



Northern Ireland
Assembly

Committee for Justice

OFFICIAL REPORT (Hansard)

Organised Crime Strategy:
Department of Justice

19 November 2020

NORTHERN IRELAND ASSEMBLY

Committee for Justice

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Members present for all or part of the proceedings:

Mr Paul Givan (Chairperson)
Ms Linda Dillon (Deputy Chairperson)
Ms Sinéad Bradley
Ms Jemma Dolan
Mr Gordon Dunne
Mr Paul Frew
Ms Emma Rogan
Miss Rachel Woods

Witnesses:

Mrs Cathy Galway	Department of Justice
Mrs Sinéad Simpson	Department of Justice
Ms Andrea Watson	Department of Justice

The Chairperson (Mr Givan): I welcome Cathy Galway, deputy director of the protection and organised crime division; Sinéad Simpson, head of the organised crime branch; and Andrea Watson, organised crime branch. They are all from the Department of Justice and are all appearing via StarLeaf. The session will be reported by Hansard, and a transcript will be published in due course. I will hand over to Mrs Galway, who will give us an overview, and then there will be some questions.

Mrs Cathy Galway (Department of Justice): Thank you, Chair. Can you hear me OK?

The Chairperson (Mr Givan): Yes, we can hear you clearly.

Mrs Galway: We are grateful for the opportunity to update the Committee on the outcome of the consultation on the draft organised crime strategy. As you will see from the briefing note, following a short delay given the current context, the consultation on the draft strategy closed in October. The analysis of the responses is complete, and the response summary document is being prepared. We aim to come back to the Committee on the consultation on proposed offences, which closed at the same time, but that is still under consideration.

The strategy builds on the arrangements that are already in place, with the overarching aim of protecting individuals, communities and businesses in Northern Ireland from organised crime. It has been developed after engagement with members of the Organised Crime Task Force (OCTF) in order to consolidate and enhance our response to existing organised crime threats, as well as to enable us to identify and respond swiftly and effectively to new and emerging crime types. It is set in the broader context of wider government outcomes and Department of Justice priorities. The overarching aim will be delivered through a set of strategic objectives that are grouped under four key themes. Those are:

pursuing offenders through investigation, disruption and prosecution; preparing and protecting individuals, communities, systems and businesses to mitigate vulnerability and impact; and preventing, deterring and diverting people from engaging and re-engaging in organised crime. Those will be delivered by working in partnership and by creating a sustainable, efficient, effective and collaborative system response. The associated work streams to deliver the strategic objectives are proposed as a series of 29 steps, or actions, to be taken forward over a three-year period and measured by indicators of success. While highlighting the important role that operational law enforcement agencies play in protecting the public against organised crime, the draft strategy also recognises that a holistic and wider societal response is required.

Turning to the outcome of the consultation, an overview of the main findings from the consultation responses is in the paper that we provided for today's session. As you will see from our briefing paper, we received 10 responses to the formal consultation, and we acknowledged the useful and informative quality of those responses. As you can also see, a strictly numerical count indicates that the responses were overwhelmingly positive, and further analysis shows that, generally, respondents supported the aims, objectives, thematic pillars and the outcomes.

Respondents welcomed the alignment with the outcomes in the wider outcomes delivery plan and the consistency with the draft modern slavery strategy thematic pillars. A number of respondents highlighted the importance of prevention and deterrents as well as of working in partnership locally, nationally and internationally in order to build resilient communities. While the level of overall agreement is reassuring, respondents also made a number of helpful suggestions, including calls for the courts to use the powers available to them and to not hesitate to impose maximum sentences where appropriate; the need for resources to deal with the EU exit given the consequences of having a land border with an EU state and where that will be seen as an opportunity by organised crime groups; the need for the strategy to be kept under review to ensure that it is fit for purpose; and the need to stay ahead of the vulnerabilities. Examples were provided and included vulnerabilities created by the Dark Web; increased cybercrime or other future opportunities that organised crime groups could use to their advantage; more clarity on the oversight arrangements for delivering the strategy; an amendment to the "Prevent" objective or theme in order to reflect the needs of victims and communities rather than appearing to focus only on offenders; an enhanced role for policing and community safety partnerships (PCSPs) in helping to deliver the objectives; consideration of how the public buys into the strategy, including reviewing the narrative on it; the strategy to be properly connected to all Departments and their work, as well as to local government; and commencement of assets recovery legislation and the creation of a system or structure for asset recovery and management. The briefing paper sets that out in more detail and in response to each question.

