



Northern Ireland  
Assembly

Committee for Justice

# OFFICIAL REPORT (Hansard)

Policing Oversight and Accountability Arrangements:  
Department of Justice

18 February 2021

# 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)  
Mr Doug Beattie  
Ms Sinéad Bradley  
Mr Gordon Dunne  
Mr Paul Frew  
Ms Emma Rogan  
Miss Rachel Woods

**Witnesses:**

Ms Lisa Boal	Department of Justice
Ms Maura Campbell	Department of Justice

**The Chairperson (Mr Givan):** We are joined by Maura Campbell and Lisa Boal, so I will hand over to you.

**Ms Maura Campbell (Department of Justice):** Thanks very much indeed for giving us the opportunity to brief the Committee on where we are with the stocktake of policing oversight and accountability. As you know, the work is moving a bit more slowly than we intended. That is in light of the other pressures on our Minister and main stakeholders, including yourselves, of course. Although there is no shortage of demands on everyone's time at present, the Minister remains keen to take forward the stocktake. She is conscious that the current architecture for oversight of policing has been in place for about 20 years. In addition, it is coming up on 11 years since responsibility for policing was devolved, so she considers it timely to review how the arrangements are working. In particular, she sees value in looking at the relationships between the various bodies and how they interface to see where there may be areas for improvement, scope to eliminate duplication, or where there may be a need for greater clarity.

The Minister is clear that this is not about making radical changes to the existing bodies or structures. The draft discussion paper that we shared with you advises that any changes that are agreed should be consistent with the ethos of the Patten report. In other words, this is not intended to be Patten mark II. The discussion paper sets out draft terms of reference for the stocktake, provides an overview of current roles and responsibilities, and highlights issues that were raised with the Department in recent years, along with the key developments that we have seen in Great Britain and the Republic of Ireland. The paper is still in draft form and is intended as a prompt for discussion, so we are not setting out any firm proposals at this stage. The paper covers issues such as ensuring clarity of roles; whether there may be scope to streamline the provision of information by the PSNI to the various oversight bodies; how we oversee the implementation of recommendations made to the PSNI; the operation of

the tripartite relationship between the board, the Department and the PSNI; and the Department's sponsorship role.

Alongside the draft discussion paper, we have shared with you the Police Ombudsman's five-year review report. We thought that it made sense to consider her recommendations alongside the matters being discussed through the stocktake. I should stress that these are the ombudsman's proposals, and the Minister will want to consult before taking a view on them. So far, the Minister has held a series of meetings with some of the key stakeholders to take initial views on the stocktake and the next steps. She has met the chair and vice-chair of the Policing Board, the Police Ombudsman and the Chief Inspector of Criminal Justice. She is also due to meet the Chief Constable and the full membership of the Policing Board. She also plans to meet the Committee at a suitable juncture.

The next stage in the process will be for us to develop a draft policy paper for further discussion with the group of stakeholders, and, once we have a final paper, we intend to consult more widely, including with stakeholders who represent police officers. We plan to take forward those proposals on which we can achieve a broad degree of consensus. We will, of course, keep the Committee updated on progress and will share with you our proposals in advance of any public consultation. Any proposed legislative changes would, of course, be subject to the normal process of consultation and scrutiny by the Committee and the Assembly, and it will be the next Assembly mandate before we will be ready to bring forward draft legislation.

In summary, the work is still at an early stage, and that is because we want to take the time to give the issues raised proper consideration and to ensure that there is full consultation with all relevant stakeholders. We are open to considering any thoughts that the Committee has on how and when to engage with you on the next phase of work, and we are happy to take questions or comments on how we plan to take the work forward or, indeed, on any other matters that members wish to raise. Thank you.

**The Chairperson (Mr Givan):** Thank you, Maura. I am interested in whether there are any emerging themes at this stage of the process. I have my own views on some of the areas that I am keen to explore, without necessarily saying that it is my definitive position. Is anything of note coming through from the initial work?

