



**Third Report
November 2020**

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INDEPENDENT REPORTING COMMISSION

THIRD REPORT

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EXECUTIVE SUMMARY

This is the Independent Reporting Commission (IRC)'s Third Report on progress towards ending paramilitary activity and on measures being implemented by the Northern Ireland Executive, the UK Government and the Irish Government. Established in 2017, further to the Fresh Start Agreement of 2015, our remit is to report (a) generally on progress towards ending paramilitary activity, and (b) specifically on the implementation of measures towards ending paramilitarism by the UK and Irish Governments and of the Northern Ireland Executive ('the Executive').

There has been some confusion in the public domain about our mandate. We reiterate in this Report that we are not an assessment body like the Independent Monitoring Commission (IMC) and do not provide detailed security or threat or status assessments of the various paramilitary groupings as the IMC did. Rather, our role is a broader one, set in the context of the wider, more comprehensive approach to tackling paramilitarism set out in the Fresh Start Agreement, the subsequent Three Person Panel Report and the Action Plan adopted by the Executive in July 2016.

Regrettably, we have to report that paramilitarism remains a reality of Northern Ireland life in 2020. We regard its continuation as unacceptable. It is the express will of the people of Northern Ireland articulated in the Belfast/Good Friday Agreement of 1998 that violence has no place in the politics of Northern Ireland and that political viewpoints should be pursued through exclusively democratic and peaceful means. In our view, the continuation of paramilitarism 22 years after that Agreement is against the wishes of the people, is without justification and should end.

On the positive side, however, we also report grounds for hope. We believe that the restoration of the Executive and functioning legislative Assembly in January of this year provides a major opportunity to 're-set' in terms of ending paramilitarism, as the Fresh Start Agreement called for, "once and for all." In a year when a pandemic has swept our world and in many ways turned that world upside down, it is time for momentum and movement again on this residual, stubbornly difficult issue of ending paramilitarism, which we consider to be critical to the transformation of Northern Ireland society.

At the outset of our Report, we outline several key contextual factors which are pivotal to understanding the backdrop to the continuation of paramilitarism and which impact efforts to bring paramilitarism to an end. These include Brexit and Legacy, both of which involve dimensions which have the potential to further and greatly complicate the ending of paramilitarism. We also refer to the arrival of the Covid-19 pandemic, and the governmental response to it, as a significant new factor in the equation, and later in the Report we set out some implications that we see arising for the ending of paramilitarism.

We characterise continuing paramilitarism in terms of risk. While the challenges facing communities where paramilitaries operate are clear and obvious, the reality is that for many other communities paramilitarism is not visible on a daily basis. But for these communities too, and therefore for Northern Ireland as a whole, the continued existence of paramilitarism in our view constitutes a 'clear and present danger' on an ongoing basis.

As we did in our first two Reports, we provide an overview of the landscape of paramilitarism, distinguishing between the different categories of paramilitaries. These include those who have already decided on a peaceful pathway but say they remain in their groupings in the fear that if they walk away they will leave the field to darker forces, those who are involved for what they believe are genuine ideological or political reasons to do with identity, insecurity or because they are fearful of their political future, and those who use paramilitarism as cover for pure criminality, together with a range of other categories. In other words, the landscape is a complex one, requiring a wide and diverse range of responses.

That is why we continue to advocate for a Twin Track Approach to ending paramilitarism, which combines policing and criminal justice responses alongside measures to tackle the deep, socio-economic issues in the communities most affected by paramilitarism. We report on the progress of both of those tracks since our last Report in November 2019.

On Track One – policing and criminal justice responses – we reinforce the continued importance of the work of the Paramilitary Crime Task Force, together with the measures being undertaken by the Police Service of Northern Ireland (PSNI) more broadly, and the ongoing work of the UK Security Service and An Garda Síochána. We also stress the continued importance of confidence in policing in tackling paramilitarism at the community level and highlight the central role of neighbourhood policing in that regard. We have called for a whole range of measures relating to the speeding up of justice and other law enforcement responses in previous Reports, including a dedicated, stand-alone agency that focuses solely on civil recovery of the proceeds of crime in Northern Ireland. We are disappointed at the pace of progress in regard to these Recommendations and we reiterate them in this Report.

