teams in the wider organisation have been deployed to focus specifically on the police's role in enforcing and getting out the message about the current health regulations. That is almost a self-contained piece of business. We have service delivery continuing as normal, and other resources being made available to pay specific attention to that area of business.

The Chairperson (Mr Givan): I know that the legacy team, for example, has been redeployed.

ACC Todd: Indeed.

The Chairperson (Mr Givan): Have you had wholesale redeployment of other particular work streams?

ACC Todd: We have not had wholesale redeployment, but, across a range of functions and for a range of reasons, we have mobilised a significant number of our workforce to work remotely from home. Like every other organisation, we have people with healthcare concerns and shielding requirements. We have been able to put those people off the police estate and have them working from home and still contributing to the overall effort. Our technology and information and communications services (ICS) departments have made a huge effort to facilitate that, because it can be tricky enough for organisations to do that in quick time. To manage a situation in which police employees can securely access police systems from home is a significant technological and scale delivery to undertake, but we have managed to achieve that in a short period.

The Chairperson (Mr Givan): On the enforcement powers that are now available, you have covered the educational approach. At what stage will you want to go down the enforcement route? I should say that I have heard quite a lot of positive comments about how the police have been carrying out their current role of trying to encourage people. However, as you indicated, the rubber will hit the road at some stage, and enforcement will be required. When do you anticipate seeing enforcement action against individuals? Are the police looking at an enforcement role that may be required around businesses as well?

ACC Todd: I do a daily review. We as an organisation capture every incident. There are hundreds of incidents a day in which we have had some interaction. A judgement for me is this: at what point do I think that officers on the road do not have the tools that they need to do their job? Once we are well into the second week — this time next week — I fully expect us to be exercising some degree of enforcement as part of our approach. Enforcement will always remain the option at the end of our tactical options, but there comes a point at which a small percentage of our population, if they think that there will be no enforcement, will start to exploit that space. I will probably close that space from this time next week onwards, but I do not rule out doing so sooner if I feel that it is necessary.

The Chairperson (Mr Givan): OK. The Republic of Ireland has instigated this 2-kilometre advice, even for exercise and so on. Last weekend, you commented on the numbers of people who were going to Newcastle. Is a request that people do not travel beyond their locality to engage in their advised daily exercise routine being considered? Would that be helpful?

ACC Todd: This is not an attempt to avoid the question but is an honest answer: that is a judgement for Health. This is a healthcare crisis. All the regulations that are on the books were asked for, designed and delivered on behalf of Health. We see our role very much as playing our part in protecting the health service, whose approach is to save lives. It is for the Chief Medical Officer, the Minister of Health and the wider Executive to look at the overall effectiveness of a package of measures to protect the health service and save lives. If more legislation is required, or if more is required from the police, we are happy to play that role. However, we as an organisation have not sought to put ourselves to the forefront of asking for regulations.

The Chairperson (Mr Givan): OK. Finally, before I bring in colleagues — I have other questions, but they may be asked by members — my reading of the regulations is that enforcement against individuals applies only to those aged 18 and over.

ACC Todd: That is correct.

The Chairperson (Mr Givan): How will we deal with people under the age of 18?

ACC Todd: You are right that the fixed penalty notice — enforcement, which is stage 4 of the "four Es" — is for those aged 18 and over. That does not mean that there are no tools available to officers to deal with younger people. We foresee ourselves taking those people home, speaking to their parents, seeking their cooperation, and considering whether the parents themselves are liable in the circumstances. Therefore, who is liable for the fixed penalty notice will be a consideration as part of that. Community restorative notices and other restorative approaches, which we routinely use with

younger people to avoid criminalising them, will still be available to officers. The usual approach of policing alongside parenting and returning people home will be taken.

