



Northern Ireland
Assembly

Committee for Justice

OFFICIAL REPORT (Hansard)

Organised Crime in Northern Ireland:
Department of Justice; Her Majesty's
Revenue and Customs; National Crime
Agency; Police Service of Northern Ireland

10 December 2020

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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
Ms Sinéad Bradley
Ms Jemma Dolan
Mr Gordon Dunne
Mr Paul Frew
Ms Emma Rogan
Miss Rachel Woods

Witnesses:

Ms Julie Harrison	Department of Justice
Mr Steve Tracey	Her Majesty's Revenue and Customs
Mr Craig Naylor	National Crime Agency
Assistant Chief Constable Barbara Gray	Police Service of Northern Ireland

The Chairperson (Mr Givan): I formally welcome Julie Harrison, the director of safer communities in the Department of Justice; Barbara Gray, an Assistant Chief Constable (ACC) in the Police Service of Northern Ireland; Craig Naylor, deputy director of investigations north in the National Crime Agency (NCA); and Steve Tracey, an assistant director in Her Majesty's Revenue and Customs (HMRC). You are all welcome. I appreciate your taking the time to engage with the Justice Committee. As normal, the session will be recorded by Hansard, and a transcript of the proceedings will be published on the Committee's web page.

I will hand over to you. I am not sure who will make the remarks.

Ms Julie Harrison (Department of Justice): I will, Chair.

The Chairperson (Mr Givan): Julie, thank you. I will let you kick off proceedings from your end. Once you have had an opportunity to provide your briefing, members will ask some questions.

Ms Harrison: Thank you, Chair. We are very grateful for the chance to brief you on the threat risk from organised crime and outline the role of partners in working together to tackle it. I am grateful to my colleagues, Barbara, Steve and Craig for joining us. Craig gets particular merit for flying in from

Edinburgh to join us. Thank you very much for that. As key law enforcement partners, they will be able to provide you with more detail on the issues and challenges faced in tackling organised crime from individual organisational perspectives and collectively.

You will recall that the Committee received a briefing from colleagues in the protection and organised crime division recently on the draft organised crime strategy. That contains strategic aims and objective for working together to address the threat risk and harm from organised crime. The plan is that that strategy will run from April 2021 to March 2024. More recently, you received an update on progress on the tackling paramilitary activity, criminality and organised crime programme. There are obviously clear links between organised crime and paramilitarism, and, no doubt, we will end up talking about that. I know that the Committee has asked for a further update on the tackling paramilitarism programme. We will be keen to come back to you once we have a clearer idea of the funding.

For the session, not least because partners are here, we thought that it might be helpful for me to set out the background to the Organised Crime Task Force (OCTF) and for colleagues to weigh in on some of the operational issues. Some of you will be familiar with the OCTF. It was established in 2000 to help and secure a safe, just and prosperous society by confronting organised crime, very much through a multi-agency and partnership approach. It brings together a number of relevant organisations, including the three that are represented here, to provide a strategic and, importantly, coordinated approach to tackling organised crime. It is probably worth emphasising that the OCTF is not, in itself, operational in nature; rather, it provides a space in which information and expertise can be shared. As a strategic partnership, it supports the development of operational collaboration, usually based around crime types. It also has a vital communications role in informing the public and businesses, particularly about emerging threats and the steps that people can take to protect themselves and their businesses from the harms of organised crime.

You have received the briefing paper, and, as it indicates, organised crime is an issue that affects all societies and costs economies billions of pounds every year. It can also be defined as planned and coordinated activity that is conducted by people who work together continuously. The motivation is usually, although not always, financial gain. Numbers, of course, fluctuate, and I am sure that ACC Gray will say more about it, but in the region of 80 organised crime groups (OCGs) are currently being monitored by the PSNI, almost a third of whom are involved in more than one crime type. Similarly, about a third are linked to paramilitary organisations.

You will have received the current threat assessments, which are set out in the 2019-2020 annual report. However, I want to draw out some of the key threats. Drug crime remains a serious concern. Substance misuse causes a wide range of harm to individuals, families and, of course, communities. It includes crimes that are committed to fuel drug dependence, organised criminality, violence, including so-called paramilitary-style attacks, and the kind of exploitation that goes hand in hand with the production and supply of drugs. Cybercrime or the use of technology to facilitate criminal activity remains a prominent feature of reported crimes in Northern Ireland. Recent cyberattacks highlight the technical ability and the ruthless nature of cybercriminals. Modern slavery and human trafficking is another threat. It is difficult to understand or quantify the true scale of that terrible crime in Northern Ireland. The main driver, of course, is the pursuit of profit by coercing victims to provide a service. The number of offences and potential victims identified through the national referral mechanism increased last year. There is detail of that in the threat assessment. While an increase can be interpreted as an increase in the problem, it can also, sometimes, be reflective of better reporting, understanding and awareness. You have a copy of the annual report and threat assessment, which has a lot of the detail on that. That report also sets out some of the responses to the threat, and I imagine that that is a lot of what we will talk about today.

Just as crime gangs, whether locally or internationally based, evolve and adapt to changing technologies and social and political landscapes, our partners are striving to keep pace or preferably to stay ahead of those new and emerging threats. Colleagues here today will no doubt wish to elaborate further on the international nature of organised criminality and the arrangements in place for tackling that, as well as the particular responsiveness to recent issues such as COVID and any new threats that emerge in relation to EU exit. In that context, it is important to stress that effective cross-border cooperation is increasingly relevant, and I am sure that Barbara will go into more detail on that in relation to the joint agency task force, which provides a recognised forum for supporting and enhancing operational activity across the border. Similarly, Steve and Craig can cover NCA and HMRC efforts to disrupt serious and organised crime before it reaches Northern Ireland. Chair, that is as far as I will take it. I am sure that you will be keen to ask colleagues some questions, and we are more than happy to take those.

The Chairperson (Mr Givan): OK. Thank you, Julie. If you are happy, we will move to questions. Obviously, the NCA has had its powers since 2015, and maybe Barbara wants to pick up on how the relationship between the PSNI and the NCA has developed and evolved over that time. Barbara, given that you are the lead when it comes to directing those sorts of operations, do you want to comment on how the NCA has been able to complement the work the PSNI to effectively tackle organised crime?

Assistant Chief Constable Barbara Gray (Police Service of Northern Ireland): Yes. Thank you very much, Chair. I believe that the relationship with the NCA has evolved and developed really well since 2015. I have had personal experience of that for just over two years, and, over that time, I have seen how our effectiveness has grown and grown. As members will know, the NCA and colleagues from HMRC are embedded in the paramilitary crime task force (PCTF). The support that we as a police service get in Northern Ireland from the NCA goes far beyond the work of the paramilitary crime task force. There is a very significant role as regards modern slavery and human trafficking. As regard interventions at the higher end, interventions take place before forms of criminality can even reach the shores of Northern Ireland as well. From a strategic perspective, in the last two to three years, I have represented the PSNI, or at least Assistant Chief Constable level has been represented, at the National Strategic Tasking and Coordination Group (NSTCG), with the NCA. That is attended by every other police service across the United Kingdom, as well as other agencies. That is an extremely beneficial piece. There is a lot done on the analytical products that can support us and how those translate into our operational strategies and delivery in Northern Ireland.

The Chairperson (Mr Givan): Craig, do you want to comment on how the organisation has been embedding over those five years and its working with the PSNI?

Mr Craig Naylor (National Crime Agency): Thank you, Chair. I am very happy to do so. I will caveat my comments though. I have only been with the agency for 18 months; I came in last August. The relationship with the PSNI and other partners in Northern Ireland is very good. We are reliant on each other to deliver success, so much so that we are currently doing joint training on surveillance with Barbara's teams to show that we can operate together effectively, make sure that we are all match fit and understand how each other's tactics work. We are keen on improving that capability.