**Ms Campbell:** In the discussions that we had in the preparatory phase at official level and in the discussions that the Minister has had to date with some of the key bodies, one thing coming through is an agreement that we should not rush this, particularly with everything else that is going on. People are broadly happy with the pace at which we are taking it forward. We did see a lot of support for the current architecture. We were not getting the sense that anybody thinks that there are any fundamental issues with how the arrangements are structured, which is why we focused, in this iteration of the discussion paper, very much on the interfaces and relationships and ensuring that people are working in a complementary fashion.

An issue that came up a few times is about ensuring that there is clarity between respective responsibilities. For instance, you have discussed the interface between the Policing Board and the Justice Committee during previous meetings, asking where one responsibility ends and the other starts. There has also been a theme about the potential for more informal cooperation between the respective bodies, and, to be honest, I am starting to see that happening. On the back of the discussions that we have been having, there were some fairly informal discussions during the autumn between some of the key inspection bodies to compare notes on their intentions for areas that they wish to look at.

Another key theme coming through is that the police receive a lot of recommendations from various bodies or even from reviews that they commission themselves, but we could maybe look a bit more at how well those are implemented, what impact they are having and whether we are clear enough about who has responsibility for overseeing how that works.

There was a general feeling that we are not seeking in any way to dilute the accountability of the police but that there may be scope to work smarter in how we do that, so streamlining the demands on the police — the various requests for information that come through — seemed to be an issue on which there was a fair degree of consensus.

With regard to the time frame, it looks at the moment like we will, hopefully, be meeting with the full board and the Minister on this side of the summer. However, that would mean that it is probably going to be the autumn before we will be a position to get to a public consultation. In between times, we are

going to want to look at this in *[Inaudible]* way. At this stage, it is more about scoping out what should be included. Once we get to the next stage, we are going to be looking at where we might be making proposals and what the options for those are. So, we may want to go back to people and I think that we have reflected that in the draft handling plan at various stages, so that will impact on our timescales later on.

**The Chairperson (Mr Givan):** OK, thank you, Maura. I will bring in some members. Emma Rogan has indicated.

**Ms Rogan:** Can you hear me now?

**The Chairperson (Mr Givan):** Yes, thank you, Emma.

**Ms Rogan:** Thank you, Chair. I have a couple of questions for Lisa and Maura, if possible. First, have you ensured that the terms of reference are clear so that this is not a fundamental review?

**Ms Campbell:** In the discussion paper, we have sought to make that clear. Therefore, in the introductory section and the executive summary of that we make the point that we are not seeking to set aside the changes that had been made under the Patten review. Therefore, it is not a review of the policing bodies themselves; it is more about ensuring that the roles are operating in a way that is complimentary, and that, where there may be any duplication or a lack of clarity, we want to seek to address that.

**Ms Rogan:** OK, thank you. I have another question. In the papers it says a:

*"Review of the Police Ombudsman's powers."*

What exactly does that mean? Personally, I know, with the limited powers that the Police Ombudsman has with regard to retired officers and compelling them to give evidence in investigations, what that can actually mean as regards to investigations. What does that review of the Police Ombudsman look like and what is meant by that?

**Ms Campbell:** In the legislation that created the Office of the Police Ombudsman, there is a statutory requirement for the Police Ombudsman to undertake a review *[Inaudible]* on at least a five-yearly basis. The process for that is that she conducts that review and then puts her proposals to the Justice Minister. So, we have taken receipt of her report, which we shared with the Committee. Given that we had already been planning to do this work through the stocktake, which was largely an engagement with the same stakeholders, we thought that it was a good opportunity to look at both in parallel. The Minister, before she reaches any views on the recommendations that have been made by the Police Ombudsman, wants, in her discussions with the various bodies, to give them the opportunity to give their views on the report. I think that the Police Ombudsman also has plans for a process of engagement with key stakeholders, so she will also be talking directly to other interested parties.