In using that to update the strategy, we propose that the finalised revised strategy take account of those responses and recent progress made on some actions such as the forthcoming commencement of the relevant provisions of the Criminal Finances Act 2017 and the outcome of the consultation on proposed offences by way of an update to those relevant actions when it is ready; the development of the analytical forum and the combination of two separate actions that are aimed at improving our understanding of existing and emerging threats, assessed threats and vulnerabilities as a result of EU exit; and the need to reset the timeline for the strategy to begin from April 2021 given the delay in consultation and in order to enable us to prepare plans for the various work streams.

I hope that I provided an update on the outcome of the consultation and how we propose, subject to the views of the Committee, to reflect that and some recent developments in finalising the strategy for publication in the coming weeks.

The Chairperson (Mr Givan): Thank you, Cathy. I am not sure if the screen that you have showing us is frozen. I know that from our side, the picture is frozen, but we can still hear you, so there is no problem with that. I am not sure if you are getting the visual of the Committee.

Ms Andrea Watson (Department of Justice): We can see you and the rest of the Committee, Chair. We are just frozen. You may be content to continue, or I can reset the call if you prefer.

The Chairperson (Mr Givan): No, we will keep going. We will maybe get you to reset it before the next session, because there will be a change of officials once we get on to the next item on our agenda. We will keep going while we have the connection and can hear you clearly.

I see that 10 people responded, which struck me as slightly low. Was there a reason that it was only 10, or did the key organisations respond that needed to, so we should not be unduly concerned about it?

Mrs Galway: We are not unduly concerned. While the number is quite low, the quality of the responses has given us a lot to think about and will help us to revise the strategy. The key organisations, including the PSNI, some of the PCSPs, the Policing Board and other organisations, responded. While we had 10 responses, they were from organisations. We are satisfied that the qualitative responses that we had are high-quality, even though the quantitative responses might not be what we hoped for. It was publicised and went out to public consultation. Likewise, we had 15 responses on the proposed offences.

The Chairperson (Mr Givan): The strategy group has a role in keeping the strategy under review. Is a formal review mechanism envisaged?

Mrs Galway: Yes, we envisage having a formal review point for the strategy and for keeping it constantly refreshed and updated. Sinéad, do you want to come in?

Mrs Sinéad Simpson (Department of Justice): As Cathy said, the OCTF strategy group will have a role to look at the strategy. Organised criminality is a fast-paced world, so we will want to keep the strategy under review and make sure that it keeps pace with the type of criminality that we are dealing with. As the briefing paper outlines, we have four outcomes and six strategic objectives. As Cathy said, we want to spend a little time over the next couple of months taking on board some of the views that were expressed in the consultation, but we also want to spend a little bit of time mapping those objectives across to specific work streams and then developing a performance monitoring framework, quantitative and qualitative, to go along with that. That will become the document that the strategy group can use to keep the strategy under review.

The Chairperson (Mr Givan): I noted the Minister's evidence at the Northern Ireland Select Affairs Committee when she spoke about a bonanza on the border. With regard to the timing of the strategy and the Brexit consequences, will the strategy need to be changed subject to the outworkings of whatever is or is not agreed by the United Kingdom and the European Union?

Mrs Simpson: Under the first strand of the strategy, there are chunks of work on the analytical piece. An important part of the work of the OCTF is being aware of the emerging threats and keeping ahead of them. You will see that, under the first stand, there is work on an analytical forum, broadening its membership and getting to a place where we have a very good shared threat assessment. The thinking is that, regardless of the emerging threats and how organised criminals will seek to exploit any vulnerabilities, whether through the EU exit or anything else in the next three years, if we get those structures right, that will allow us to have a good data set that can then drive the joint tasking and coordinating that happens at an operational level. That said, and as Cathy alluded to, the strategy will be kept under review. We are going through a process of reviewing our structures in order to make sure that they are fit for purpose. We will continue with that. In this world, there is an imperative to keep what we are doing and how we are doing it under review to make sure that we keep on top of the issues.

Mrs Galway: It is essential that we understand the risks and threats in organised crime and ensure that we are taking the necessary strategic and operational steps at a multi-agency level to mitigate those. The threat assessment and the actions on an assessed threat will be kept under review. No matter what the outcome of the negotiations are, as Sinéad said, organised crime groups will circumvent it. They will be really quick to diversify and adapt, and it is essential that we stay ahead of that. Working with our partners on a multi-agency basis and with wider partners across other Departments, we are preparing for that. We have and share information across agencies and with other Departments on what we think the assessed threats will be. At the minute, there is some uncertainty. We are working with that uncertainty in the same way as everybody else at the minute, but we are trying our best to stay ahead of whatever the threats are.

The Chairperson (Mr Givan): I am just trying to understand where this bonanza will come from and how it will be created. When I read your report, I see that it already indicates that nearly a quarter of organised crime gangs operate North and South. That includes operations on drugs, fuel, firearms, counterfeit and contraband cigarettes, and alcohol. There is already a bonanza on the border in the current environment.