I had to take a bit of a history lesson on what has happened since 2015. The NCA capability in Northern Ireland was very much focused on other investigations that I will not go in to here because of their operational nature, but they were very much focused on the wider national and international threat and less so on the shores of Northern Ireland. In the past two years, we have refocused our efforts to do a number of things, including working more effectively with Barbara's teams and trying to understand where the threat to Northern Ireland is coming from and tackle it ahead of it getting to the shores here. A lot of our efforts that are led from the Belfast office are focused on near Europe and organised immigration crime, drug smuggling and so on. An intervention will often take place in the south-east of England or on the road to Holyhead as people try to get a ferry to the South of Ireland. We try to make sure that our tactics are applied at the most appropriate time to stop crime coming to Northern Ireland. That is our focus.

The Chairperson (Mr Givan): One of the issues that were raised in the past was that, when we had our own Assets Recovery Agency, for example, it was focused on localised crime while the NCA took a greater interest in international crime. I would value some commentary on the feeling that smaller crimes are slipping through the net because of the national focus of the crime agency compared to what the Assets Recovery Agency may have been able to pick up. To that effect, I note that the report speaks of £2.2 million of confiscation orders of assets. Maybe I am wrong, but that seems small in comparison to the kind of finances that are generated by that sort of criminal activity. Will you comment on that? I do not mind whether Barbara or Craig picks that up.

Assistant Chief Constable Gray: If you do not mind, Chair, I will kick off on that one. As regards our capability for financial investigation, we benefit from NCA and HMRC financial investigators. We have our own economic crime unit in the Police Service of Northern Ireland as well. The input from NCA and HMRC focuses, not exclusively but a lot, with the paramilitary crime task force. It is fair to say that that is certainly where there would have been debate previously about the threshold; the threshold in Northern Ireland would definitely be lower than what would have instigated some of the investigations nationally.

Mr Naylor: One of the things that have been levelled against the NCA is that we are focused on only those who are bringing international money in to London. That is very definitely not the case. The work of the civil recovery team, which is based in Belfast as part of the paramilitary crime task force, is an

exemplar of tackling harm in communities. A key issue for me is to understand who is profiting from the crime in the community and how we tackle it most effectively, whether that is through Steve and the tax purposes that they can bring to the debate or the criminal or civil recovery aspects. We, as an organisation, are investing in people ever more to do financial investigations and financial intelligence collection work. We see that as a direct route to tackling criminality.

In Northern Ireland, we are less concerned about the value in terms of pounds; we are more concerned about the harm that it has in communities. We would like to see changes to legislation in line with the illicit finance legislation in England and Wales. That would give us greater opportunity and allow us to move that forward very much more quickly than we currently can.

Mr Steve Tracey (Her Majesty's Revenue and Customs): Can I add to that, Chair?

The Chairperson (Mr Givan): Yes, Steve. I did not want to make you feel that you were being neglected, so I am happy for you to come in. I was also going to ask you about the VAT dodging that takes place, particularly when it comes to fuel laundering, and what is being done. The marker that has gone in to fuel may have had a positive impact. Do you want to pick up on that issue as well, Steve?

Mr Tracey: I will reiterate some of what Craig has been saying. I think that the real benefits of the paramilitary crime task force and the three agencies working so closely together and having embedded staff within that has really come to the fore. Similar to what Craig said, some of the investigations that my team within PCTF has led on include huge excise investigations. Aside from those, which are a fairly natural lead and something that everyone can understand that we in PCTF would get involved in, we also drop our de minimis limits to look at some of the tax credit cases so that the family members and some of the people who are, let us say, having some control over the community are also targeted as part of these investigations. I think that those have as much impact as some of the larger figures that we see trumpeted in the press when there are big investigations. They have more community impact. The ability of the three agencies to work alongside each other has opened up what is available to a shared financial investigation and best use of our powers and procedures.

Fuel laundering has not gone away from Northern Ireland or, indeed, from the island of Ireland. Our relationship through the joint agency task force with the revenue commissioners and the support that we have received from the PSNI predominantly and from an Garda Síochána to tackle what is very transient and cross-border criminality, with environmental impacts, is still there. We believe that we have driven it down. It is outlined in the OCTF report, I think. From 2002 or 2003, when we think that illicit fuel had something like 19% penetration of the legitimate market, that is now down to 1%. We are not complacent about that, and we are working very hard to look at the latest evolution of fuel laundering, which, unfortunately, is distillation. The distillation method is dangerous, where organised crime groups are looking at heating the fuel, for want of a better expression, or trying to boil the marker out at really extreme temperatures. We have taken a couple of these plants out and we have been able to go public with that. That has garnered a lot of public support because of the health and safety risks associated with that. Chair, I hope that that answered your question.

The Chairperson (Mr Givan): Yes. Thank you, Steve,

Ms Dillon: Can you give some assessment of the impact that the commencement of the relevant provisions of the Criminal Finances Act 2017 might have on the functions of the Organised Crime Task Force? I have a couple of other questions, but I will probably ask them one at a time.

I have another point that I think might be helpful for members. Barbara, you may be aware of a presentation that we had in Grosvenor Road when I was on the Policing Board. It outlined the differences between the Organised Crime Task Force and the paramilitary crime task force and where they cross over. That was really helpful, and it might be helpful for members of this Committee to have it. I think that Darren gave it to us at that time. If it were possible for that to be forwarded to the Committee, I think that it would be helpful in getting a grasp of those things. It can be very confusing, and sometimes you think that you are talking about one thing when you are actually talking about the other. I will leave you to answer my question. That was just a suggestion.

Assistant Chief Constable Gray: I can sort out the presentation, no problem. I have forgotten what the question was.

Ms Harrison: It was on the impact of the commencement of the Criminal Finances Act (CFA).

Mr Naylor: I will pick that up. The commencement of the Criminal Finances Act will bring a lot of new powers. The banner headline is often the unexplained wealth orders, and you will have seen that we have had some significant successes and some challenging times in court around asking someone who has lots of money and who cannot really show why they have the money to explain why they have it. It is a bit of a marquee-type programme, and it has proven to be really beneficial in some areas.

The more important bit of the legislation is the account-freezing orders, which is where we can go into the providers of banking services and get accounts frozen to stop the criminal activity, to stop the flow of funds and to really start our investigations. Being given that capability in Northern Ireland, which we currently have in England and Wales, will be hugely significant in the ability to tackle those who are living beyond their wealth and are causing harm in communities. This is almost a direct quote from one of your team, Barbara: people driving Range Rovers and living in houses extended beyond what they should be and with the perma-tan and fake white smile. Those are the people, to characterise it a wee bit, that we are willing to take on with this legislation, and there are plenty of candidates in Northern Ireland who would fit that bill. They are not all male and not all female, but there is certain opportunity that we have not been able to pursue, and this legislation will give us at least a certain capability that has not been available to us yet.

Ms Dillon: We responded to the consultation on the new organised crime offences. If they are used in the manner for which I think they are intended, it will be to get those people who are, particularly but not exclusively, involved in drugs. We often find, in our communities, that people who are taking drugs or are caught with small amounts are very often addicts themselves who are dealing for those at the top. We can never get to the top people, who do not have drugs on their person. Will these offences allow you to get to those who are directing it?

Assistant Chief Constable Gray: Do you want to come in at this point, Steve?

Mr Tracey: I just want to come in on the point that Craig made. Outside PCTF, the HMRC has a fairly small proceeds of crime team within its fraud investigation service (FIS). If I could provide you with a comparison. At the start of this conversation, the Chair mentioned the £2 million, which seemed to be not a large figure in terms of confiscation. By comparison, a similar-sized proceeds of crime team, looking at purely HMRC-assigned matters in the north-east of England, got account freezing orders via the Criminal Finances Act worth £6.5 million, and £5.7 million of that is due for forfeiture in March next year. I hope that gives you a bit of an insight into what we hope to achieve given similar powers in Northern Ireland with a similar sized team, and that is just HMRC.

Ms Dillon: I am not sure that I properly explained. Whilst I was following on from the question, I was talking about the proposed offences, so those who are organising but are not caught with anything on their person. Julie, you might be the person to talk about that, the DOJ's proposed new offences, not the finances.

Ms Harrison: The people pulling the strings, I think is the point. I suspect that Barbara or Craig would have a view on that.