**Ms Rogan:** OK, thank you for that. Those are all of my questions.

**Ms Dillon:** Thank you for that briefing and presentation. Emma has kind of covered it, but I want to clarify the issue around whether this is a review or a stocktake. Paragraph three on page 48 clearly says that the:

*"Stocktake is not intended as a fundamental review of the roles",*

but, if you go to paragraph six, it looks very much looks like it is a fundamental review. Therefore, just saying that it is not a review in an earlier paragraph does not make it not a review if you then add in another paragraph in what looks to me to be a review. I want to clarify that this is only a stocktake, and not a fundamental review.

It talks — sorry, I am probably going on while you are looking for the paragraphs. It talks about looking at the developments in the 26 counties and Britain, and identifying lessons that might be learned to inform arrangements for here. So it is not a review of the arrangements, but you are looking to change, or potentially change, the arrangements without a review. I am content with a stocktake.

**Ms Campbell:** Paragraph 6 was intended to note that, in looking at the issues that are within the scope of the stocktake, we want to be mindful of any relevant developments in England, Wales, Scotland or the Republic of Ireland. We are not suggesting that the stocktake would be as fundamental as some of those reviews.

**Ms Dillon:** I just want to clarify that. Looking at what has happened in other areas could be done as part of a stocktake, but changing something here as a result of that does not, I do not think, come under the remit of a stocktake. That is a review. That is actually changing things.

**Ms Lisa Boal (Department of Justice):** It is a stocktake. It is just to note that there are developments happening in other parts of Great Britain and in the Republic of Ireland and to see whether there is any learning; there may not be. It may be that their changes are so radical that they are beyond the scope of what we are trying to do here. It is just to note, for completeness, that there have been so many changes in the last 50 years to how policing arrangements are set up in England, Scotland, Wales and the Republic of Ireland. It is just to make you aware that those changes are happening, but they may or may not be relevant to the situation here, given that we are generally content with the broad architecture that is in place. Are there any dynamics in how the bodies in England, Scotland or the Republic of Ireland interface with one another that might be useful here? It might be that there are not any, but it is just to see whether there are any lessons. This is just a stocktake. It is not a fundamental review of the arrangements.

**Ms Campbell:** It is more there for context. Annex C of the discussion paper sets out anything that we have been able to glean from what is happening elsewhere. In some cases, every jurisdiction is starting from a different place. In some instances, what has happened in other jurisdictions has brought them a bit more closely into line with what we have here.

**Ms Dillon:** OK. That is fine. I am content with that.

**Miss Woods:** Thanks for the presentation and the briefing paper. I have three questions, and they maybe form more of a comment. As regards the ombudsman's powers and the reviews that the Police Ombudsman has already provided to the Department, the paper states:

*"There have been three such Reviews but the recommendations have not been acted upon."*

Can you explain why that has happened?

**Ms Campbell:** What has happened previously is that, when the Department has consulted on and taken proposals to the Executive, there has not been a consensus at Executive level to take those forward. That is because they have gone as a package. Some of the recommendations from the Police Ombudsman are relatively straightforward, but some will be more politically contentious, or there will be a range of stakeholder views on them. We thought that the stocktake was a good opportunity to see which areas are capable of achieving consensus. I do not think that there is any point in trying to put forward a package that we know will not be accepted or will not be able to go forward. We will not be able to legislate on proposals that do not get a sufficient level of consensus at Executive level.

**Miss Woods:** OK. The Police Ombudsman has made recommendations, and I appreciate that there are quite a lot of recommendations — 35 or 36 — in the report that we have. Coupled with that are three other reports with recommendations that have not been acted upon. Therefore, even without this stocktake, has any consideration been given to separating out the recommendations in order to get some movement on them?

**Ms Boal:** The current report from the office builds on the previous recommendations that have been made. In her recommendations, you will see whether it is a new recommendation that the current office is making, an existing recommendation or one that she has updated or tweaked slightly. The current report that we have covers the recommendations that have been made previously, because the reports were all broadly similar in the recommendations that were made. The report picks up on the ones that have not been addressed and newer ones that the current ombudsman has brought to us.