Mrs Galway: Yes.

The Chairperson (Mr Givan): That is why I am trying to understand how it could be created. In my mind, it already exists.

Mrs Galway: It already exists, but some of the uncertainties or changes that might be brought in as a result of the Ireland/Northern Ireland protocol may create other opportunities for organised crime.

It could also create uncertainty in terms of businesses or compliance, so additional things could happen as a result of the EU exit. As you say, there is already criminality, but that does not mean that that is the way it is going to continue. There could be other forms of criminality as a result of uncertainty, and opportunities for organised crime may arise.

The key thing is that we are alive to those. The OCTF structures allow us a safe space to do that, to assess the threat and to monitor and keep under review what is happening and what we see. We could start to see an increase in the prevalence of different or certain crime types as a result of the EU exit.

Mrs Simpson: It is hard to say, Chair. Smuggling and fraud already exist, so you are absolutely right. The issue that we and law enforcement partners will want to be alive to is the opportunities that might exist for different fraud offences or types of smuggling as a result of different tariffs. You are quite right to say that crime already exists, as do the border and differentials in tariffs, but we know from our law enforcement partners that organised criminals would seek to exploit any changes in those. It is about us being ready for that.

The Chairperson (Mr Givan): Important to implementation is the Criminal Finances Act 2017. Is there a time frame for when will that be implemented fully?

Ms Watson: As you are aware, the Minister wrote to the Home Secretary in June asking for her support in order to commence the Act as soon as possible. We have been working with Home Office colleagues to put in place the steps that are necessary to achieve that. We do not yet have a firm date in 2021. The Home Secretary said that it was not possible to commit to a date this year due to the amount of EU exit-related and COVID-19-related business in Parliament.

We have made progress on updating the Proceeds of Crime Act 2002 codes of practice. Those codes need to be refreshed and republished before the powers can commence. I think that you have an agenda item about that public consultation, which is due to go out on Monday. That consultation is scheduled to run until the end of January. The Home Office is then going to schedule the dates for the commencement of the legislation. We will probably be in a better position at the end of January to give you an update on confirmed timescales.

Mrs Galway: We are working closely with our colleagues in the Home Office. They have assured us that it will happen as soon as they get a parliamentary slot. It will be in early 2021, but we could not say it is one month or another. They have committed to getting a slot as quickly as possible so that everything can be commenced. As Andrea said, work is continuing on the codes of practice and the work that we need to do here to be ready for that.

(The Deputy Chairperson [Ms Dillon] in the Chair)

The Deputy Chairperson (Ms Dillon): Just picking up on the point that the Chair made, I saw the article on the Minister's comments yesterday at the Affairs Committee. You outlined that a lot of crime already exists but that there is the potential for more. We know that. We know that when there is a hard border there is always the potential for additional crime.

The Minister said this in her comments, so is one issue the ability to deal with the criminals? The Minister said that there are going to be issues, or potential issues, at least, in the ability to extradite offenders. Is one of the Minister's concerns that she or the relevant authorities are not going to be able to hold those people to account?

Mrs Galway: In the event that it is not possible to reach an agreement, there are tools that we rely on that we will not be able to use for law enforcement and criminal justice. While that would result in some loss of capability, fallback options are available for many of the measures. They are considered to be

suboptimal, and, generally, they are based on Council of Europe conventions, but we have the ability and capability to use the tools that are still available, although they are not as useful or speedy as the tools that we have at the moment. Key issues for justice are still being discussed, and we may be able to agree other arrangements.

Mrs Simpson: Colleagues in another part of the Department are leading on this, but the negotiations on the future security partnership will be important in that context and for the access that the UK will get to EU measures. I understand that work is continuing on that. As Cathy said, once we see how the negotiations conclude on that future security partnership, we will see what we will continue to have access to and what we will not. Work is already ongoing to explore what the fallback position will be.

The Deputy Chairperson (Ms Dillon): Will you give us a bit of detail on the steps that are being taken to ensure cross-border information sharing and cooperation? Obviously, we are in a different position from others in that regard because we have that land border. I know that some good work is going on North and South between the gardaí and the PSNI, but I want to establish what is being done in the Justice Department specifically.

Mrs Simpson: Members might be aware that, at a strategic level, the Organised Crime Task Force comprises a strategy group and a range of subgroups. The representatives of an Garda Síochána and the Revenue Commissioners sit on appropriate subgroups. A key structure that helps with our cross-border work is the joint agency task force. That is an operational organisation that is jointly chaired by the police and the gardaí and includes the National Crime Agency (NCA), HMRC, the Criminal Assets Bureau and the Irish Revenue Commissioners. The purpose of the joint agency task force is to identify and assess the threat that is posed by cross-border organised crime, regardless of whether we are in the context of EU exit, and to coordinate cross-border investigations and operational activity.

