

# The Patten Report Dilemmas and Decisions

## A Presbyterian Response from the Church and Government Committee

1. The Patten Commission took up their task in the light of the Good Friday Agreement which, 'provides the opportunity for a new beginning to policing in Northern Ireland with a police service capable of attracting and sustaining support from the community as a whole.'

2. In the submission to the Patten Commission the Church and Government Committee said:

The vision we have of Northern Ireland is of a community at peace with itself, with Roman Catholics and Protestants of both the Unionist and Nationalist traditions working together in a political structure and culture which embraces and honours the obvious diversity of its citizens. The composition, culture and style of policing should reflect and be supportive of that vision and should receive and earn the support of both sides of our community.

3. The preamble to the 'Good Friday Agreement' looked forward to 'the achievement of reconciliation, tolerance, and mutual trust, and to the protection and vindication of human rights for all'. It is regrettable that, due to the impasse over decommissioning and the failure to form an Executive, the Report is being considered in an environment of apprehension and uncertainty.

4. The Church and Government Committee recognises the difficulty of the task undertaken by the Commission, given the sensitivities of the Northern Ireland context and thanks the members for consulting widely and for producing a comprehensive report. The challenge to create a police

service capable of attracting and sustaining support from the community as a whole, is one faced by us all and not only by the Commission.

5. While good relationships between individuals are important, we need to develop better relationships between different sections of the community. The possibility of living in a peaceful community, where people and communities of difference not only coexist but also co-operate, requires change. It is not only in institutions and organisations that change is necessary, but also in the hearts and minds of all the people of Northern Ireland. The real challenge is when the hearts and minds invited to change are our own.

6. The difficulties for people from the Unionist part of the community of accepting the Report's recommendations are compounded by the experience of suffering and loss known by many because of their associations with the RUC. Caught in the crossfire of a community split in two, the RUC have had to police disorder and bear the brunt of attack. There is a deep and enduring sense of pain and loss for the relatives of those who have been killed and those who have been injured. At the Press Conference Chris Patten said that this Report represented 'pain' for the RUC and all those associated with the organisation. This is mentioned in the Report at 17.7 and elsewhere, but the acceptability of the whole Report would have been enhanced had it been made more explicit. We welcome the recommendation (17.8) that existing memorials in police stations should not be removed.

7. While we are very conscious of the heavy price paid by members of the RUC and their families we cannot avoid the fact, however much we may regret it, that there is a long-standing problem of acceptance and credibility of the RUC among nationalists. This is a problem that has to be overcome.

8. There are, however, very serious challenges within this Report for the Roman Catholic/ Nationalist/ Republican section of our people, to forsake violent opposition to the police or the semi-detached privileges of criticism and the safety of non-involvement from many people in that part of the community. They are now invited to take their places in the forefront of the challenges and dangers. None should underestimate the huge challenges to a fundamental change of attitude for everyone from that part of our community with regard to shared policing. We pay tribute to those people from that community who, in the face of danger and either explicit or discreet discouragement, did serve with the RUC

9. We also remember that some Protestant/ Loyalist communities have felt alienated from the RUC and so their experience too has been of a police force ineffective in their locality. We believe that 'ineffectiveness' has been largely due to the circumstances in Northern Ireland whereby 'resolution' of differences has been sought through violence, conflict and division. Given the hostility of people from some Loyalist communities to the RUC and the fact that many police officers have been driven out of loyalist and unionist areas, encouragement needs to be given for

attitudes to change and for people from these areas to apply to become police officers.

10. The Report should be prayerfully and carefully considered by everyone in this society, not only from his or her own perspective but from the perspective of others. While not abandoning our own concerns, cognisance needs to be taken of others so that the policing service will be a reflection of this society's commitment to move away from violence and towards co-operation. In evaluating the Report we recommend that it ought not to be judged in terms of trade-offs. There are, inevitably, controversial elements to it, but there are many recommendations in it which will be beneficial to policing for everyone in the future.

11. As the Church and Government Committee, we welcome many of the recommendations, which will enhance policing in a context of peaceful co-operation.

- \* the human rights approach that recognises the need for a policing 'service' adequate for the needs of the whole community;
- \* involvement by local communities;
- \* moves in policing public disorder to examine more effective and less dangerous methods;
- \* the inclusion of IT training and technology;
- \* the commitment to the inclusion of Catholics, women and ethnic minorities;
- \* the concern that training prepares officers widely and well for their duties with emphasis on community awareness, relational and partnership skills as well as law and order considerations;
- \* the provision for co-operation with other police services from whom much can be learned and with whom much can be shared.

