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ON

“HUMAN RIGHTS AND POLICE REFORM IN NORTHERN IRELAND”.

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SUBMISSION

BY

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MEDIATION NORTHERN IRELAND.

Mediation Northern Ireland originates in the late 1980s, when a group of individuals from such diverse fields as Education, Criminal Justice, Community Development, Social Work, the Churches and the peace movement came together around a common belief in the potential of mediation as a method of improving social stability and promoting peace.

We are governed by a Board of Trustees, drawn from across the community and have a core staff team of 13. We engage the services of 25 Associate Practitioners from the Community Relations field who work part-time for us.

We also have a Monitors Group of 60 volunteers who assist us with work on sectarian interfaces.

We are a non-profit, charitable organization which is funded by the Northern Ireland Community Relations Council, the International Fund for Ireland, the European Union and a number of charitable trusts. We have previously received assistance from the Rockefeller Foundation, the American Ireland Fund and the United States Institute of Peace.

Since 1997, the U.S. State Department's Office of Citizen Exchanges has funded five exchange programmes on policing, though most of our funds for work on policing derive from the British Exchequer, through the Northern Ireland Office.

MAIN AREAS OF WORK.

- Neighbourhoods and Communities.
- The Public Sector.
- Local Government.
- Policing.
- Integrated Education.
- The Churches.
- Community Cohesion in the United Kingdom.
- International networking on Conflict Intervention.

THE CONCEPTUAL BASIS OF OUR WORK.

- The term ‘mediation’ describes a range of activities and methodologies. However, *the essence of mediation involves the presence of an impartial person (or body) in a situation of conflict, assisting people to resolve or manage differences in ways which promote human dignity and mutual respect.*
- Mediators behave as ‘outsiders’, maintaining a ‘critical distance’ from those in dispute.
- Acting in collaboration with those in dispute, *mediators design strategies* for improving contentious situations and uphold arrangements for the implementation of those strategies.
- *The intention of mediation* is to effect positive change.
- *Mediation has five principal functions:*

To assist communication.

To improve understandings.

To support creative thinking.

To explore accommodations.

To facilitate agreements.

- *Societal conflict is systemic*, in that it goes beyond differences between individuals and is expressed throughout society: between neighbourhoods and communities; across cultural traditions and within institutions.

- *Mediation's civic task* is twofold:

To sustain peace, by intervening in disputes and helping people to address deeper conflict.

To build good relations, by assisting people with efforts towards reconciliation and mutual respect.

MEDIATION AND HUMAN RIGHTS.

Human Rights and Justice are inextricably linked.

The concept of 'Human Rights' involves the setting and maintenance of standards which should govern behaviour between citizens, towards citizens and between societies.

The concept of 'Justice' underpins the exercise of human rights by striving for *right relationships* between individuals, groups and institutions.

Mediation works as an instrument of justice when it assists the development of right relationships.

DIMENSIONS OF PEACE IN NORTHERN IRELAND.

In our view, the process of peace in Ireland has four key dimensions:

- The effort towards **political consensus**. This is an area of huge dysfunction at present.
- **Economic development** to strengthen our economy, raise living standards and give people the dignity of work.
- **Social progress**, on issues such as education, health and community cohesion.
- **Agreed law and order**, involving a system of justice and a police service which command the respect of the whole community.

The work of **reconciliation** stretches across the above strands of peace. Chief among its properties is the activity of building and rebuilding relationships.

Mediation Northern Ireland believes that mediation must make a contribution in all of the above dimensions by infusing the civic imagination with greater knowledge of ‘the Other’, enabling the influence of compassion and encouraging inclusive thinking.

MEDIATION NORTHERN IRELAND’S WORK ON POLICING.

Since 1993, we have been assisting with the long-term task of reforming the police relationship with the community in Northern Ireland. We have addressed the issue in three ways:

- Promoting internal change within the Police Service.
- Assisting civic participation in policing.
- Critically engaging Public Order policing.

THE EVOLUTION OF MEDIATION WITHIN POLICING.

The Community Awareness Programme, 1993 – 1996.

In 1993, Mediation Northern Ireland was invited by the R.U.C. to design and introduce a programme, within the Police training centre, aimed at enhancing the sensitivity of recruits towards the task of policing a divided society.

We developed a curriculum which included subjects such as

Personal and Professional Awareness.

Diversity in History and Politics.

Cultural traditions.

The Churches and the Troubles.

Social and Economic Awareness.

Policing a Divided Society.

Perspectives on the R.U.C.

Living with conflict.

Community Relations and the Police contribution.