Track Two of our Twin Track Approach relates to the tackling of the underlying systemic socio-economic issues prevailing in communities in which the paramilitaries operate. These include educational under-attainment, adverse childhood experiences, unemployment, poverty, lack of investment, mental health issues and drugs. Not all paramilitary activity is rooted in socio-economic deprivation, but in our view it is a critical factor in that it serves as a fuel and a driver of paramilitarism. Many of the communities where the paramilitaries exert coercive control have long suffered from deprivation and disadvantage, much of which was exacerbated by the Troubles. While the peace that has developed since the ceasefires and the Belfast/Good Friday

Agreement has benefited Northern Ireland overall, the sustained, long-term investments that are needed in these communities to tackle what are exceptionally deep-rooted, intractable issues have not yet been made in a sufficiently targeted way which takes account of the very particular circumstances prevailing in each of them.

In that regard, we see the restoration of the Executive as particularly timely and important. We understand that there are huge demands on public services and the public purse, especially in the context of the recovery from Covid. We appreciate that what are involved here are sensitive political decisions around investment and focus. But we also see this as an opportunity – including in the context of the UK Chancellor of the Exchequer’s investment plans post-Covid – to address the very specific systemic issues facing certain communities where paramilitarism is prevalent. We argue these constitute a ‘special case’ in terms of any post-Covid plan and future investment in Northern Ireland to address inequality, such as the UK Government’s planned Shared Prosperity Fund. We urge the Executive to ensure that resources are prioritised to meet these needs.

We welcome the renewed focus on ending paramilitarism in New Decade, New Approach. We are particularly encouraged that the Tackling Paramilitary Activity, Criminality and Organised Crime Programme is back under the direction and oversight of the Executive. We welcome that the Executive has agreed in principle to a Phase Two for the Programme, and the fact that it will (a) have a Whole of Government focus and (b) be extended by three years to 2024. We urge the UK Government to ensure that the necessary funding is forthcoming to match the amount the Executive will be assigning.

We reiterate our calls for a continued public debate on what is going to be required in ending paramilitarism, which we acknowledge involves significant sensitivities and complexities. One of these relates to the issue of a dedicated process of group transition of paramilitaries. We issued a call for consideration to be given to such a process in our last Report and we repeat that here. We are encouraged that the Northern Ireland Justice Minister has committed to bring forward a paper on cross-cutting and challenging issues such as how to progress the concept of transition (for groups and for individuals) and encourage the Minister and the Executive to give the matter strong priority. We also acknowledge efforts underway in promoting what we call ‘informal transition’ involving a range of stakeholders and ‘critical friends’, including the vital contribution being made by women in communities, and encourage the continuation of this important work.

We highlight a further matter in this Report, which we term ‘Memorialisation.’ We are calling for a new and express focus to be brought to bear on the whole area of how the paramilitary past is remembered and reflected in current day events, such as funerals, murals and anniversaries. We have seen in the past year a number of events in that regard which caused much public commentary and controversy. We believe

that when such events are being planned greater account needs to be taken of the potential wider impact in the context of what the Fresh Start Agreement called the “continued transformation of our society.” We recommend that there should be greater debate and focus on this area and that those organising events of this kind consider the wider impact and implications involved.

Our report is divided into four Parts. Section A provides an Overview of the IRC’s thinking and commentary on the key issues and factors currently prevailing in terms of the journey towards ending paramilitarism. Section B sets out data, drawn from open source police statistics and Department for Communities information, which illustrate the level of paramilitary activity over the last year. This Section also includes interesting new material on educational under-attainment, which we have also shared with the Expert Panel on educational underachievement established by the Northern Ireland Education Minister – an important initiative that we greatly welcome. Section C sets out the IRC’s report on progress on the Executive Action Plan on tackling paramilitary activity, criminality and organised crime. Section D focuses on IRC Recommendations – both those of previous Reports and the current situation on each, together with a set of new Recommendations we are now putting forward.