Assistant Chief Constable Gray: It is imperative that we say that any additional legislation that all the law enforcement agencies represented here can have to help to bring those offenders to justice is absolutely welcome. There is no doubt about it.

I hope that the Committee will be reassured by the work that has been carried out through Operation Venetic, which had a high profile earlier this year. That has hit at the heart of serious criminality across the United Kingdom, particularly in Northern Ireland. So far, within what has been named locally as Operation Pharmic but is reflective of that NCA-led operation, there have been 31 arrests and 30 people charged with 208 offences. Those offences are the high-end offences that include conspiracy to murder, possession of firearms with intent to endanger life and the importation and possession of class A, B and C controlled drugs. There have been significant seizures on the back of that. Our assessment is that this is getting to the heart of the very people you are referring to, Linda, who have traditionally kept their hands clean and used and exploited others who may be vulnerable through addiction, debt or whatever circumstance they are in.

I have figures here for seizures of drugs alone, never mind the cash or the vehicles. Those include 86 kg of cocaine, 2.9 kg of herbal cannabis, 3.5 kg of cannabis resin, huge quantities of diazepam, temazepam, Lyrica and others and large quantities of mixing agents for class A drugs. That operation continues, as do our information, intelligence and evidence gathering and our investigations at that higher end. We do that collectively as joint agencies.

Mr Naylor: I will give an example of a case to show what we have done in England with the criminal finance legislation. We ran an operation on a male in west Yorkshire who was facilitating and providing money and supplies to organised crime groups there. Those groups were, then, importing drugs, guns and various other commodities. The civil recovery team based in Belfast — the same people whom we use in the paramilitary crime task force and special weapons and tactics (SWAT) operations in Northern Ireland — ran an operation that took £10 million from him through the Criminal Finances Act. This was someone who had no convictions and had never been in trouble with the police before but is seen as having made significant money through the proceeds of crime. The £10 million property empire which he invested in has now been sold, and the proceeds will be sent back to the Exchequer for redistribution.

The benefit for me in that is that the expertise that we have built up through the legal team here and the civil recovery investigators is quite exceptional and will be brought to bear in the use of the 2017 Act.

Ms S Bradley: I have read the report, which is quite thorough. There is plenty in there. Many of the answers to questions that we asked after a previous presentation are contained in this, much more detailed, document. On the Northern Ireland protocol, the document says that a new smuggling subgroup has been set up. When was that established? I also noticed that an analyst forum is working with that subgroup to pull together expert knowledge on any pending threats. I am concerned about that and, as Linda mentioned, potential new crimes. How dependent is the success of such a subgroup on data sharing? Ultimately, do you feel that it can factor in sufficient ways of getting around or managing the fact that there could be an absolute void in a lot of the data that may have been used in all of that type of work?

Ms Harrison: In fairness to the smuggling subgroup — this goes back partly to the distinction between OCTF and PCTF — we had a really useful session with the entire Organised Crime Task Force earlier in the year, and smuggling was identified as a particular issue that we wanted to look at. I would have to check the exact date of the establishment of the subgroup, although I heard discussions today about when it was due to meet, so it is a live group.

Maybe Barbara would like to come in on data sharing.

Assistant Chief Constable Gray: At the moment, I do not have high levels of concern around there being a void in data sharing. A lot of work has gone into ensuring that such matters will be addressed. I know that that work is continuing and will not be finalised until next week or so. We are wary about that, and we are trying to plan around any potential lag in the transition. From my point of view — I do not know how others feel — a lot of people are working hard legislatively and politically to ensure that such a void does not happen.

Mr Tracey: The cross-border joint agency task force has given us great structure and relationships. Part of your question was about the Northern Ireland protocol and EU exit. Fraud evolves, and we are risk-assessing, across the agencies and across the island of Ireland, as best we can, where that might come from and what that might look like. It sounds evasive, but it is not. The devil is in the detail about tariffs and duties, when those systems and processes come in. I concur with Barbara and Craig that there is enormous cooperation between the agencies to share intelligence and trends and to try to identify and anticipate. I take some comfort from the strong relationship that we have operationally and strategically across the island of Ireland.

Assistant Chief Constable Gray: I am aware that we have made many references to "task forces". I will say for members' knowledge that the joint agency task force is really a coordinating body. It is jointly chaired by me and the deputy commissioner of an Garda Síochána. Through that, there are six thematic areas that refer to cross-border crime. Worthy of emphasis is the fact that, through that, we have built strong multi-agency relationships, not just between the guards and the Police Service but with the revenue institutions and other law enforcement agencies. However, no matter how well those relationships are established, as regards data sharing, none of us can operate outside legislation.

Building those strong relationships has enabled us to form coherent and cohesive presentations on what is required for the legislation.

The organised crime subgroup of the joint agency task force — I am trying not to use the words "task force" again — met yesterday, as part of the joint agency task force, just to ensure that, operationally, everything that could be in place is there at this time.

Mr Naylor: I should talk about the international element of what we do as an organisation. Our international liaison officer network has, in normal circumstances, about 150 officers placed around the world at strategic points to ensure that we can cooperate, not just with Europe but with Colombia, the Americas and various other places. We currently have an international liaison officer (ILO) in Dublin, who works very closely with an Garda Síochána, and we are doubling the resource there, from one officer to two. It is not a huge number, but it will ensure that we are consistent in how we approach things.

I must admit that I have a touch of nervousness. I think that we will have access to the same capability eventually, but things will slow. Just as the PSNI do, in the NCA, we rely on European arrest warrants (EAW) to bring back from European shores those who have committed crimes here. In all likelihood, we will lose access to European arrest warrants and other tools, but we will return to what I remember as a young detective. We will have commissions rogatoires, and we will have to seek judicial assurance and agreement in the foreign parts and all the things that we had 20 or 25 years ago before EAWs. We will still be able to operate and to get the same outcome, at the end of the day. It may take us a bit longer, and that is my concern. Whether it is a negotiated or non-negotiated deal, we will be affected by this for a time.

Ms S Bradley: I appreciate your honesty, because I share some of those concerns. We had presentations about suboptimal positions, and they are just that: they are suboptimal. We all know it, and it does not take me to say it. Some people have ill will for the protocol or are trying to find a manipulative way to navigate it. We know [*Inaudible*] how they managed to navigate very quickly through that. It is the window of time that I am concerned about. However, I take comfort from what you say. Operationally, you are trying to pin this down as tightly as you can. At this stage, that is all that can fairly be asked of you, and I thank you for it.

Miss Woods: Thank you all for your presentation and documents today. It was very interesting. I have a number of questions on the report. Julie, at the start, you said that 90 groups were being monitored. In the definition of those 90 organised crime groups, what do you mean by "group"? Is it more than two people, or are we looking at wider, larger networks?

Ms Harrison: I think that I said that it was in the region of 80 that the PSNI monitors. The definition of groups is one of the things that we have been consulting on. Certainly, in Europe, it is either two or three, and Barbara may know the answer to that question. It can be as small as that. It is not necessarily 15 or 20 people; it is two or three people. We will probably end up with a definition of two but working together consistently around that. Barbara?

Assistant Chief Constable Gray: That is what it is. The majority of the organised crime groups that we monitor will be of more than the three that provides that definition, by all accounts. We need to be cognisant that they are often fluid between some of the different groups; they move about. We have criminals who are willing to go to whomever pays the best price or wherever the best dividend is. There are some relatively tight groups that stay pretty autonomous, but there is fluidity within them. I hope that helps.

The number of organised crime groups remains, on average, in and around 80, because some can come on and some can fall off, if they have been dismantled through criminal justice outcomes or through interventions. Others will merge into other OCGs. It is generally in and around that number.

Mr Naylor: May I make a comment? It is not an exact science. The more we attune to it, the more intelligence we get, and the better the material we have, the clearer it becomes. That number of 80 is about right. It varies. Operation Venetic that Barbara mentioned earlier is key to that. That showed that groups are much more fluid than we possibly realised previously. They will pursue the money profit wherever they can. That means sometimes linking up with others whom they have not worked with before for an incident or series of incidents to make that profit. The bit for us is that the better the information we have and the better we understand it, the more capability we can bring to address it.