Ms Dillon: Thanks for your update, Alan. You are probably right about the PSNI having struck the right balance so far in its approach of speaking to and engaging with people. People want to see those who are gathering in groups being dispersed, but they probably do not want to see things go to the next level. I think that the balance has been struck. I have not heard anything negative about the PSNI's role in this so far, which is always a good sign. There is a challenge with young people, but a lot of good Youth Service engagement is going on. Although Youth Service cannot engage physically, it is doing a lot of telephone work with young people and engagement through social media, Skype and Zoom, for instance. In some ways, counsellors are getting more time with young people, because they are not travelling about and trying to make appointments. They are able to sit in one place and do their work remotely. Sometimes, things can work out better. That is one of the things that the PSNI, the Assembly and others across the board should be looking at. We have been able to do things during this emergency that we could roll out to make every one of us more effective. That includes the PSNI. The Prison Service probably has a bigger challenge to meet, but all of us, including the Assembly, can learn from the current situation. We are always being told what we cannot do, but we very quickly found out that we can do things. I am sure that the PSNI will learn from this. You are already focused on whether there are different ways for officers to work, such as working from home and working remotely. This is probably an opportunity to see that in practice.

I do not really have a question. I just wanted to put on record that you have struck the balance. I have seen that in action in my area at a location where a lot of people go on a Sunday. On Sunday, there were a number of cars there. I have no doubt that most of the people who were there were trying to social-distance. It was not a group of people gathered. The police had stopped to make sure that that was what was happening: that there were no gatherings and that people were doing what they were supposed to be doing. We need to keep the situation like that, but it will get more difficult. We will have a job of work to do to reinforce with people the reason that we have the number of deaths to date that we have is that people are doing what they have been asked to do. People are complying. When they stop complying, and we do not control that, we will see a difference in death rates. It would be ideal if we were able to keep in the space that we are in, but we will have to see what happens in future.

ACC Todd: Thank you for your comments. I am getting a large amount of feedback that we are broadly in the right space. These things are about human endeavour. We have thousands of interactions with the public a day, and we are going to get some of them wrong. We have to learn from that and make sure that we get better as we go forward. We are working very hard to achieve that balance.

You talked about not going back to how things were. Our head of transformation and change has embedded members of the team within each of the strands in the operation. We are specifically gathering information on what we have changed, what is working and what is not working, in order to create an evidence base to establish what we will not go back to doing when this is over, with a view to making us a better, faster and more agile organisation. That is an active piece of work that we are doing, because there is huge learning to be had.

Miss Woods: A number of my questions have been answered. Is there enough personal protective equipment (PPE) for officers? Is there an order in? Is everything going OK with PPE? I also want to pick up on Paul's point about the utilisation of the police force for closure of businesses. Is that something that has been looked at or requested? If so, to what extent will that be rolled out soon?

ACC Todd: The PPE question is a recurring issue across agencies. The stresses and strains that you hear about in the health service are not any different from those for the rest of the first responders, including the Police Service. We are more or less using as much PPE in a week now as we routinely use in a year, owing to the sheer scale of the situation. That is a huge challenge at a time when there is massive global demand set against restricted supply. The piece is changing behind the scenes. We are part of the effort, through the Assembly, the Department of Finance and the all-Ireland, North/South approach, to get large-quantity shipments. Northern Ireland is part of the consortium. We are also plugged into the national police coordination piece in the UK. We have therefore been exploiting every channel. I have a logistic cell under my specific command. It has the freedom to do business with any supplier that is able to supply us with what we want, to the quality that we need, and we are not being shy about doing that. That whole approach through the Assembly, UK policing and our efforts has improved the situation for us substantially, but I am not complacent about it. We have modest stocks, I would say. Everybody is equipped, but we have modest stocks. We are not routinely

providing PPE to every officer in every set of circumstances, because that would exhaust our supplies very quickly and would go well beyond the current public health and World Health Organization guidance, which is what we base our piece on.

The area I touched on at my previous appearance at the Committee remains the case: we have dedicated, identified resources in every district that we doubled last weekend. They are the first port of call for any COVID-related response, and those crews are fully equipped with all that they need, because they are the people whom we put into the risk situations. There is broader but lesser equipment available to other police officers, because they are not routinely dealing with those circumstances. It is not a foolproof model; it is just risk-based.