**Miss Woods:** I appreciate that, but we have got a list of recommendations. Granted, we might not be able to get political consensus at the Executive on all of them, as a package, but is consideration

being given to doing something with the recommendations that might be able to get consensus? Or, do they have to come as a package?

**Ms Campbell:** The previous issue with being able to do anything with any of them was that they were presented as a package. This time, it might be more sensible, in deciding what proposals go to public consultation, to get a sense from stakeholders of where we may be able to get agreement and what is worth considering. That way, we will not end up in the position that we were in before where the best is the enemy of the good and, in trying to do everything, ending up not being able to take anything forward.

**Miss Woods:** That is fine; I appreciate that. It would probably be quite frustrating to continue to make recommendations but never have any movement on them. That would be pretty pointless and a waste of time. I look forward to discussing them.

Are budget allocations and the impacts of budget cuts on the relationships between the justice agencies considered as part of the stocktake?

**Ms Campbell:** That is not something that we intend to include in the scope of this exercise. There is work going on separately in the Department to look at the feedback that we been getting from the various organisations on what they anticipate will be the impact of the proposed budget. It would not be sensible to try to bring that into this exercise, because it merits its own exercise. Also, given the timescales, the decisions on budgets will need to be taken much quicker than we anticipate bringing forward the stocktake.

**Miss Woods:** Finally, also on the remit of a stocktake, are any discussions being had on diversity and the people that we have in the justice agencies, be they criminal justice agencies or oversight boards, or training and understanding of minority groups and BAME communities. Is any of that being looked at?

**Ms Campbell:** That is not something that has been raised. If we were to look at those issues, we would be starting to look at the bodies themselves, so it is not something that has been proposed.

**Miss Woods:** OK, thank you.

**Ms S Bradley:** Thanks for the presentation. I have a quick point to make about point 14. In the stocktake, you talk about all the different partners and are quite exhaustive in the list that is provided, but point 14 speaks specifically to the Police (Northern Ireland) Acts and how this could be an opportune time for change. Does that anticipate the stocktake raising issues that are bedded in the Police (Northern Ireland) Acts? It seems to be a very specific final destination for the outcome, and I wonder why that area has been singled out.

**Ms Campbell:** It is probably because those Acts are the ones that give effect to the current architecture, including the tripartite accountability relationship and things like the role of the Comptroller and Auditor General in undertaking reviews of continuous improvement. For the types of issues that are coming up around the respective responsibilities and oversight inspection, if there were to be changes made, those are the pieces of legislation that we would likely look at.

**Ms S Bradley:** OK, thank you. You said that there could be areas that come up that do not require any legislative change, but do you anticipate that being the broadest place from which the whole conversation will lead? For example, you mentioned even the Committee having a role. Do you anticipate anything beyond that, or is there other legislation that should be flagged up? It seems to be such a broad conversation to my mind, from the outside, and then it quickly refines to just that one Act.

**Ms Campbell:** That is something that we could usefully look at, because if, as part of a consultation, we were looking to amend some of the Police Ombudsman's powers, which may be contained in separate legislation, there may be a need to look at that as well. So, I think that we could, maybe, take a look at that.

**Ms Boal:** The bulk of the Police Ombudsman powers are in the 1998 Act, and the legislation around the police and the board is in the Police Act 2000. The legislative powers for Criminal Justice Inspection Northern Ireland (CJINI) are in other legislation. That is to flag up the current arrangements in relation to the police and the board, so that paragraph could be expanded out better, but we can

and will look at any other legislation that needs to be looked at, depending on what issues arise and are agreed.

**Ms Campbell:** We will be happy to look at the potential to clarify this because, as I said at the outset, this is kind of a living document, and we have been updating it as we go in the light of the discussions and feedback that we have been having.