Miss Woods: Thank you. That is much appreciated. I am going straight to the report, which we have been given, and I have a number of questions on three sections of it. First, on cybercrime, there is a piece on insider threats. Can you elaborate on that and on the nature of the issues? It says that there has been an absence of exit protocols in the PSNI. Have those been rectified?

Assistant Chief Constable Gray: I apologise; I will have to come back to you on that. Apologies for that. I do not know the answer.

Miss Woods: No problem, thank you. I appreciate that. On ransomware, which is detailed around the use of bitcoin and the Dark Web, the report states that PSNI advice is for businesses not to pay if they have been subject to that. How prevalent is that in Northern Ireland? If the advice is not to pay, what options are there for businesses? What are the people who are affected to do for support?

Assistant Chief Constable Gray: I will look to NCA colleagues on this one as well. First and foremost, it is the preventative message. There is a huge amount of engagement, not only through our cybercrime centre but through the Northern Ireland cybercrime centre and through national advice that we have with the national cybercrime centre on how businesses can best protect themselves. That is a critical part.

In every case, we encourage anyone who feels that they may be a victim of this to report it, because it is only through that reporting that we can get investigative strategies in place and seek to identify the offenders and, hopefully, bring the offenders to justice. It is difficult. There is generally an international dimension to all that. Do you want to come in on the international dimension at this point, Craig?

Mr Naylor: You will be aware that there is talk all the time of state actors and other parties being involved in this activity. We cannot prove or disprove that on many occasions, but what we can say is that, very often, the threat that is made and the demands that are made are much more extreme and explicit than the reality of what is happening in someone's system. For me, it is about making sure that you go, at the earliest point possible, to local law enforcement or us to report the issue and get appropriate advice, because, very often, we can do things to mitigate the threat. That is better than someone paying out or getting involved in bitcoins or wallets that they do not understand and trying to navigate through that when, in reality, all that needs to happen is for someone to press a switch, it happens again and they are re-victimised at that point. For me, it is about working with law enforcement partners, taking National Cyber Security Centre advice and engaging in that from a preventative point of view well before you are attacked. Then you just keep on top of your security. If you do that, you will hopefully be kept much more secure. It does not mean that you can prevent every attack, but you can reduce the risk and reduce the harm if you are attacked.

Miss Woods: Thank you very much.

I will go on to the section on drugs, which is extensive. Julie mentioned in her opening remarks the harm that drugs cause in our communities and society. I will not go into alternative and more effective ways to deal with the costs of drugs, in terms of health and society and addiction, because that is for another time. The drugs seizures data is on page 63, and there is a table with some figures. I love figures, but they are quite complex and need to be interpreted correctly. Are those PSNI figures, or are they from the organised crime division collectively?

Ms Harrison: Unhelpfully, my page 63 does not have a table on it. We might be looking at two different documents. They are probably PSNI figures.

Assistant Chief Constable Gray: I can help there. I, too, do not have page 63, but all the drugs statistics will have been confirmed through the statistics agency. Those will be the confirmed drugs figures for Northern Ireland for this time.

Miss Woods: Are they based on a mix of PSNI data and data from another agency, or is it just data from the PSNI?

The Chairperson (Mr Givan): I think that it is your page 28.

Assistant Chief Constable Gray: The statistics report will come through, and they will all be PSNI figures. Ultimately, if there is a seizure and it is an operation that the NCA has led on, that will still be reflected in those figures.

Miss Woods: The footnotes of that table — sorry, I cannot look at it now because I cannot access it — say:

"Not all drug seizures are subject to forensic testing to officially confirm the drug type seized."

It goes on to say that it would be based on:

"the investigating officer's assessment of the drug type".

What kind of training is given to officers to assess drug types?

Assistant Chief Constable Gray: There is basic training. Much of that management is around the capability and capacity of our forensic services. When small quantities were seized in the past that were quite obviously cannabis, they would have been tested to be confirmed as cannabis, but that is now left to officer assessment. It is carried through in basic training, and joint training goes on as well.

Mr Naylor: There are easy-to-use test kits called "field test kits". In one of the operations that we deploy, we take a small sample out of one of the packages, put it in, shake it up with a chemical and, depending on what colour comes back, that will tell you which drug it is. Very often, it is quite easy to understand what it is because of the nature, the smell and the feel of the drugs. Generally, officers are well aware, but they are backed up by the field test kits.

Miss Woods: Great. Thank you. Is any data collected by the PSNI and the NCA on drug seizures by weight and quantity?

Assistant Chief Constable Gray: Yes. The figures that I gave earlier about some of the seizures refer to x number of kilograms or grams of whatever drug. Generally, that will be converted into money.

Miss Woods: I will have to look at it.

Assistant Chief Constable Gray: Is there anything else that I can help with on that question?

Miss Woods: I am interested to know that. We have a table that shows us incidents, but, for example, would a teenager being caught with a five bag and someone being caught with 10 kg of cocaine both be counted as an incident? The table shows a substantial leap in herbal cannabis seizures, but are small or larger amounts being found? That would make it easier — it happened in England and Wales — to find out where police resources are being put. It was mentioned earlier that, if you put more resources into something, you will find more. That does not mean that there is more of a prevalence of it in society. It just means that there is more focus on it. I am particularly interested in incidents versus quantities and how that is portrayed.

Assistant Chief Constable Gray: I totally understand the question. An incident is an incident no matter the size of the seizure.

It is important to highlight that we have three levels in our drugs operating model. Very clearly and without exception, every local policing plan has identified drugs as an issue. The majority of the sentiments that come through from communities and is presented to us through groups, particularly the policing and community safety partnerships (PCSPs), is about the harm that street-level dealing brings to communities. The issues then, as we referred to earlier, are the exploitation of young people, debt and the potential to grow into wider addiction. Those are key issues in our focus on harm and vulnerability and ones that we want our neighbourhood teams — our local uniformed colleagues who are out there delivering 24/7 policing — to be totally focused on.

The next stage is working with the NCA on the bigger operations and the importation and supply from the mainland. That is about looking at the wider United Kingdom, seeing what that supply looks like and, within a more specialised detective sphere, tying that to the work of organised crime gangs. Many of the organised crime gangs that we have talked about will work across the island of Ireland and across borders in Scotland and England in particular.

The top piece is the international supply and that is really where the NCA comes in. All the drugs come from somewhere, and, with the support of the NCA, a lot of effort goes into developing lines of

investigation that, as Craig said, will stop the harm coming to our shores or, at least, get leads in place so that interventions can be made.

An incident is an incident. However, we work collectively, and I hope that you have been able to get a flavour of some of the high-end interventions that have taken place with really significant seizures. Is there *[Inaudible.]*

Ms Harrison: On the harm theme, Rachel, you touched on the point that it is a conversation for another day to include addiction services and so on. One of the things that we, as a Department, are trying to do to support operational partners through the community safety board is to look at vulnerable people, at places and at powers to make sure that, at every level, we are addressing the vulnerability. What you are hearing today is the hard-edged issue of drugs in the community, but, similarly, through support hubs, for example, it is about how we can collectively make sure that we know that the issue of people who are vulnerable, whether that is through addiction, homelessness or whatever the issue is, is being addressed by other bits of the system, so that the law enforcement piece comes in when needed on the back of that. I am not sure whether that is helpful to you.

Miss Woods: Thank you very much. I appreciate your answers.

Finally, on the section on immigration crime and human trafficking, I appreciate that this is the hard edge with regard to the task force, but is there any role for the group to assist victims when they are identified? Are there links with groups, and how do you deal with people who are found to be victims of crime, especially if they have been trafficked or are migrants? Are there links with community organisations and support groups?