12. The committee is conscious that in the important emphasis on human rights, balance must always be sought between individual and community rights. One of the greatest problems faced by a democracy threatened by paramilitary violence is how to protect the basic rights of people not to be killed by terrorist organisations, while maintaining due respect for human rights. In that context it is necessary at times to use an appropriate amount of force.

13. The committee welcomes the intention to recruit large numbers of Catholics into the police but requests that clarification be given as to what is stated in 15.10 that, 'an equal number of Protestants and Catholics should be drawn from the pool of qualified

candidates'. It appears to us that this may well contravene Fair Employment principles. Applicants should not be discriminated against because of their faith tradition or religious commitment. Merit should not be lost sight of as the main requirement for employment within the policing service. (15.9)

14. The Full Time Reserve ought not to be phased out until the security situation justifies it. The Part Time Reserve may not be adequate to meet community needs unless the security situation improves. We welcome the compensation and retraining measures recommended in 13.12. It needs to be remembered that some Reservists, who have served for many years, may not yet be aged 50. Officers who have served in the Reserve ought to be available for civilian posts in the new arrangements. The employment of civilians to release police officers for duty in the community is welcome.

15. Accountability and maximum transparency are welcome but are two way streets with challenges to both the police and the community. The proposed Policing Board (6.3-24), with ten Assembly members and nine appointed members, runs the risk of opening policing to political direction. (5.8) On the other hand, since the Policing Board will be appointed under the d'Hondt system (6.11) it will require ownership of policing by political parties. Common ownership will guard against narrow party political direction.

16. While conscious of the value of District Partnership Policing Boards (6.25-38), the committee express some concern as to the membership of the Boards that are not protected by the d'Hondt system. We welcome the moves to transparency through monthly public meetings but ask that there be clarification given regarding secure information. The District Commander ought not to be required to reveal information that might constitute a security risk to the District Partnership Policing Boards. The time may come when police officers' uniforms should display name badges, but that time is not yet. Great care needs to be exercised in raising local money to purchase private sector services. There is widespread suspicion that some 'legitimate' security businesses are fronts for paramilitary groups.

17. In the Committee's submission to the Patten Commission we recommended the substitution of the previous oath by that used in Scotland "I do solemnly and truly declare and affirm that I will faithfully discharge the duties of the office of constable". The proposed oath at 4.7 may be long but will challenge any police

officer to be sensitive to people who identify with that part of our community from which the officer does not himself or herself come.

18. We know that symbols are very sensitive to both sections of the community. Those who support and those who oppose present practice all come with particular historical perspectives. The committee affirms that the symbols used by the police should facilitate effective policing and a service that is open to different sections of the community.

19. In considering acceptable symbols serious thought needs to be given to whether or not a symbol which recognises and represents diversity is more appropriate in a community, and a policing service, in which a variety of identities exist. The committee is concerned that, in creating something new, particular and diverse identities may be suppressed. At this time when Irish identity is everywhere confidently resurgent, peace will not come if the accommodation of that particular identity means the elimination of British Unionist identity. Parity of esteem does not eliminate diversity.

20. In our submission we suggested that the present badge, incorporating crown, harp and shamrock, comprehensively covers various traditions within the Northern Ireland community. We did not press for any change in the name but supported the addition of the sub-title 'Northern Ireland Police Service.' We are aware that the title Royal Ulster Constabulary has strong symbolic value for many but may restrict some in joining the police. With regard to flags we also suggested that the practice in Scotland be followed here. In Scotland the flag of the constabulary is consistently flown but the Union flag is very rarely flown.

21. The proposals on symbols are some of the most sensitive and the pain may be acceptable provided those who have remained aloof or hostile to the police now become involved. If they fail to do that there will be pain without gain. Delay or equivocation in supporting any new arrangements will be dangerous.

22. The committee believes that this community stands at a crossroads regarding policing. It is a choice that will require generosity and courage and will evidence not only the DESIRE for peace, but the WILL to make peace. While we may look to the ashes of the past and wonder if there is still life in them, this particular challenge is to build a future in which the community has a policing service in which and with which all can feel at home.