**Ms S Bradley:** Thank you. I appreciate that. Hopefully, you will see how it would alert somebody to looking at that as a starting point and reversing from there and building an engagement around that. I would really appreciate that broader spectrum being better understood.

**Mr Frew:** Thanks for your presentation. What does it mean to be an officer of the Assembly, and who holds that designation currently?

**Ms Boal:** The Public Services Ombudsman is set up as one.

**Ms Campbell:** Yes, the Northern Ireland Public Services Ombudsman maybe has that designation at the moment. We would need to look at the specifics of what that would mean for the ombudsman's office if there were a consensus that that was a direction that we should go in. We have not done any detailed work on what the implications of that would be.

**Mr Frew:** So, you do not actually know, at this stage, what additional powers, if any, or circumstances that would place on the Police Ombudsman.

**Ms Boal:** I think the main change would be whom the ombudsman would report to. If the ombudsman were to become an officer of the Assembly, she would report directly to the Assembly, whereas, currently, her reports come into the Minister of Justice because the office is independent but is set up as an arm's-length body of the Justice Department. That means that the ombudsman provides her reports to the Minister of Justice and the governance arrangements are provided through the Justice Department. If the ombudsman were to be set up as an officer of the Assembly, reporting directly to the Assembly, there would not be that same direct link to the Minister.

**Mr Frew:** It is recommendation 1 in annex D. I am interested to know more about that and about who enjoys that designation presently and what that means for them. Obviously, as you said, it is something to do with oversight, so we are looking at who polices the police's police, if you know what I mean. My understanding is that, at the minute, it is the Department of Justice but that that may fall to the Assembly. What does that actually mean? Some Department will account for that, or maybe not. At that point, it is about accountability of the Police Ombudsman's position and their office.

Recommendation 3 states:

*"The Police Ombudsman legislation should provide for disqualifications from holding the position of Police Ombudsman persons who are or have been serving police officers."*

Why would retired police officers not be qualified to hold a position such as Police Ombudsman?

**Ms Campbell:** I think that, in her report, the ombudsman highlighted the fact that this is different from what would be the position in, for instance, Scotland. I think that she was looking at experience elsewhere and making a recommendation that —. She refers to the concept of civilian oversight. That is one of her new recommendations.

**Mr Frew:** Surely a retired police officer is a civilian.

**Ms Boal:** I think that it is probably to do with perceptions of independence. There could be an argument that somebody who has previously served with the police would not necessarily be independent enough of the police to be able to carry out an investigation. That is an argument that she has put forward, but, obviously, the Minister will want to consider all of the arguments in relation to any of these proposals whether or not that will go forward. I think that the argument would be around the perceived independence of the office.

**Mr Frew:** That would imply that anyone who served in the police, whether it was for one month, two years or 30 years, would be barred from holding the Police Ombudsman's role. Does that sound fair?

**Ms Campbell:** There are a number of roles and public appointments where there are certain disqualification provisions. In general terms, those are included to ensure that there is not any public perception of a conflict of interest. At this stage, we are not proposing that these recommendations are accepted or rejected; the Minister has not yet taken a view on any of them. We have taken receipt of them from the Police Ombudsman, and we are in the process of taking views on them.

**Mr Frew:** I understand that of course. To be clear, do you read that as being a police officer from anywhere and any jurisdiction throughout the world, or is that specific to a Northern Ireland police officer?

**Ms Boal:** If that proposal were to go forward, that detail, as to whether that would apply to Northern Ireland or to police officers from further afield, would have to be determined when the legislation is being drafted.

**Mr Frew:** It is not a recommendation that I am comfortable with at all. I know that it is not yours, nor have you made a decision on that, so I caveat that. Do you know if there are any other disqualifications to holding the Police Ombudsman's position?

**Ms Boal:** I think that there are various disqualification provisions for the relevant complaints bodies in England and the Republic of Ireland. In England, they preclude previous police officers from that position, but I am not sure of the details and would need to check. For the likes of the police complaints body in England, I think that there are disqualifications as to who could sit as the chair for that body.