Assistant Chief Constable Gray: My understanding is that there are good links in Northern Ireland. Again, those are carried through one of the organised crime subgroups, which is very much a multi-agency group. The figures that I have at the moment show quite an uptake regarding the national referral mechanism, in that, in this financial year to date, we have had 89 referrals against 101 screening assessments. That is opposed to last year, when there were 47 referrals and 54 screening assessments for the same reporting period. So, there really is quite a significant uplift in that. A lot of the partner agencies come together through the organised crime subgroup, and that provides support to potential victims. Importantly, it also gives an opportunity around identification of potential victims, which allows us to get to that screening mechanism. It certainly is work in progress, and, I think, it is an issue that, in many communities in Northern Ireland, people do not really think happens here. We know that it does, and significant effort has been committed to it, thankfully, over the past year or so.

Ms Dolan: I have two linked questions, but I will ask each one at a time. Can you give your assessment of the operation of the £4.3 million cybercrime centre that was opened last year? Can you give a bit more detail on the functions that it involves?

Assistant Chief Constable Gray: Yes, I can. I say proudly that the crime centre, which sits in the Police Service estate, is the envy of a lot of other police services. I see Craig, to my right, nodding at that: it may be the envy of the National Crime Agency as well. I will give you some idea of the extent of the investigations. Through the digital forensics at the cybercrime centre, which are very much around the examination of computers and complex phone work, by the end of October this year, within the financial year, the examination of 904 devices had been finished and the examination of 202 was in process. There was a significant amount of examination and input against the organised crime investigation, Op Venetic, that we have referred to a number of times. That certainly increased demand there as well, and also Op Arbacia, which was the investigation of the New IRA. There is quite a throughput there. There are agreed time frames to get those processed to ensure that the fastest investigation and criminal justice process can be implemented but also to ensure that people can get their devices back. There have been significant technology developments where, during house searches, screening can be done. If we are in a house looking for indecent images and there are three computers or laptops, for example, we now have a function that provides screening around that, which means that we are not leaving that house with all the equipment. There can be adverse impacts, for example, on kids who have been in that environment, losing their computers with their homework and so on. There are a lot of developments that are really beneficial.

Some of the other benefits that we see I do not want to go into a lot of detail around, because the investigation is continuing. Following the really sad event at Greenvale Hotel last year, we were able to put a mobile unit in the Cookstown area, and a lot of people came forward. It was unprecedented, from our experience in the PSNI, for so many to come forward. It meant that we did not have to seize

phones from kids who voluntarily came forward. Any video footage or anything relevant to the investigation was taken at that point.

There is a lot of high-end investigative work that goes on, and a lot of work to support where there have been serious road traffic collisions. There is a lot of demand, and it is growing. The capability within the crime centre reaches out quite significantly to that preventative world that we have talked about. It works really closely with businesses and works nationally to ensure that we have emerging trends that are coming through and that we are at the forefront. A lot of international businesses have a footprint in Northern Ireland. We are keen that they feel safe on these shores and that it is not some sort of cybercrime hotspot.

I hope that helps. I can provide further data to the Committee if you would like it at some point.

Ms Dolan: That is great, Barbara, thank you. That is very interesting. My last question is linked to the cybercrime centre. Often, cybercrime is not actually originated in this country. Have you any idea how Brexit will impact the effectiveness of the cybercrime centre?

Assistant Chief Constable Gray: I hope it will not, and I do not say that in a naive way. This is where we reach out to an awful lot of the support that we can get from partner agencies, including the National Crime Agency, which have that international outreach. We are very cognisant that we have dealt with some really difficult cyber attacks that rarely originate in Northern Ireland; they rarely originate in Ireland. They are definitely coordinated multi-country global attacks. Our cybercrime centre is good, but we need help and are not afraid to reach out and get that help from partner agencies who can reach further afield more easily — for example, American law enforcement agencies.

Craig, is there anything that you want to add from NCA's point of view?

Mr Naylor: Yes, I have two or three points. First, I was incredibly impressed with the centre. The PSNI really has a jewel in the crown in terms of investigative capability and the ability to exploit the data that they get back from devices. I do not think that Brexit is an issue for cybercriminality. The bigger issue for law enforcement at the moment is the volume of data we are having to manage. We are starting to see mobile phone devices where, if you printed out every piece of data on a page of A4, you could stack it as high as the Empire State Building and keep going. That is the volume of data that you are dealing with from just one of the top-end Apple phones. On Operation Venetic, some of the people we were dealing with had five Apple phones in their pockets, all for different purposes. Think of five stacks of paper the height of the Eiffel Tower that we have to work our way through to understand what is in there for the criminal prosecution or assisting the defence for disclosure purposes; that is huge.

One of the things that the NCA has invested heavily in is the National Data Exploitation Centre (NDEC). That is where we take these really complex investigations and pieces of information that we take off devices and wash the data with data scientists. I am already going beyond my knowledge and understanding of what they do with the data, because it requires incredibly complex data science to do that. An example of that was the tragic circumstances last year in Essex when the 39 migrants died. Can you imagine how many devices were in that shipping container? We were able to take that data and, in very short order, provide really clear evidence to the inquiry team about what was happening and who was involved. From that, we spun out some of our own operations, including one that is going to sentencing fairly soon. A chap from Northern Ireland who now lives in Warrington, who is a heavy haulier and came into the intelligence picture on this, has pleaded guilty to four offences of drug importation and money laundering. That is on the back of understanding of what was in a huge pile of data through effective data science and then drawing inferences from that.

Assistant Chief Constable Gray: Chair, can I be so bold as to share information about a really excellent programme that is coming into place? Is that OK?

The Chairperson (Mr Givan): Yes, of course.

Assistant Chief Constable Gray: Thank you. I know that members will be interested in this. It is a school cyber online education package that was to have been launched in the past week or so. It has been jointly developed between our own cyber prevent officer, the Northern Ireland Cyber Security Centre and the Education Authority. It is clearly designed to help young people who may have made mistakes or uninformed or irrational decisions around playing around in that cyber world, but actually aware that they could be criminalised in. It is very much about avoiding criminalising young people and

assisting schools in how to deal with low-level cyber-dependent offending and help to avoid repetition. It is very much an educational and preventative programme.

I do not want to stigmatise, because it is not only young people who can do that, but they are actually more adept in many cases in post-primary school with computers than many of the rest of us might be — I will speak for myself. It is also to be able to tap into that to help inform and educate them, and really to advocate cybersecurity as a career pathway that shapes a certain positivity about those specific skills that they have. It is a programme that is easily modified and can fit several circumstances. It has allowed academia, the industry and law enforcement to come together and offer support and, hopefully, assist in reducing crime and stopping young people from coming into the criminal justice sphere.

I just thought that I would take that opportunity. Thank you, Chair.

The Chairperson (Mr Givan): Excellent. You are right to blow your own trumpet, and well done for that. Jemma, are you happy?

Ms Dolan: Yes, that is grand.

The Chairperson (Mr Givan): Members, we still have Paul Frew, Gordon Dunne, Doug Beattie and Emma Rogan to go, in that order.

Mr Frew: I will be brief, Chair. I thank everybody in that room for what they do in protecting us all against criminality. Thank you very much. I want to take you to page 11 of your report and the result highlights for 2019-2020. There were 8,177 drug seizures but only 3,819 drug-related arrests. How is that possible?

Assistant Chief Constable Gray: Because not every seizure will lead to an arrest. That will not necessarily be the outcome of every seizure. There may be other community resolution outcomes. There may be prosecution reports that do not warrant, based on proportionality, the necessity of arrest. For some other seizures, the items are found, but there is nobody with them. For example, with some of the large seizures, there may not be associated arrests.

Mr Naylor: There may also be another answer. Sorry to cut across you. In some jurisdictions, accounting rules require seizures to be recorded for different types of drugs, so, if you get an amount of cannabis and an amount of cocaine, those are recorded as two seizures. I am not sure how it is here, Barbara, but there is certainly some of that in England and Wales.