The strategic oversight group of the joint agency task force has determined priority thematic areas, including rural crime, human trafficking, financial crime, illicit drugs, immigration crime, and excise and tax fraud. You can see that any number of those will be impacted by EU exit. So, in answer to your question, I will point to the representation that there is from our colleagues in the South on our OCTF structures and, specifically, on the joint agency task force.

At a policy level, we are in contact with officials in the Department of Justice, as it now is; it dropped the "Equality" recently. There are also cross-border conversations on a range of policy streams under the intergovernmental agreement. Work is going on at a number of levels to make sure that we are joined up across the border.

Mrs Galway: The police forces on both sides of the border have acknowledged that partnership is key to addressing the activities of organised criminals. There is strong police-to-police cooperation, as Sinéad said, and regular contact in all its forms, including information sharing and joint investigations. Despite the challenges that the loss of EU measures might bring, there is still that commitment to maintain partnership and find ways to facilitate information sharing and assistance if we need to.

The Deputy Chairperson (Ms Dillon): I appreciate that. I have a question that goes outside of the EU and Brexit issues, although to be fair, I think that you just answered it. I was going to ask whether there was any feed-in to the strategy through North/South measures because organised crime is island-wide, but, given what you just outlined, I assume that that was the vehicle for doing that and that it has happened.

Mrs Simpson: Yes. The strategy was developed over the last 12 to 18 months, and all the partners that are represented on the OCTF structures, which includes those that I have mentioned from the guards and elsewhere, will have been involved in informing the strategy and involved in workshops on it. So, yes, absolutely.

Ms Watson: The joint agency task force continues to play a key role in understanding and addressing the changing dynamics of cross-border organised crime, and that ongoing cooperation is essential.

The Deputy Chairperson (Ms Dillon): That is great. Thank you. This is my final question, you will be glad to hear. The paper states:

"Strategic Objective 5.1 highlights the role of the courts and judiciary in setting appropriate sentences and sanctions that will act as deterrents."

What does that mean in practice? Does it amount to a commitment to increase sentences for those found guilty?

(The Chairperson [Mr Givan] in the Chair)

Mrs Simpson: That objective refers to the fact that an effective justice system underpins strategic objective 5. That is a reference to the wider work that is going on across the Department on speeding up justice, which is being taken forward by other partners. The reference then says that we recognise the role of the courts and the judiciary, including in setting appropriate sentences and sanctions. The judiciary is independent, and it is not our place to put any strictures on it. There is an opportunity for us over the next period, and that feeds into one of the other strategic objectives. It is incumbent on us to make sure that the law-enforcement agencies have all the powers and tools that they need, which is why we want to, as Cathy and Andrea said, bring forward the criminal finances changes, and, as Cathy said, we want to progress the work that we are doing on the new organised crime offences so that we can play our part in supporting law enforcement in bringing offenders to court. So, I do not think that that is about putting strictures on the judiciary. It is more about recognising that work is going on across the Department to create a more effective justice system in its entirety, and that will then have an impact on how organised crime offences are tackled.

Ms Dillon: Thank you very much. The Chair is back, so he can introduce Gordon.

The Chairperson (Mr Givan): Gordon Dunne.

Mr Dunne: Thanks very much for the information today. The Chair made a point about the low uptake of consultation responses. Why do you think people did not respond? Do you think that there was a lack of awareness, a lack of knowledge or perhaps a fear factor?

Mrs Galway: Maybe all of that. Some of the responses highlighted the language and the narrative around the strategy. It may not be that accessible to some people, and we got feedback on how we could make it a much more outward-facing document. We have reflected on that. We come from the position of thinking about the Organised Crime Task Force annual report and the threat assessment that is published each year, as well as the Organised Crime Task Force website. We want to do a review of some of the communications on this and how we explain to the public what is happening. We had a recent workshop with the Organised Crime Task Force at which there was discussion about the brand and the need to go out to the public more and explain what the Organised Crime Task Force is about, the impact of crime, and what organised crime is. There were previous publicity campaigns about that.

I am not sure that it is that unusual for this type of strategy to get such a low response rate, but we need to think about how we engage with the public once the strategy is finalised and when we start to implement it, and we need to consider how we work with the public in terms of understanding what it is we are trying to do at a strategic level, what the operational partners are involved in, and, more importantly, the impact of crime and how the public understand and perceive crime. It is something to think about for the next time, or maybe we could produce a different version of the strategy. Other parts of government would put out a different format of the strategy, an easy-read format, or something like that. It is something to think about in future.