**Mr Frew:** Can somebody with a criminal past become the Northern Ireland Police Ombudsman?

**Ms Boal:** I think that the current legislation has various disqualification provisions around people with certain criminal convictions, bankruptcy and standard things such as that, which are part of the normal public appointments process.

**Ms Campbell:** Usually in any public appointments process there would be a requirement to disclose any previous convictions, adjudications such as bankruptcy and anything of that order.

**Mr Frew:** OK, thank you very much.

**The Chairperson (Mr Givan):** We will go to Gordon and then Linda, and then that will be us.

**Mr Dunne:** Thank you for the presentation. I have a couple of questions on a general point. Members of the Assembly are somewhat frustrated when it comes to accountability on policing. As MLAs, we are talking about Members who are not on the Policing Board.

Is there any review or thoughts of a review of the role of the Minister in accountability to the Assembly on policing? When it is raised, very quickly the Minister would say, "The Chief Constable is responsible in the operational role for policing, and I am not in a position to answer that". Are there any thoughts on a review of the accountability of policing to the Assembly?

**Ms Campbell:** If we were to look at that, we would be getting into the territory of Patten because that is part of what lies at that heart of the tripartite accountability arrangements, which are designed to ensure the operational independence of the Chief Constable. That was a fundamental principle of Patten. We would be going beyond a stocktake and into a fundamental review if we were to look at that issue.

**Mr Dunne:** That is something that should be reviewed at some stage. Things have moved on and things have settled down. Those Members who are not on the Policing Board — I appreciate that there are Members on it who probably cover a lot of the issues — but so many things come up at short notice and we want to get a quick answer and raise it with the Minister. I am not aware of the Chief Constable coming before the Assembly. Certainly, in my time, I am not aware of it, but he has come before the Committee. Is there anything to stop him coming before the Assembly that you are aware of, or are we going outside the remit of your review?



**The Chairperson (Mr Givan):** I can answer that one. There is no rule. Nobody can come before the Assembly apart from Members. Nobody.

**Mr Dunne:** OK. Or Ministers, I suppose. Right.

Have you had any thoughts of increasing public awareness and engaging with the public on all the structures you talked about — the tripartite arrangement? A lot of them are good institutions that do a good job, but the public may not be aware of them or are not that interested. Are there any thoughts of increasing the public awareness of policing and how business is carried out?

**Ms Campbell:** That is something that we will look at. I think that the Chief Inspector of Criminal Justice suggested that some kind of public-facing document that sets out the roles of the respective bodies in fairly straightforward terms for the public might be useful. Members of the public do not tend to want to trawl through the Police (Northern Ireland) Act 2000 to understand the various responsibilities. For instance, the Minister gets a lot of correspondence from people and we end up having to signpost them to, for instance, the Police Ombudsman, if it is a complaint about the police, or to the Chief Constable, if it is an operational policing matter. I am sure that that is frustrating for people because they will expect that the Minister has a particular role, and we have to advise them that some of those matters are not necessarily in her gift. We have started to think about whether there is something that we could produce that would provide a bit more clarity on the policing accountability landscape. That is something that could, hopefully, be a quick win from the stocktake.

**Mr Dunne:** Good. This is my last point, paragraph 24 of the stocktake document refers again to the "tripartite relationship" that you are very keen on. In the middle of that paragraph, it states:

*"There is a shared interest and responsibility but not always control and visibility."*

Is that a general comment about the various stakeholders in the tripartite arrangement, or is there anything specific in mind for which there is a lack of responsibility, control and visibility? It is in the middle of paragraph 24.

**Ms Campbell:** I am quickly reading that.

**Ms Boal:** There probably is a frustration that sometimes we do not always see business cases or whatever coming in from the Chief Constable. It is just about making sure that everybody has the same information about business cases, pay remits and things like that.