Mr Frew: I read in the report — I think that it was in a footnote — that double accounting was not the case, because there will be multiple times when two types of drug are found. I think that I read a part that said that, in order to keep your sums right, that does not happen, and that is why you have 8,000-odd drug seizures. Only 47% of drug seizures led to an arrest. The year before, it was 44%, so it is an improving picture. Are you telling me, then, that the other percentage — the 53% — are all of such a low-level nature that they do not warrant arrest and that there are other ways and means, then, to facilitate that law-functioning role? I note that about 74% of those 8,000-odd drug seizures were cannabis-related, so that might be the case, but there are bound to be multiple times when a massive amount of cannabis is seized, which would lead me to believe that it is at the higher level and echelons of organised crime. Are we saying that, with only 47% of drug seizures leading to arrest, all the others can be accounted for with regard to other means of disposal?

Assistant Chief Constable Gray: No, I cannot definitively say that. I am more than happy to revert to the Committee in writing on that, because I do not have a definitive answer before me at this time. What I was presenting were potential options or reasons as to why a seizure may not result in an arrest. I will certainly revert to the Committee in writing on that.

Mr Frew: Thank you, Barbara. Why did seizures and arrests drop in 2016-17? That is the only year in the last decade, or since reporting began, in which there has been a drop, albeit slight, but it is still a drop compared with the number for every other year.

Assistant Chief Constable Gray: Again, I do not have an analysis of that. I do apologise. I could speculate, but I cannot give you any specific reason why there were fewer seizures and arrests in that particular reporting year.

Mr Frew: No, that is fine. We can wait. There were 189 drug-related deaths in 2018, more than double the number recorded a decade ago. A decade ago, the total was 89. Also, that is an increase of 39% when compared with 2017. Can we say, in any shape or form, that the policing of drugs is a success?

Assistant Chief Constable Gray: It is important to understand the context around the 189 drug-related deaths. Many of those deaths relate to polydrug use. Again, I do not have the figures in front of me, but I think that, naturally, people's minds tend to go to heroin overdose, cocaine use or something. A lot of times, it is down to the misuse of prescription drugs. We know that prescription drugs can be accessed on the internet and by post. Certainly, it is an issue. There are not illegal causes in every case, but certainly there are issues. I think it is really, really important here to —. Absolutely, the number of drug deaths has increased. The figures that I have for this year to date show a little bit of a drop around that, but, as a wider society, we should be really concerned about it. I firmly believe that it is not something that just the police can be responsible for. We are working closely with the Department of Justice on the establishment of the community safety board and on how other agencies can come together and, collectively, seek to address the issue of drugs misuse in Northern Ireland.

I do not have the figures for, or have not seen the links to, how that potentially ties in with suicide rates in Northern Ireland. Is that an issue of drug dependencies, or is it related to issues of debt and everything else? There are real opportunities to work on that through our local police and community safety partnerships, which I referred to earlier. To my knowledge, drugs are a priority for every single PCSP in Northern Ireland. We can work collectively through PCSPs and with other agencies that are skilled in addiction services. As a police service and as law enforcement agencies, we can certainly do our absolute best to intercept drugs, get suppliers before the courts and intervene at that level. However, I know that members will all agree that this is most definitely a much wider societal issue and not one that law enforcement can do by itself. It is really worth raising and I thank you for raising it, because it is such a prevalent issue in Northern Ireland.

Mr Frew: Yes. It is much more than a policing solution; I have absolutely no doubt about that. I agree with you 100%, Barbara.

On the same page of your result highlights, it is stated that approximately £2.2 million was recovered from criminal assets. That is only about four or six large houses or 13 new sports cars. How can we justify that as a success? Surely we need to be going after much more money and assets of the top organised criminals in this country.

Assistant Chief Constable Gray: There is no lack of will or intent for us to do that. It is helpful to understand that some of these investigations can be quite lengthy. We will see some results coming through from some of the recent interventions. As regards paramilitary groupings and those that are subject to the paramilitary crime task force, we are not necessarily looking at very asset-rich individuals. A lot of it is about the status and ego that can be fulfilled just from having control within communities; that impacts it. Craig wants to come in on those other seizures.

Mr Naylor: Thanks for the question; it is a really good point. The next report will be interesting, on the back of the Venetic material and the money that we have recovered from that. Across the UK, including Northern Ireland, over £55 million of cash was seized in Venetic between April and June of this year. We know that organised crime is a cash-rich business and that a huge amount of cash is exported to various destinations, including the Middle East and southern Europe. Part of our problem is making sure that we can get in front of that — stop it going out of the country — and, when we do stop it going out of the country, recover it. That relies on good intelligence. When the money is then reinvested and laundered back into legitimate funds in the UK, that can be very difficult to get the bottom of. That is why we are starting to see more and better seizures in England and Wales on the back of the illicit finance legislation. I sound like a broken record, but the sooner that we have that, the better. I am interested in your definition of a nice sports car, because that sounds very expensive.

Mr Frew: Thank you. I have said at the Committee before that intelligence-led policing is vital in tackling organised crime. Does the NCA use informants?

Mr Naylor: You are going to take me into areas of business that I would probably not want to answer detailed questions on.

Mr Frew: Yes or no would do.

Mr Naylor: We use every opportunity that is allowed to us under legislation. That includes the use of criminal intelligence that is gained from covert human intelligence sources.

Mr Frew: OK. Thank you very much.

Mr Dunne: Thanks very much for all the information. A lot of the points have been well made, and we have all learned quite a bit from today's presentation. I think that we are all somewhat shocked at the number of criminal gangs. I was first made aware of it at our November meeting when we talked about the strategy. There was talk of 82 groups, and I believe that there are more now. To the ordinary person in the street, it is shocking and alarming that we have that number of groups operating in Northern Ireland. I understand that about one third of them are linked to paramilitaries: is that true? Are we making real progress on reducing the impact of paramilitary groups in relation to criminality?

Assistant Chief Constable Gray: I am more than happy to lead on that. Yes, we assess that around one third have paramilitary links. I think that significant progress is being made on enforcement in respect of the paramilitary groups that sit under the joint agency paramilitary crime task force. Those include west Belfast UDA, north Antrim UDA, east Belfast UVF, INLA in the north-west and INLA in Belfast. If you bear with me, I can give you some figures. I will not give you the whole list but, since the creation of the paramilitary crime task force, there have been 315 arrests. There have been well over 700 searches involved in that, and 250 charges and reports have come through. There have been 187 weapons with ammunition seized and 57 vehicles seized, 53 of which were seized in the last two to three years. Equally, 194 of the 315 arrests happened in the last two to three years. I could go on. I will probably choose my words clumsily, but it is a war of attrition. We all know — I do not have to rehearse it here — the harm and the influence that individuals attached to paramilitary groups exploit in their communities; it is shameful. At the Policing Board last week, I said that I believed that they were feeling the pressure. They should feel the pressure, and I think that they will feel the pressure from law enforcement. As I said in my comments about drugs deaths, it is not something that we can just police our way out of. That can often sound like a trite statement, but communities need to see enforcement in place so that they and other partner agencies and community groups and representatives can feel empowered to step forward and denounce the harm that drugs do. We are not going to tire in our efforts; we will stay absolutely focused and will do everything that we can, alongside our partner agencies such as HMRC and NCA.

For the record, Chair, if you do not mind, when I rehearsed the names of the groups that I was referring to, I should have said that south-east Antrim is one of the groups that is also a key priority for the paramilitary crime task force.

Mr Dunne: Thanks for that. It is good to see that progress has been made.

Who is responsible for carrying out surveillance, observation and checks at airports, for example, and docks and harbours on a planned or even an ad hoc basis? To the ordinary person in the street, those are high-risk areas. Is enough surveillance and observation work being carried out there, and who is responsible for it?

Mr Naylor: Maybe I can answer that question. Border Force has a presence to do that. If Border Force is seizing money, for example, or drugs or otherwise, it will refer that to us in the first instance. We will either adopt it, if it is of a certain value, or otherwise ask the local force to get involved in doing that. The chief executive of Border Force was here recently to meet the Chief Constable along with me and others. In relation to that area of business, he has said that he wants to ensure that the uplift that he has had recently is sufficient to meet the threats and risks, now and going forward. We do a lot of work jointly. To be honest, it is probably one of the biggest sources of work in NCA. There is a very strong relationship with Border Force to make sure that we police effectively the borders where goods and people come in.