Mrs Simpson: I have just one thing to add to what Cathy has said. All of that points to the need for us to develop a strong communications strategy to go alongside the delivery of this strategy. As I have mentioned, we are reviewing our structures, and one of things that we need to set up is a reference group, and I see a role for a range of organisations that could assist us in making sure that the work that we do is properly explained to the public. There is a role for the Policing Board, PCSPs, Victim Support, business and a range of organisations. That has the potential to help us to ensure that the work that the agencies are doing collectively gets some traction in the community.

Mr Dunne: That is good. Thanks for that. You have answered it well. Awareness is important to the public. As a new member of this Committee, I know very little about. In the media, we hear about paramilitary crime, which seems to be the big issue, yet it is only about a third of the total. Nevertheless, it is a huge issue for communities.

However, if we are to build confidence with the community and the public, they will have to be made aware and bought into this. You need to build confidence with them. Obviously, a lot of that is done through policing. I strongly support community policing; it is vital. The task force will work on the

intelligence that community police can pick up and feed in. That is important. How will all those agencies work together on a daily basis to communicate information that initially comes probably from the public or from other sources? How is that communicated across the various organisations?

Mrs Galway: At an operational level?

Mr Dunne: Yes.

Mrs Galway: An example is the PSNI putting out videos and disseminating key messages about crime. They are also involved in the scamwiseni partnership and in initiatives making information available to the public. At, for example, PCSP level, it is about how we link in and support communities to be more resilient. Specific concerns that are raised feed back into us. Strategically, we can work with the OCTF partners. At an operational level, each organisation or agency has own way of communicating. If I have picked you up right, what you are asking is how we get the message collectively out to the public and get feedback from it to inform what we are doing.

Mr Dunne: Yes. I suppose it is more about the information coming in and how it is fed into the various organisations. Much will depend on intelligence and information coming directly from the public, what they see and hear on a daily basis. That is vital.

How effective has the work of the agencies been to date, without the strategy that you are putting together? The Committee has discussed modern slavery and human trafficking. My understanding is that, to date, there has been a rather low conviction rate for those crimes. It is a huge, hidden problem. The ordinary person in the street is not aware of it. They are aware of the outcomes that they see through the media, but, unfortunately, they are unaware of the daily risks and dangers. A lot has to be done to increase the public awareness of the major issues that you are covering.

Mrs Simpson: We absolutely agree. We have two separate strategies. We have a legal obligation to produce an annual modern slavery strategy. However, modern slavery, as you, quite rightly, said, is one element of organised criminality. To go back to an earlier conversation, we need to do a big piece of work on communication and to raise awareness of the different types of crime. One strand of the organised crime strategy is raising awareness and building communities' resilience so that they can protect themselves against the different types of organised criminality. We absolutely agree that there are a number of strands of work in the strategy that will allow us to pick up on some of the points that you have made.

To go back to the previous point about the sharing of intelligence, the police, HMRC and NCA are due to give a briefing to the Committee on 10 December, and they will be able to build on that. They have joint tasking and coordinating groups, and there is an interface between those groups and community police officers on the ground. It might be worth teasing out how all that works with the operational agencies.

Mr Dunne: Great. Thanks, folks.

Miss Woods: Thank you for your briefing. I want to follow on from what Gordon said about communication. You talked about having different versions, such as an easy-read version, but I encourage you to produce a children and young people's version as well, because organised crime does not just affect those over 18. It is important to get the views and experiences of children and young people across the community. That is notably lacking in strategies from the majority of Departments, not just Justice. If you are going to look at that with regard to assistance from a reference group, I encourage you to involve children's and young people's organisations involved as well. They have a keen interest in youth justice and issues that affect young people.

The threat assessment caught my eye. I attempted to get into a career in that, way before this.

Mr Dunne: You are in it now.

Miss Woods: I am in it. I have done quite a bit of study on risk assessment and assessing future risk, and there are fascinating jobs in that area. Do you — not that I am looking for a new job — employ risk assessors or is that contracted out? I am absolutely fascinated by how you do that in the Department.

Mrs Simpson: The Department does have an analytical services group. However, it does not operate in that space. The bulk of the analytical work is done by PSNI analysts. The Department funds one of those posts specifically to support the work of the Organised Crime Task Force. Obviously, each of the other agencies — Border Force, HMRC and NCA — will have its own data capability. I suppose that one of the strands of the strategy, or a chunk of work under one of the objectives, is about ensuring that we continue to join up the data and the analytical strands of work so that we have a shared, agreed threat assessment. Therefore, although we are not data analysis, we fund one of the posts and the police have a team of analysts to do that work.

Mrs Galway: The NCA produces analytical documents as well.