**Ms Campbell:** Yes, under what is known as the management statement and financial memorandum that governs the relationship between the Department and the police, there is a requirement for some types of spend to be submitted to the Policing Board for review while other matters come straight to the Department. We have been having discussions with the board recently about whether the balance is right there. There may be some things in which the board has a legitimate interest that may not be immediately apparent to the Department when something comes to us. Equally, we do not want to flood the board with every business case, pay remit or request for the direct award of a contract that comes to us, because there is quite a big volume of material there. We thought that this would be an opportunity to look at what visibility the board needs that it may not be getting or whether there is a better way of flagging the issues that it may have an interest in.

There is also an issue with the visibility of the end-to-end processes. For instance, the Policing Board may see matters that come to the Department that it feels seem to sit with us for a long time, but there may be other processes that are required, such as, for instance, spend that is beyond our delegated limits or that is novel, contentious or repercussive. At other times, there will be a need to go to the Department of Finance, and there can be a bit of toing and froing on issues until we get them resolved. Those are the sorts of issues that we were trying to capture there.

**Mr Dunne:** OK. That is grand. Thanks very much for the information.

**Ms Dillon:** I hope that Gordon was asking about bringing the Chief Constable in front of the Assembly in a moment of madness and that it is not party policy. I cannot think of anywhere in these islands — England, Scotland, Wales or the whole of Ireland — where it would be appropriate for the head of a policing service to appear in front of a Government or devolved Assembly. There is an accountability body; it is the board. Everybody on the Committee, apart from Rachel, has party members on the

Policing Board, and they are able to hold the Chief Constable to account. It is important that we have political representatives on that to hold him to account.

I was on it; I am open to the charge of being biased, but it is a very useful body. I have said that here before. This Committee could not do the work that the Policing Board does in terms of accountability. It works for both sides; it works for the board in that it holds the PSNI to account, and it works for the PSNI in terms of using it — as we, as a Committee, and all other Committees, should be used — as a sounding board for ideas and to get a view that may be reflective of wider society.

That goes to something that Rachel raised earlier about representativeness, particularly from the BME community, in all of its structures. That is a point that I raised about the Policing Board; it is not representative. It may well be representative of religious background, but, outside of that, it is not. That is an issue that we have to look to address. We have new communities; we have a much more diverse society than we had in the past. Every organisation should try its best to be reflective of that. I am not accusing the Policing Board of not trying to be; it is not representative, but that may well be through no fault of its own. We all know about the challenges that we have of trying to recruit people to any kind of board. It is not easy. It would not, under any circumstances, be appropriate to bring the Chief Constable before the Assembly.

Paul raised the issue of who could, potentially, be Police Ombudsman. If it gives you any confidence, Paul, you and I would struggle to get through the level of vetting that you have to go through, never mind somebody with a criminal record. They call it developed vetting (DV); it is an extreme level of vetting. You would really have to not have a parking ticket or any kind of record to get through that vetting process.

**The Chairperson (Mr Givan):** That is me out.

**Ms Dillon:** There is, potentially, an issue for those who have previously been police officers. It is not even around legacy; it is much more recent than legacy. If you were a serving police officer five years ago and the incident that you were investigating happened six years ago, even if you were not directly involved, that would be difficult. It is different in a Committee, where we can say, "I need to recuse myself from this issue" or, "I have to declare an interest". How does a Police Ombudsman do that? Who steps in? It would become a very complicated issue. Those are the circumstances under which you would have to look at that. That probably does not impact on police officers from outside this jurisdiction, because they will not have been involved, although you would have to look at excluding police officers from outside this jurisdiction who have been involved in investigations. We have brought in outside services before. I am just flagging up potential issues. I do not think that anybody who is of any kind of dodgy character would get the role.

**The Chairperson (Mr Givan):** Thank you both for joining us. Obviously, it is an interesting area on which you will engage with the Committee further. I appreciate that it is a slow burner in that respect and that there is more work to be done, but we appreciate the update that you have brought to the Committee today. Thank you for that.