By 1996, the Community Awareness Programme had become established within police training and because Mediation Northern Ireland were now active within the emerging parades conflict we felt the need to withdraw from involvement in police training.

The Policing Our Divided Society Programme, 1997 – 2000.

By 1997 we believed that a new mediative task had evolved:

to promote dialogue within senior ranks in anticipation of police reform.

We believed that an important contribution to change would involve a critical engagement of ‘capacity builders’ within the R.U.C. and, with agreement from the Chief Constable, we established a ‘Development Group’ of 15 middle rank and senior officers to engage with a Working Group from Mediation Northern Ireland in a dialogue which was intended to last for three years.

We were joined in our Working Group by colleagues from ‘Future Ways’, a Community Relations team based within the University of Ulster, who have provided invaluable partnership to this day.

The Development Group included five Catholic officers and four women and tackled subjects which had hitherto been viewed as taboo issues within the R.U.C., such as personal disclosure of political and religious views; reflection on the contribution of the R.U.C. to conflict in Northern Ireland; the relationship between the R.U.C. and the unionist, nationalist and republican traditions; unionist and Protestant cultural dominance within the R.U.C.; the concept of Community Policing and the potential contribution of the Police to reconciliation.

The State Department, through the Office of Citizen Exchanges, provided important support to our work by funding study trips to the United States in partnership with various American academic institutions and with cooperation from police departments, policing theorists and thinkers on societal change within the United States.

In 1997, we led R.U.C. officers on a Field Trip to New York and Washington to study community-oriented policing. In 1998, we undertook a similar visit to Atlanta to study policing and societal change and Restorative Justice.

Some months after each Field Trip, American colleagues travelled to Belfast to help us reinforce new conceptual awareness within the R.U.C. and to begin introducing politicians and civic leaders to new ideas about policing.

In the light of our experience, Mediation Northern Ireland and our colleagues in Future Ways were invited on a number of occasions to advise the Patten commission during their deliberations on police reform.

The Policing Programme of Mediation Northern Ireland, 2001 – 2004.

In the light of the publication of the Patten Report, Mediation Northern Ireland negotiated a new three-year programme in 2001 with the Chief Constable, the Northern Ireland Office, the Police Ombudsman and the Secretary of State, aimed at assisting the emergence of a fair and agreed policing order in the service of reconciliation in Northern Ireland.

This programme has four projects:

The Police Ombudsman's Project.

Purpose: to assist the organizational development of the Police Ombudsman's Office.

Themes:

- The ***Civic Integrity*** of the Office of Police Ombudsman.
- ***Engaging the Police***: developing the most effective ways to engage the Police Service.
- ***Relating to the community***: developing a credible relationship across the community in Northern Ireland.

- **Mediation** and Associated Disciplines: developing the use of mediation in the informal resolution of complaints against police.

The Civic Project.

Purpose: to assist politicians, citizens and civic institutions in their contribution towards a fair and agreed policing order as envisaged in the Patten Report.

Themes.

Self Awareness: reflecting on one's formation as a citizen in a divided society.

Community Awareness: enhancing one's understanding of the diversity of Northern Ireland.

Peace and Reconciliation: considering the challenges of living with enduring division and the legacy of the Troubles.

Community Policing: the concept applied to Northern Ireland.

Within this project, Mediation Northern Ireland organized three further exchange trips to the United States:

One to San Diego in December, 2000, in partnership with San Diego State University and San Diego Police Department;

one in partnership with Rutgers University to New York, New Jersey and Washington for a group in December, 2001, with a follow – up visit by American colleagues to Belfast in May, 2002.

The study group included nine of the newly appointed members of the Policing Board, senior police officers, a Human Rights Commissioner, the Police Ombudsman and members of the Northern Ireland Assembly.

More recently, in September, 2003, we organized a study visit to Boston, in conjunction with Boston College and Boston Police Department. On that occasion, the group included Policing Board members, Chief Executives of District Councils, District Policing Partnership managers, the Police Ombudsman, senior police officers and leaders of two voluntary sector agencies.

A visit to Belfast is planned for early May, 2004 by a team which will include the Commissioner for Public Safety for Massachusetts, a senior officer from Boston Police Department and two community leaders from Boston.

We are now exploring the possibility of further exchange work with Boston College over the next two years, involving community activists and police officers at ground level in Northern Ireland and Boston.

The Training Project.

Purpose: to ensure that police training addresses the needs of community relationships in Northern Ireland.

Themes.

A segregated past: addressing the fact that, with each intake of student officers, the Police Service of Northern Ireland is being reconstituted, for the most part, with citizens who have been formed in a divided society.

An uncertain present: enabling critical dialogue among students and trainers regarding the effect of current political, communal and organizational changes and uncertainties.