Mrs Simpson: It produces its own, yes. We are happy to take on board your suggestions about membership of the reference group. They are great suggestions with regard to the easy-read version of the strategy and, indeed, our annual report; it is also something for us to think about when we consider the communication strategy generally. There will probably be other opportunities for us to take on board both those points.

Miss Woods: Thank you. My next question relates to the budgetary allocations for risk assessments. You talked about getting ahead of risk, and that is very hard area to get into. Basically, you are predicting what might happen. Is the budget that has been allocated to risk assessment and future trends analysis with regard to risk and threats for the one post in the PSNI?

Mrs Simpson: We fund one PSNI analyst specifically to support the Organised Crime Task Force. However, we have an analyst forum, and that will have other PSNI analysts and analysts from all the other agencies on our strategy group. Recently, we broadened the membership, so we are bringing in analysts from other Departments. Whilst we are funding only one post, we are trying to harness the capability that exists across the range of organisations.

Mrs Galway: They are funded in their own agencies.

Miss Woods: Thank you. While I have you here, I notice that the Committee will discuss later the Criminal Finances Act, which has been referred to. I suppose, instead of asking the Chair to write a letter, I might try to get a very brief question in on that that will fit in with this strategy. Has any work been done on online criminal finance and organised crime? By that I mean specifically on finances that are kept in the likes of bitcoin and so on. Does that come into play with both of those?

Mrs Simpson: I am happy to answer that. I am struggling to find the right page now, but strategic objective number 2 is about effective capability tools. You will see that there is a strong thread running through that on economic crime and understanding what is going on, ensuring that the financial investigators and forensic accountants in each organisation are up to speed and fully trained. A subgroup of the task force looks specifically at criminal finances, and I know that it is addressing the online side. So, yes, it is a feature of our work. Our annual report on threat assessment for 2019-2020, which will, hopefully, go out in the next week or two, will give a little flavour of some of the work that has been going on in that space, and it will continue to be a focus. It is one area in particular where agencies need to work very fast to keep ahead of what is going on in the world of organised criminality.

Mrs Galway: It is about seizure of assets and cash value. All sorts of things are now included in the provisions on what can be seized, including vouchers and jewellery — anything with a cash value. We can come back to you on that point.

Miss Woods: Thank you. I read about the vouchers. Maybe it is the use of the terms. We know that the Criminal Finances Act can make seizures. Can online money that is not quantified in somebody's pocket but which is online be seized as well? Is that in the Act, and if it is not, can we look to doing something like that? I am being cheeky in asking you to speak to something that is not part of this agenda item.

Finally, the Independent Reporting Commission (IRC) report on paramilitary activity in Northern Ireland was released two days ago. I noticed that, in your briefing, you talk about the IRC report, but, obviously, that is last year's report. Will the strategy be looked at with the new report?

Mrs Galway: Yes. There are a number of recommendations and findings in the report that are relevant to organised crime and to this strategy. This strategy is outward-looking in its recommendations on tackling paramilitary activity and the actions that are in the Executive action plan. That includes the civil recovery of criminal assets and the proposed offences, as they are all directly relevant to the IRC and its findings. Some of the things are about progressing recommendations that we already know about. The report says that the IRC is pleased to see that the consultation on the proposed offences has gone out. It has noted that we are making progress on some areas.

Miss Woods: Thank you.

Ms S Bradley: Thank you for your presentation. A lot has been covered, but there was reference in your report to cybercrime, and I have been made increasingly of it, even at constituency level. It states that the common types of cybercrime in Northern Ireland include ransomware attacks, business email compromise and email spoofing. The victims of the attacks are in Northern Ireland. However, and perhaps my perception is wrong, many of them are initiated by a perpetrator elsewhere. If I am wrong in that, I would appreciate correction. If I am not wrong, I would like know what specialism you have in your strategy to deal with that because this is a global problem. While the EU and Brexit have been spoken about, this is a wider piece that requires critical relationships across the globe.

Mrs Galway: Where criminal activity is facilitated by technology, it is global, and it is a prominent feature of crime in Northern Ireland. Irrespective of where the perpetrator is, the impact is felt on communities and individuals in Northern Ireland. The PSNI has cybercrime officers who work in partnership with businesses and local government agencies to run joint cyber-awareness events for businesses and individuals. So, the expertise is in the agencies involved. The Department relies on the expertise in our relevant partner agencies in the OCTF. A cyber-centre was recently established in Queen's; it is an outward-facing facility to provide advice, guidance and best practice to a range of agencies.

Ms S Bradley: Will you elaborate on that? You said that it does not really matter where the perpetrator is, but I believe that it does matter. If it is a global problem, we have to get a global solution, so each place needs to step up and do its part. I am trying to get an idea of how significant this is in Northern Ireland. Does the crime start here? Is it based here?