To answer your question, there are massive orders. I am not being flippant with this, but I have consistently used the phrase that we have ordered "eye-watering amounts" of equipment. Those are due to come online this week, next week and the week after. As I said, with increasing infection rates in the community and increasing risk to my officers and staff, invariably the huge amounts of equipment coming in will be matched with huge amounts of equipment going out and being used, so that will be an issue for some time, not just for policing but for the health service, care workers, social workers, social care workers and all of that. That has been well rehearsed in the Assembly and elsewhere in government, North and South. That is broadly where we are, but I am not in a situation where I have to put officers who are not protected into high-risk situations. That is the first line of assurance that I always look for, and we have some provision and significant amounts of stock due in again next week, hopefully, the week after and, hopefully, the week after that. We will not be long in going through that either, so this is something that we will just need to keep collective pressure on.

You asked me in your next question about premises and closures. That is a joint effort for us, as I see it. Broadly, there are — this is very broadly — three aspects to the regulations, as we see them. That public space piece about social distancing, gatherings and numbers and that kind of thing is very much the policing space. It is where our priority is and where we see our primary role.

On businesses that should be closed, we have been involved in conversations this week under the auspices of the Executive Office with a range of partners. The broad thrust, as I see it — others may see it slightly differently, but it is all a matter of emphasis rather than there being any major dispute — is that that is fundamentally something that is done in partnership between Departments, local authorities and the police but with the police being at the back end of it. On things like trading standards, others will have a view on what should be open and what should be closed and on what the arrangements on that should be, whether they should be done through the local authority connections or through whatever the departmental authorities are. There are mechanisms there that need to be brought to bear in those situations.

The one thing that I would put slightly separate to that is licensed premises, which probably falls into the policing space. Where we get intelligence or reporting around that, we will certainly take it as part of our licensing. I will say this clearly: not only is that fixed penalty notice territory for policing, but, frankly, the clear message needs to go out from me as the police commander that if we, as police, find licensed premises with people inside serving drink in breach of the regulations, I will absolutely highlight it the next time their licensing comes before the courts. I would expect the courts to take a firm view on that and on the social responsibility of people who run licensed premises. That is a clear message from me on that, because that undermines the whole process.

The other piece that we have been asked about — we have had several conversations with staff associations and union representatives about this — is what, if any, role the police have in policing, with a small "p", businesses that are open but may not be complying on the safety of their staff. I do not see a role for policing in that space. That is fundamentally for the management of those places and their staff, with their unions, where that is appropriate, and for the Health and Safety Executive in terms of health and safety at work provision beyond that. I do not see police playing a role in that space, and I have explained that to the unions.

All these conversations are being triangulated. I have had numerous telephone conferences this week with the Northern Ireland Business Alliance, representatives of large stores, representatives of small stores and retail outlets, and those are the two-way conversations that we have opened. We have opened regular channels back and forth so that we can get feedback about how it is working and explain how we are policing it. We sort of put a wrap around that to make sure that we get as much information as possible.

Mr Beattie: I was very lucky to be stopped on the way here by two of your officers, who were extremely diligent, professional, informed and engaging. I would expect nothing else. I thank them for giving me fair warning, and I thank you and your staff for the work that you do in extremely difficult times. I do not really have questions, but I know that the Chair touched on your numbers slightly. If you are haemorrhaging officers at a natural rate of about 30 a month plus those who are going off with COVID-19, you can see that there are considerable issues there. I take it that all recruit training has now stopped: is that correct?

ACC Todd: No, that is not correct, and it links to the original point. Effectively, the student officer programme in PSNI is a quasi-university course. It is a police skills course, but it is underwritten by the academic institutions. We face the same challenges as the universities and academic institutions in providing training at this time. We really do not want to stop officers coming into the organisation. We already have people who are halfway through their training, and we do not want to send them home. We do not want to stop people coming in who maybe are due in the next intake and have already given their notice to employers. We have tried to balance that, and we have made significant changes in how we deliver that training programme in association with the academic institutions that underwrite it.