Mr Tracey: Just to add to that, HMRC has the customs policy and, similar to NCA, we have a great relationship with Border Force, which will refer tobacco seizures. In fact, we did an operation yesterday that was a follow-up to a referral from Border Force of a large detection of cigarettes earlier in the year. We have those tried and tested pathways for a wider surveillance capability. All three agencies here have it — not specifically at the borders — but to go back to a comment that was made earlier, a lot of policing or law enforcement is very much intelligence-led. We all have the ability to go into the docks or the ports and conduct our own surveillance for specific operations, again in conjunction with Border Force and partner agencies.

Assistant Chief Constable Gray: I can offer some reassurance as well. We received some additional EU exit funding which has led to additional officers being dedicated to the ports. They are in place, and have been for some time now.

Mr Dunne: Does that include random checks, and even road checks? A freight lorry can be stopped and checked. The risk of that happening, you would feel, is relatively low. If it could be done on a random basis, it would certainly be a deterrent.

Assistant Chief Constable Gray: Yes, it will, and that is absolutely what we will be doing. Indeed, we have been working hard on developing additional plans around that. That power was always there, but it is about making sure that, through our EU exit planning in particular, we have good contingencies in place.

Mr Dunne: Thank you very much, everybody.

The Chairperson (Mr Givan): Doug Beattie?

Mr Beattie: Thank you, Chair; sorry it took a while to come on there.

Team, thanks very much for that. It has been extremely interesting. I will not try and keep this too much longer but, if I can, I will do some sweep-up on some questions that have already been asked.

Of the 80 organised crime groups operating in Northern Ireland, how many of them are resident in Northern Ireland or how many are reaching into Northern Ireland? Are the 80 that we are talking about actually in Northern Ireland? If one third of them are paramilitaries, that is 26 or 27 paramilitary groups. Can you expand on that? I know that you have done a little bit, but are we literally breaking down paramilitary organisations into specific groups and that is why that figure is so high?

Linked to that, can I ask Julie when we will we have the conversation with everybody in regard to language around what is a paramilitary, what is a criminal, what is organised crime and what is criminality?

Assistant Chief Constable Gray: I will start, OK? I know Julie will come back on that, but, on behalf of the Police Service, I also welcome that conversation as regards the definitions. Certainly we are very aware and have been talking about it. Yes, we would say that 26 are linked to paramilitary groups. As members will be aware, one paramilitary grouping can have different sections, as such, below that again, and that can be broken down per geographical area. I can use any number of examples, but, if I use the east Belfast UVF, there are different geographical areas within that and small groups within that that, we believe, are carrying out different levels of criminality in their area. All those groups will be predominantly Northern Ireland-based — that is why they sit in our matrix to score within our criteria for OCGs — but they will have a reach. We believe that around 20 have a reach across the island of Ireland. We believe that, out of the top 11 within the harm score that we have, nine will have a cross-border reach as well.

There are others, and that is very much where we have seen a lot of developing information and investigative lines, particularly this year, that have gone across nationally and indeed internationally. That remains, as do all of these things as information and intelligence develops, very much an evolving picture. We continue to absolutely focus and work with partners to build as much information as we can to ensure that we are getting the best investigative opportunities.

Ms Harrison: Doug, the language point continues to be a focus. I would be misleading you to suggest that it has been high on the list of things to do in the last few months. We have been very focused on immediate harm, as you as you might expect. It is on the forward plan for the political advisory group, because in part it is about elected reps' views on all of this too. Certainly, as Barbara said, we have been working with police and others. You may notice in some of the social media from the Ending the Harm campaign that increasingly the emphasis on this is about criminality and harm, no matter where it comes from. That shift has started, and you will probably see that, but there has not been a dedicated conversation around it in the last few months. We have been very much in the "Look at what is in front of us" space. That would be the honest answer.

Mr Naylor: Can I jump in as well? Barbara makes a really interesting point about that pyramid or hierarchy of the groups. We also see groups that reach across from the UK mainland into Northern

Ireland and are engaging with groups that are here. One of our jobs and one of the things that I mentioned earlier is our ambition to tackle them before they get to Northern Ireland and, hopefully, before they get to the UK as a whole, but the difficulty is where is the best place to take action. There are groups that are based and operate from here that are acting in Europe, and we have interdicted them in Europe and the south-east of England. We will continue to do so, because it is far easier to do that there and to stop them from coming all the way back across the UK onto a ferry before coming into Ireland. Our ambition is to stop that happening before it gets to our shores.

With regard to language, I do not come from Northern Ireland. I do not have a long history of law enforcement here, so it would be unfair of me to put my view on it. However, what I will say is that the groups that we and the paramilitary crime task force are looking at are involved in criminality and the law that we will use to tackle them is a criminal law, so, for me, they are criminals. The way that my teams operate is to give respect to the intelligence reports that we get and to understand what they are, but let us go after them with whatever tools we can use. It is the old Al Capone-type approach: what is the best way to take them out, stop them operating and make the community safer? We will take that approach every time.

Mr Beattie: Again, I agree with all of you. They are criminals, and the last thing that I or anybody likes is for them to be given *[Inaudible]* title which gives them a bit of kudos when they are actually just drug dealers. It is really important that we have that conversation.

To pick up on something that you said, Barbara, we talked about the organised crime task force, the paramilitary crime task force and the joint agency task force, the NCA, the HMRC, the smuggling subgroup, Border Force — is there any chance that we could get an organisational or structural wire diagram which shows us that C2/C3 relationship and is not too operationally focused but gives us a better understanding? Tacking on to that, just to take up time, there is a real perception out there that the paramilitary crime task force does not really operate in some areas of the border. We certainly see them in areas throughout Northern Ireland, in inner cities and certainly into Newry. However, there are certain areas between Newry and some places in Fermanagh where there is a real sense that the paramilitary crime task force does not really operate. Who is covering that ground and looking after the organised crime groups that fly the flag of convenience by calling themselves "paramilitaries" or even "terrorists" in some cases?

Assistant Chief Constable Gray: I understand why the question is asked. The paramilitary crime task force is the operational policing enforcement body which focuses on the Fresh Start groups, which are the ones that I named within this. It still sits within my crime department and the same branch that the paramilitary crime task force sit in, which is where the investigation into other criminality for the organised crime groups sits. That all sits under my remit, and the criminal investigation branch is the overarching body there for the key points of contact with NCA and the key taskings with HMRC and NCA. So please be assured around this: there is a definite coordination that sits within that, and within my department. You referred to what would be seen as terrorist groups, ie dissident republican groups, and they sit under my remit as well. The difference is that, within that, we have MI5 support around those dissident republican groups because they are deemed a threat to national security. They all sit under my remit, and that coordination and tasking goes there. The paramilitary crime task force on the Fresh Start groups and then the wider organised crime investigative teams sit underneath my remit as well. For absolute assurance, we work really closely — the majority of my policing service has been in uniformed policing in districts, and I know that some of the members know me from my past there — with district colleagues. We ensure that we are the link with Steve and Craig and their teams when we are doing collective operations across Northern Ireland. There are different groups and investigative bodies, but they all sit in crime department under my command.

Mr Beattie: I have confidence without a shadow of a doubt, Barbara. However, my original point is that I do not fully understand that C2/C3 relationship with all those different groups. It is hard to understand. You have explained it to us as best you can, but it would be really good if there was a not-too-operational wire diagram that could be produced.

Can I ask another question? I do not know who it falls to, but I will ask anyway. UK Border Force is likely to be operating at our airports and the ports of Larne and Belfast. Does it operate with any force down in the border region, alongside the PSNI or any other agency?

Assistant Chief Constable Gray: I want to come back to the diagram and the structure. I struggle to give you a clear answer on this. I do not have the absolute definition. Border Force has authority in

Northern Ireland. We work with it, but I do not deal with it directly. I am probably being cautious here, in case I commit something to record that is incorrect. Steve has the answer.