SECTION A: OVERVIEW

A1: Introduction

- 1.1 This is the Third Report of the Independent Reporting Commission (IRC)¹. We were established by an international treaty between the UK and Irish Governments, under the terms of the Fresh Start Agreement concluded by the two Governments and the Northern Ireland parties in November 2015². This Agreement was the result of intensive discussions in response to continued paramilitary activity in Northern Ireland. In the Fresh Start Agreement, the Governments and the parties reiterated “the primacy and centrality of peace and the political process to the continued transformation of our society” and identified a key goal in that regard as being the ending of paramilitarism “once and for all.” One of the initiatives decided upon in the Agreement towards implementing this goal was the establishment of the IRC³.
- 1.2 Under the terms establishing the IRC, we have been tasked to report: (a) generally on progress towards ending paramilitary activity, and (b) specifically on the implementation of measures towards ending paramilitarism by the UK and Irish Governments and of the Northern Ireland Executive (‘the Executive’), including the Executive’s Action Plan on Tackling Paramilitary Activity, Criminality and Organised Crime (‘Action Plan’)⁴. As in our first two Reports, we address both of these functions in this Report. Our mandate also involves consulting various stakeholders and making recommendations “to the Northern Ireland Executive in order to inform future Programme for Government priorities and commitments.” The objective of the IRC, as set out in the international treaty establishing us, is to carry out these functions “with a view to promoting progress towards ending paramilitary activity connected with Northern Ireland, and supporting long term peace and stability in society and stable and inclusive devolved Government in Northern Ireland.”
- 1.3 The IRC was formally established in August 2017, having operated in ‘shadow’ form from January of that year. Its members are John McBurney and Monica McWilliams (nominated by the Executive), Tim O’Connor (nominated by the Irish Government) and Mitchell B. Reiss (nominated by the UK Government). We report annually, our First Report was published in October 2018 and our Second in November 2019⁵.

¹ The First and Second Reports are available at: <https://www.ircommission.org/publications>

² See Appendix A

³ Relevant extracts are set out in Appendix B to this Report. See also Section A of the Fresh Start Agreement: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/479116/A_Fresh_Start_-_The_Stormont_Agreement_and_Implementation_Plan_-_Final_Version_20_Nov_2015_for_PDF.pdf

⁴ <https://www.northernireland.gov.uk/publications/tackling-paramilitary-activity-criminality-and-organised-crime-executive-action-plan>

⁵ Available at: <https://www.ircommission.org/publications>

Our Mandate

- 1.4 We want to say a few words at the outset about our mandate. We are not an operational body and do not provide detailed security or threat or status assessments of the various paramilitary groupings. That is a matter for the police and security services. We acknowledge that there has been some confusion in the public domain in this regard, with some commentators of the view that we are a successor body to the Independent Monitoring Commission (IMC, 2004-2011), whose primary role was to “monitor any continuing activity by paramilitary groups” and “assess whether leaderships of such organisations are directing such incidents.” Our mandate was set in a different context, that of the Fresh Start Agreement of November 2015, followed by the Three Person Panel Report of May 2016 and the adoption by the Executive of the Action Plan to tackle paramilitary activity, criminality and organised crime of July 2016. In these initiatives, a wider, more comprehensive approach was decided upon in terms of tackling paramilitarism, one which combined policing and justice responses with a large and diverse range of measures aimed at addressing the systemic socio-economic challenges besetting communities where the paramilitaries operate. The international treaty establishing the IRC describes the objective of the Commission as being to carry out our reporting functions “with a view to promoting progress towards ending paramilitary activity connected with Northern Ireland, and supporting long term peace and stability in society and stable and inclusive devolved Government in Northern Ireland.” This wider, broader role is reflected in the composition of the IRC itself, with none of the Commissioners coming from a specialist security background, unlike the situation of the IMC.
- 1.5 Of course, in carrying out our mandate as the IRC, we are required to have regard in broad terms to the security situation regarding paramilitarism and we receive regular briefings from the PSNI, the UK Security Service and An Garda Síochána. However, it is not for us within our mandate as the IRC to relay, interpret or comment on the detail of these briefings, which are provided to us as an overview snapshot in time of the situation as the police and security service see matters. Any public commentary on the detail of these briefings is a matter for each policing/security service itself, within the terms of their own public accountability responsibilities.
- 1.6 That said, we do, of course, throughout our Reports provide an overview in broad terms of the security situation as we understand it, based on these briefings, without going into detail on the individual paramilitary groupings. We also comment on the measures being taken in the justice field on the issue and make recommendations in that regard – all as part of that wider, comprehensive remit we have been assigned.
- 1.7 At the IRC, we have come to describe that wider remit and analysis as the ‘Twin Track Approach’ to tackling paramilitarism, combining policing and justice responses alongside measures to tackle the deep, systemic, socio-economic issues in the communities most affected by paramilitarism. Over three years into our mandate, we continue to believe strongly in this analysis as the only means by which long-term