Mrs Galway: I do not know whether I can answer that here today, but I can get an answer for you on the prevalence of it originating in Northern Ireland. We know, anecdotally, that there are issues with cybercrime in Northern Ireland, but I cannot give you a split of how that looks from a Northern Ireland/global perspective. However, I will get it for you.

Ms S Bradley: Thank you.

Mr Frew: Thank you very much for the presentation. How many strategies of this kind have we had in the past?

Mrs Galway: The original strategy was in 2010 or 2012. Then there was one in 2014 and one in 2016.

Mr Frew: OK. Thank you. How many of the 10 respondents were PCSPs?

Mrs Galway: Three.

Mr Frew: OK. I thought that it was higher than that.

Mrs Galway: Let me double-check my figures. Yes, three PCSPs responded.

Mr Frew: You may need to keep this confidential to a certain degree, but, of the seven remaining, are those all groups or individuals?

Mrs Galway: They are groups. It includes political parties, the PSNI, the Policing Board, local councils, a voluntary organisation and local government. We can send the Committee the names of the organisations that responded.

Mr Frew: You mentioned "local government" and "local councils". Are those two different things?

Mrs Galway: It is NILGA and Derry City and Strabane District Council. So, NILGA, a district council, three PCSPs, a victims' organisation, the Policing Board and the PSNI have responded.

Mr Frew: You said that some of the respondents and messaging that came back had been of good value, but, to be brutally honest, I asked that question because I wanted to tease out what expertise there was in organised crime. The main aim and objective of PCSPs and local councils is not to fight organised crime.

Mrs Simpson: Their responses were more about the impact on people who live in communities, and a lot of it related to how they wanted to support us in engaging with communities at a local level and working with us to deliver some of the objectives. Other responses were more about the threat or the ability to deal with it at an operational level. With regard to the responses, we have to bear in mind that all the OCTF partners were engaged in delivering and developing the strategies. They fed into the strategy, which is based on all the inputs from the OCTF partners who have expertise and knowledge in organised crime.

Mr Frew: I am aware that, sometimes, the perception and fear of crime can be as harmful as crime itself. I get that. There is a great duty on us all to remove fear from society, especially from vulnerable groups. I have read the strategy. As is the case with any government strategy, there will have to be a high level attainment, and the people in the bodies that fight organised crime will get into the nitty-gritty. I have a couple of questions, which I thought of when I was reading the strategy. How will a strategy stop a well-heeled solicitor or professional person obtaining and buying prescription drugs? How will it prevent the fuel smuggler who never gets arrested from continuing to smuggle?

Mrs Galway: The operational agencies have a role in that. Perhaps it would be helpful if we set out what we think the strategy can support and will do. From our perspective, at a strategic level, we see our role as chairing and supporting the OCTF structures and bringing together all those people and supporting them. We also fund a number of posts, such as analysts. We have an embedded data coordinator and trainer in the PSNI in modern slavery. We also convene and support the analysts' forum. We see our role as enabling, including through funding and, picking up on Rachel's point, our ability to use the asset-recovery community scheme to fund interventions for young people and voluntary groups that can engage with them.

We also have a role in taking legislative proposals through, subject to the Assembly process. Furthermore, we have a role in communicating success and collating and disseminating the annual report and threat assessment. Therefore, although we are not the operational delivery, we see the strategy as being able to highlight and shine a light on key issues, raise awareness and overcome barriers that, perhaps, some of the operational agencies are experiencing. We have that role, and the strategic framework gives them the enabling framework within which to work to coordinate, communicate and to be able to change things that are not helping them to do the things that you mention.

Mrs Simpson: I will add to what Cathy has just said. You mentioned obtaining and using prescription drugs, and fuel smuggling. Over and above what the agencies can do to pursue crime, when it occurs, there is a big piece on public awareness for us to lead on, working with other agencies. For example, the drugs subgroup of the Organised Crime Task Force is not made up of just the law enforcement agencies; Health and the PHA are also on it. Work has been done over the past number of years. Under this strategy, however, collectively we will want to look to see what more we can do under the communications piece to reduce the demand for and overuse of prescription drugs. There is a similar piece of work around each of the strands of the strategy to look to see what more we can do to reduce the demand that leads to criminal activity. That work can then support and go alongside the work that the law enforcement agencies do to pursue that criminal activity. Strategic objective 4, which is under the prepare and protect thematic pillar, is where I see a lot of that work taking place.

Mr Frew: I must clarify my language in case I get a raft of emails. I was not picking on the solicitor class there. It was just an example.

Mrs Simpson: We understood.

Mr Frew: I am no expert by any means, but it strikes me that there are two ways in which to hit those involved in organised crime. You can hit the money laundering aspect of their business by following

the money. You can also have intelligence-led policing, by which I mean informants. Where in the strategy do we really delve into those aspects of fighting organised crime?