Mr Tracey: I hope so. Border Force operates, as you indicated, predominantly at airports and ports; however, for border-related criminality that is excise-related — in other words, if it came through the airports or the ports, and it was tobacco importation or anything to do with excise or VAT fraud, that type of thing, that it has detected — it will refer that to us. In most of the operations on the border involving that type of crime, we work very closely with the PSNI closely, the NCA and the joint agency task force, because it is normally cross-border. The cross-border side of customs policing, for want of a better expression, is picked up by HMRC, and we have tried-and-tested protocols and enjoy fantastic support from the PSNI and other agencies. We do a lot of that work.

Mr Beattie: I take it that that is more reactive? If needed, they go down, but they have no permanent presence down there alongside the police?

Mr Tracey: We do not have a permanent presence, but it is not just reactive. We are also intelligence-led, and we develop investigations in conjunction with partners on the island of Ireland. If you are asking, "Are we there all the time?", no, we are not. We go there when we are needed.

Mr Naylor: Doug, I will just add that, if we see intelligence that stuff — criminal commodities — is coming through the South of Ireland, we would rather take it up with our an Garda Síochána colleagues through our international liaison officer network. We have been quite successful this year in taking out large amounts of drugs, cash and various other things, particularly in Dublin. To my view, that keeps Northern Ireland safer.

The Chairperson (Mr Givan): Last, but by no means least, Emma Rogan.

Ms Rogan: My question is short, so do not panic. It is just around part of the pack that we received about criminal assets that are recovered and then returned to the law enforcement agencies. Communities benefit from some of those assets. In my constituency, charities such as Life Change Changes Lives have benefited from it. They run restorative justice and diversionary projects to help reduce reoffending and take people away from reoffending. When these funds are recovered and directed back to our communities, how do we make sure that as much as possible is spent in the community, rather than on other projects? We see the benefits of restorative justice and diversionary projects within communities. Is there potential to increase the amount of funding going to local charities and communities from these assets?

Ms Harrison: I can certainly start on that one, and others can keep me right on the technicalities of asset recovery incentivisation schemes (ARIS) versus assets recovery community schemes (ARCS). Certainly, with ARCS, which is the bit of confiscation that comes directly to Northern Ireland and does not go to the agencies, there is a panel and an application process and, through that, typically £700,000 or £800,000 a year goes out, almost exclusively to the community and voluntary sector. We were talking earlier about the other bit of that and whether, in the longer term, we could construct an argument that more of the money that is confiscated here should not go back to GB and should be available to Northern Ireland for that purpose. I am not sure if that is an answer, but, yes, I think that there may be a list of projects somewhere, and, if not, I can certainly give you that.

Ms Rogan: OK. That is great.

The Chairperson (Mr Givan): Linda Dillon has a quick follow-up.

Ms Dillon: Thank you for all your answers. I want to highlight one of the issues that were raised in relation to the intelligence-led stuff and our concerns around that. My main concern is the lack of accountability. It is the same concern, with the greatest respect, that we have around the NCA. There is no accountability. We have accountability mechanisms here for the PSNI and for the Justice Department through the Committee, but we do not have accountability around when those human intelligence sources are used. That is my big concern. There is no accountability. Barbara, as you know — we have been very vocal in making the PSNI aware of it — it damages confidence in the PSNI. Much of this is about perception, not reality, but perception is very important in community confidence in policing. Speaking from my experience in my own constituency, very often when drug dealers are not being picked up — and much of this is perception and is not real, but perception is very important in community confidence in policing — and they are not being arrested, it is because

they are informers. As long as there is no accountability around these issues, that is always going to be a real issue for the PSNI. Given our history, it is a bigger issue for us here than it is in other places, but, if you separate that out, it is an issue even around the drugs issue. It concerns me. Are there any ideas on how you could increase that accountability?

Assistant Chief Constable Gray: I will start, and Craig might want to come in. Overall, the Policing Board — Linda, you were on it — is our accountable body, and there is an MOU in place with the NCA. Indeed, the director-general was virtually present last week, both in private session and public session, but, ultimately, there are really strict legal frameworks in place that hold the NCA, the PSNI and other agencies to account against the legislative framework as regards any form of intelligence use or intelligence development. That is a legal framework that has been put in place to ensure that law enforcement bodies, in particular, are accountable, that their actions are necessary and that they are proportionate to everything that they are doing. Craig, do you want to add anything?

Mr Naylor: It is a really interesting point. We do have accountability mechanisms, as Barbara described, and the director-general was at the board last week. We have also recognised that we should be more visible to accountability mechanisms in Northern Ireland. As such, I was at the partnership committee of the Policing Board two or three weeks ago, and I also had a session with the policing and community safety partnerships that afternoon, at which we discussed what we do and how we do things. That will be an ongoing process. We have committed to doing that a couple of times a year or at a timescale that meets the Northern Ireland Policing Board's needs.

Barbara mentioned what we do under the Regulation of Investigatory Powers Act and the Investigatory Powers Act. Under that legislation, we are held very much to account and inspected annually, so there is a UK-wide — that is Scotland, Northern Ireland, England and Wales — understanding of how we use our legislative capabilities. That also looks at our international use of covert human intelligence sources and other methods, so we are held very much to account. It may not feel like a Northern Ireland focus, but there is a focus on how we do our business. The important thing is that we want to work more effectively in Northern Ireland and be held to account for that. We have things to keep confidential, but we have nothing to hide in how we do our business. We want to be held to account on that.

The Chairperson (Mr Givan): Obviously, part of the toolkit in trying to deter that is appropriate sentencing. Your report refers to the fuel smuggling that took place from Europe via Dublin and Belfast. I note that, of the four people whose cases went to the Public Prosecution Service (PPS), only two were prosecuted, and both of them got suspended sentences. I look at the scale of the operation of the fuel-laundering plant example that is cited in your report; again, there was a prosecution with a six-month suspended sentence. Given the environmental crime that was also associated with that, how concerned is the task force that the sentencing is not acting as a deterrent to the criminals who are engaged in that type of activity?

Mr Tracey: From an HMRC perspective, we have worked really hard with the Northern Ireland Environment Agency in particular to focus on not just the criminality associated with fuel laundering and the danger to the public but also the environmental impact. I think that we have slowly started to turn the tide in terms of sentencing. One of the difficulties for us is that, often, these laundering plants and fuel-laundering operations are in areas in which it is very difficult to maintain observations for long periods of time. When we identify and then dismantle those plants, we are, in many instances, beholden to what we find on the day.

One of the difficulties that we have with proving the worth of fuel laundering is that we cannot say what happened to the plant the day before, the day before that or the day before that, because we have not been able to mount surveillance on it for a considerable period of time. There are many occasions where there is actually hired labour, for want of a better expression. They can make that case, and we do not try to make a case that is different to that. Where we have made advances is that we have employed a significant forensic strategy, with our own crime scene practitioner now employed by HMRC. We have had two or three different DNA hits at different laundering plants, which starts to build a pattern and make the case to the court that, rather than it being a one-off event, the person concerned is a controlling mind and influence.

We have also referred five cases in the past two years to the Public Prosecution Service for the director to examine unduly lenient sentencing. That is something that PPS is alive to with us. Against that background, I have to concur; I would like to see sentencing for fiscal offences commensurate to the amount that we can put before the courts. I would like to see it improved, but that is a matter for

the courts. All we can do is keep presenting the cases in the best way we can, looking at the asset portfolio and identifying the chain of command. I am afraid that it is down to the courts from there, really.

The Chairperson (Mr Givan): There will be a reluctance to criticise judges — that is always the case when it comes to criminal justice organisations — but I know that people whom I speak to across the agencies are frustrated about the sentences that are being administered. It is certainly something that I will want to look at in the future; we are looking at a new sentencing framework for other types of offences. Whether we need to improve legislation in that respect is something that Members might want to consider.

I conclude by thanking Julie, Barbara, Craig and Steve — particularly Steve, for coming over from Edinburgh to take part. I hope that it has given you the opportunity to catch up with colleagues as well as speaking to us on the Committee. Thank you very much for the work that you do in this important area on behalf of the people of Northern Ireland.