success can be achieved. We appreciate that this analysis is not accepted by everybody and in the public discourse we acknowledge that much of the focus is on the policing and criminal justice dimensions. We reiterate that the policing and criminal justice dimensions are a critical element of the solution, but the police themselves are among the first to make clear that ‘you cannot arrest your way out of this problem.’ Our Third Report, therefore, reiterates the wide gamut of issues involved in tackling and ending paramilitarism and sets out our analysis in terms of the progress being made towards the goal of Fresh Start, together with some Recommendations for the future.

- 1.8 We wish to thank all those who have contributed to our deliberations over the past year. In terms of our methodology, we met on a confidential basis with a wide range of groups and individuals, both those working within the statutory sector and those living in, and working with, communities on the ground⁶. We are grateful to all those who met with us over the past year. We are also grateful to those who wrote to us during the year and invite others to do the same if there are issues they wish to draw to our attention⁷. We wish to thank the victims of violence who shared their experiences with us. It is they who have been most impacted by paramilitaries and we will continue to engage with them as we take forward our work.
- 1.9 We also wish to thank both Governments and the various Departments and agencies of the Northern Ireland Administration who met with us. Our particular thanks to the Tackling Paramilitarism Programme Team (‘the Programme Team’) which is located at the Northern Ireland Department of Justice and who co-ordinate the Tackling Paramilitary Activity, Criminality and Organised Crime Programme (‘the Tackling Paramilitarism Programme’), and to their Programme Board, which is chaired by the Head of the Civil Service of Northern Ireland, and to whom the Programme Team reports. We are appreciative of the information provided by various statutory agencies, including the PSNI, other law enforcement bodies and local Councils.
- 1.10 We attach particular importance to the cross-border dimension of our work and wish to thank the representatives of relevant Departments of the Irish Government with whom we met during the year, and An Garda Síochána. In particular, we thank our colleagues in our Joint Secretariat for their dedication, professionalism and hard work in support of our deliberations.

⁶ The IRC’s official archives and premises have the same inviolability as that afforded to official archives and premises of a diplomatic mission. IRC meetings with groups and individuals are not reported.

⁷ Our postal address is PO Box 2205, Belfast BT4 9EL.
Our e-mail address is enquiries@IRCommission.org