Mrs Simpson: Money laundering and going after the money are covered in strategic objective 2, which is ensuring that we have effective capability and the tools to tackle those aspects of criminality. With intelligence-led policing and informants, you are taking us into an operational space that we, as the folk who are responsible for developing the strategy and supporting the task force, are probably not best placed to get into. That may be an issue that you wish to raise with the operational agencies when they are at the Committee on 10 December.

Mr Frew: I understand. Nobody seems to want to talk about that aspect of policing, which I think is vital. At some point, we really do have to have a big conversation about that. It is a tool in the armoury that policing right across the world needs to have and use.

To get you back on to your report and more firm ground, strategic objective 2 is to:

"ensure we have effective capability, tools and legislation to tackle organised crime affecting Northern Ireland."

Where do you see the gaps in legislation for fighting organised crime?

Mrs Simpson: As Cathy said in her opening remarks, at the same time as consulting on the strategy, we consulted on proposed new organised crime offences. That consultation has closed, and we hope to come back to the Committee in the next couple of months with the outcome of it. We consulted on proposals around providing a definition of "serious organised crime", providing for offences of directing serious organised crime and providing for offences of participating in serious organised crime. Those are three areas in which former members of the OCTF identified issues, which is why we prepared for and consulted on them. We will now need to take a bit of time to look at the responses to that consultation. It is obvious from the responses received that a bit of work needs to be done around each area before we seek to progress them.

We hope to progress the Criminal Finances Act 2017. There are no other gaps that we are aware of, but it is something that we will wish to keep constantly under review. We dock in with our Home Office colleagues, our colleagues in the Department of Justice in the South and our Scottish colleagues just to keep abreast of what is happening nationally. We do that right across the piece but particularly on the legislative tools that are available. The key things for us over the next year will be the Criminal Finances Act that Andrea mentioned and the proposals on which we have just consulted.

Mr Frew: Thank you very much.

The Chairperson (Mr Givan): Do any other members have questions?

Ms Dillon: I have a small point to make about the responses that came back that said that a more victim-focused response is needed. How will that objective fit into what you are doing? Will it be a separate objective, or will it just run through the objectives that are already there?

Mrs Simpson: My answer on how to deal with that response is twofold. First, we need to amend the wording of strategic objective 4 to put it in that work strand in black and white. The wording might be along the lines of, "Work with individuals, businesses and communities to build resilience against organised crime and to ensure a system response that is focused on victims' safety and well-being". That would get into the strategy what we are aiming for.

The second part of my answer is this: how do we make sure that that is what we do? I go back to the reference group that I referred to earlier. We hope to set up a reference group that will, across the piece, help us to make sure that what we think is being delivered is what is felt as being delivered on the ground. Organisations such as Victim Support might be prepared to be part of that reference group to help us, as we deliver it, make sure that the strategy and how we deliver it is focused on victim safety and well-being. There are therefore two elements to that.

Mrs Galway: Some of the responses also said that the focus on the prevent element seemed to be more on how we prevent it happening, with not enough recognition being given to how we support victims of crime when it does happen. Although it is really important to have that prevention strategy

and those objectives, crime does happen. When it does happen, what are we doing to support victims through it? Some respondents thought that the focus is too much on preventing crime happening and preventing people being drawn into criminality and not enough on being realistic that crime does still happen. They felt that the strategy needs to recognise when crime does happen and do something about it.

Ms Dillon: I accept that there has to be a balance, but I do not think that you can ever do too much on prevention. I appreciate that you have put a lot of effort into prevention.

This is just a comment. I do not expect you to come back on this, but I think that prevention and early intervention need to be more contextualised to determine what causes people to end up involved in crime: reasons such as poverty and all those things. I know that you are aware of that, but I just wanted to make the point.

Mrs Galway: Yes. One of the actions is to do much more research on what draws people into organised crime and what the risk factors are for young people that get them drawn into criminal activity and risky behaviour.

Mrs Simpson: It is probably also worth highlighting the fact that, although the strategy is an organised crime strategy, it is one of a number of pieces of work that are being taken forward across government, not just in DOJ. There are other pieces of work being done across the Department around reducing offending and reoffending. There is work being taken forward by the Youth Justice Agency. In the introductory sections of our strategy, there is a recognition that it is one part of a holistic approach. I absolutely agree that the prevent and deter piece is one of the more important ones.

Ms Dillon: You are absolutely right. It is a bigger picture, and TEO and other Departments need to be involved in that. Thank you very much for answering those questions.

The Chairperson (Mr Givan): No other members have questions. I thank you all for taking the time with us this afternoon.