A pluralist future: envisioning the role of police in serving a society which is evolving towards consensus between the unionist and nationalist traditions and which is more culturally diverse.

The Forum Project.

Purpose: to develop and sustain critical dialogue within the Police Service of Northern Ireland regarding a fair and agreed policing order.

Themes:

Community Policing: applying the abstract concept to the Northern Ireland context.

Community Relationships: reflecting on the state of relationships between police and the various communities they serve.

Reconciliation: applying the challenge of reconciliation to the operation of policing in the community.

THE EMERGING CONTRIBUTION OF MEDIATION TO POLICING:

THE POLICING AND RECONCILIATION PROGRAMME

Mediation Northern Ireland is currently developing proposals for a new three-year programme of work on policing. This would involve two broad projects which we believe will address the emerging realities of change within Northern Ireland:

The Policing and Reconciliation Project.

This project will concern all of the work which we propose to do **within** the Police Service of Northern Ireland, such as –

- The development of an **Induction Course on Policing and Reconciliation** for individuals aspiring to become police officers. This three-day residential course takes place in a non-Police venue and is currently being administered by Mediation Northern Ireland to each batch of recruits before they commence their Foundation Training course. It is reinforced by a further two days of workshops within the Training Centre. The course addresses their formation as citizens in a divided society; challenges them to critically reflect on their backgrounds; to meet their prospective colleagues within a spirit of genuine enquiry about the different cultural traditions from which they come and to approach the police organisation in a way which enhances its diversity rather than maintains the myth of neutrality.

Mediation Northern Ireland supports the Chief Constable's view that the integrity and credibility of this course would be enhanced by funding which is independent of the Police budget. However, no independent funding has yet been acquired to support this course during the crucial years of 50% - 50% Protestant / Catholic recruitment in accordance with the Patten reform programme.

- Developing a mediative contribution to **Community Relations training** within the wider **Diversity** programme of the Police Service of Northern Ireland. In this regard, we will build on work done within the Policing and Reconciliation induction course by developing a curriculum and methodology for use within the formal training regime of

the Police Service. It would also involve training police trainers to help them become more personally and professionally competent with these matters.

- Mediation Northern Ireland intend to create further opportunities for reflection by police officers on their contribution to reconciliation in our society. Our proposed mechanism will be a **Forum on Reconciliation and Policing** which will bring strategically placed officers together to consider the ideal of policing and reconciliation against current operational realities and police behaviour.

The Civic Project on Policing.

This project continues our theme of policing as a civic endeavour shared between police officer and citizen. It concerns anyone who is involved in policing (or aspires to get involved) and who is not a police officer. Mediation Northern Ireland views the Policing Board as the primary partner in such work. We are currently in discussion with the Policing Board regarding a training programme for the District Policing Partnerships which now exist across Northern Ireland as part of the Patten reforms. We have identified a number of themes:

Common Purpose: to assist DPPs and PSNI District Commanders to maintain a shared vision about their work together.

Technical Awareness: to improve DPP understandings of the operational dimensions of policing.

Community Awareness: to enhance police understandings of the community they serve.

Civic Leadership: to enable DPPs and police officers to reflect on the challenges of leadership in local policing.

Citizen Participation: to consider how local citizens can improve their participation in policing.

We expect to run an initial series of training days for all 25 existing District Partnerships between May and December of this year and to engage with the Policing Board and the Police Service regarding the design of a longer term development plan to assist the ordinary citizen to play a role in policing.

In all of this we have been informed by what we have learned about the evolution of policing theory internationally, in particular by such renowned theorists as Professor George Kelling of Rutgers University, New Jersey, who has assisted us with study trips to the United States and has conducted seminars for us in Belfast.

The concept of Community-Oriented Policing was also advanced within the Patten Commission by members such as Professor Clifford Shearing of the University of Toronto ; Dr.Gerard Lynch, President of John Jay College, New York; Kathleen O’Toole, now Commissioner of Police in Boston and Sir John Smith, former Deputy Commissioner of the Metropolitan Police in London.

We believe that Policing with the Community, if taken seriously, will advance a profound change in the nature of policing in Northern Ireland, helping us move away from an approach to policing which has been preoccupied with security, counter-terrorism and public order and towards a service ethos in which the police will reflect the full diversity of the community they serve,

within their ranks,

through the quality of their relationships with the community

and by the nature of policing practice which prioritises partnership and joint problem-solving with citizens.

We will continue to provide support to the Office of Police Ombudsman as a contribution to upholding its civic integrity.

Brendan McAllister,

Director, Mediation Northern Ireland

March, 2004.