We have introduced a significant amount of social distancing. We will not be running at the full capacity, but we will retain a capacity that helps to offset the people leaving so that we do not have an overall big negative impact on officer headcount. We have made clear choices around that by opting one or two courses out, spreading them out a bit, reducing class sizes, increasing the number of classrooms and putting more trainers in to allow the classes to be much smaller than they would have been so that social distancing can be involved. We do close contact with student officers only around the areas where it is absolutely necessary. We have also been in discussion with the Department of Justice about the regulations that govern the student officer programme that would allow the Chief Constable potentially to review the stage at which they are allowed to leave the training college and do other roles in the organisation. We have had some cooperation around relaxing that to give the Chief Constable some flexibility in how we continue to keep the number of people coming through training and out into the organisation in a useful manner.

Mr Beattie: On that second part, Alan, are you talking about an officer who maybe gets halfway or three quarters of the way through training and then could go out to a non-public-facing role? Is that what we are talking about?

ACC Todd: That is what we are talking about, because, at the minute, the regulations require you to have done 23 weeks in the police college before you can attest, and you cannot perform duty until you are attested. The Department of Justice is working with us on the regulations to bring some of that flexibility down where they could attest earlier, and then, on a risk basis, we would assign them to duties that are or are not public-facing and are or are not presenting a risk to the officer and the public so that those people are not lost to the organisation.

The Chairperson (Mr Givan): I have one more on domestic abuse incidents. I know that we talked about that when you were here a fortnight ago. Has there been any more evidence on those cases?

ACC Todd: Regrettably so, Chair. The rate of increase that we saw is being followed through, and we see more reports of domestic abuse and domestic violence. Regrettably, we now have potential domestic murders that we are investigating. I do not want to say too much about that, because some of them are likely to come before the courts today or tomorrow. We are certainly seeing that volume rising, as was predicted. We are doing a significant amount of work on that through communications, working with partners and all the other things on prevention and support that we would want to do at this time. It is certainly a significant priority for us, but, regrettably, yes, we are seeing increases in calls for service on that.

The Chairperson (Mr Givan): Is that murder case from today?

ACC Todd: The case is not from today; it happened within the last week. People are being interviewed, and consideration is being given to the next steps on that.

The Chairperson (Mr Givan): OK. That will cause alarm.

Finally, one of the issues that, I know, have been raised on PPE is spit guards. I think there was a case recently where someone was arrested for spitting at your officers.

ACC Todd: Regrettably, we have seen that trend, and it is not just here. It has been an issue for us in Northern Ireland, and I have seen reports of it in England, Wales and Scotland; indeed, I know that an Garda Síochána have experienced that in the rest of Ireland. Thankfully, most of the people who cough over officers and claim to be COVID-19 positive as a means of avoiding arrest have not proved to be so. It is a significant risk and one that will grow over time if it is not dealt with. I have made it clear publicly and am happy to do so again today that anybody who coughs or spits over any of my officers, my staff or any other emergency worker or front-line responder can expect to be arrested and put before the court immediately. I will look to the courts to send out a similar message about how those people are dealt with. Clearly, that is a matter for the court, but I think we would all look to the courts for some leadership in enforcing our message. That is the messaging part of it.

Following conversations with our accountability bodies, we have issued spit guards to staff who are in the custody suites as detention officers and the police officers on duty. Following further conversations with our accountability bodies, that has been extended to the crews who deal with high-risk COVID cases — the dedicated resources in districts — and to officers who may be transporting prisoners in cell vans. Those are two new categories of issue that have improved as recently as yesterday, and the officers involved in that will be trained and equipped to do so in the coming week.

The Chairperson (Mr Givan): Alan, I thank you for the work that you do. We have high regard for your team and the officers who have to carry out these duties. It is very much appreciated. Keep up the good work.

ACC Todd: Thank you, Chair.