Our Approach

- 1.11 We have made clear in each of our Reports that we regard the continuation of paramilitarism in Northern Ireland today as unacceptable. We reiterate that view in this Report. That is our fundamental position. It is the express will of the people of Northern Ireland articulated in the Belfast/Good Friday Agreement of 1998 that violence has no place in the politics of Northern Ireland today and that political viewpoints should be pursued through exclusively democratic and peaceful means. In our view, the continuation of paramilitarism 22 years after that Agreement is against the wishes of the people, is without justification and should end.
- 1.12 Having said that, we acknowledge that its continued existence is, regrettably, a reality. It is our analysis that there are complex reasons why this is so and we outline these in the course of this Report. Our analysis, as indicated, remains on the Twin Track Approach and we give a detailed outline in Section C of this Report in respect of both Tracks, the progress being made and the areas where we feel further work is needed.
- 1.13 Our Report comprises four Sections. Section A provides an Overview of our mission and role and a summary of our key observations and findings over the last year. Section B sets out data, drawn from open source police statistics and Department for Communities information, which illustrate the level of paramilitary activity over the last year, building on the baselines we set out in our First and Second Reports, and includes lessons on how educational under-attainment has been tackled elsewhere. Section C, Implementation of Measures, contains a detailed report on progress in implementing the Action Plan to tackle paramilitary activity, criminality and organised crime. And finally, in Section D, we report on how the Recommendations we made in our earlier Reports are being addressed, and make further Recommendations for the way forward.

Context

- 1.14 In our first two Reports, we set out a number of contextual factors that we felt were pivotal in terms of understanding why paramilitarism was continuing and the impact these factors are having on efforts to bring it to an end. In our Third Report, we return to these factors and outline how they continue to have an impact, and add a new one.

The Sequence of Implementation of the Fresh Start Agreement

- 1.15 For the sake of clarity, we recall here the sequence of initiatives flowing from the Fresh Start Agreement in terms of tackling paramilitarism, as this is important to understanding the overall context in which we are reporting. The next step after the completion of the Agreement itself in November 2015 was, as mentioned earlier, the establishment of an independent Three Person Panel, comprising John McBurney, Monica McWilliams and Lord John Alderdice, whose task was to devise a Strategy for the disbandment of paramilitary groups. This Panel produced a comprehensive Report containing 43 recommendations in May 2016. All 43 recommendations were accepted and, in July 2016, demonstrating a significant expression of cross-party

support, the Executive published its Action Plan which aimed at giving effect to the Panel Report. A dedicated budget was assigned, structures were put in place for its implementation and co-ordination was given to a Programme Team, located in the Northern Ireland Department of Justice, overseen by a cross-Departmental Programme Board. Intensive work has been underway since then under the aegis of the Programme Team and Programme Board. A significant development in this regard since our last Report is that a Review of the Programme to date has been undertaken by the Programme Team and Board and a Plan for a further three years of the Programme has been approved by the Executive, subject to UK Government match funding. In this Report, we analyse and assess how the work of the Programme Team and Board has been proceeding, and in particular we comment on the Review and the Plan for the three years ahead.

Return of the Executive and functioning legislative Assembly

- 1.16 Probably the single biggest contextual factor in play since our last Report – and it is a highly positive development – has been the restoration of the Executive and functioning legislative Assembly at Stormont in January 2020. For our two previous Reports (October 2018 and November 2019), the Executive had been in suspension and we made the case in both that the absence of local Ministerial decision-making and oversight was a major impediment to the efforts to end paramilitarism. We said that despite there being a pre-existing Action Plan in place prior to suspension, the reality was that implementation of the Plan involved sensitive issues and decisions at many stages along the way and that addressing these realistically required oversight and direction at Ministerial and political levels. By the same token, we see the restoration now of the Executive and functioning legislative Assembly as a major step forward in terms of that oversight and the ability to make the decisions and complex calls required. We will elaborate on this point later in this Report.

Brexit

- 1.17 In our Second Report, which was published in November 2019 as matters were coming to a head on Brexit, the issue was a significant contextual factor in terms of our mandate. We referred to the uncertainty the issue was causing and the impact this was having in terms of continued paramilitarism. Indeed in the immediate aftermath of our Report, there was a ramp up in the political temperature around Brexit that was reflected in heightened rhetoric, including at various public meetings and in the possibility that this could result in an increase of paramilitary activity. As the end of the Brexit transition period approaches, the possibility of a heightening of tensions reinforces the urgency of dealing with the ending of paramilitarism. Against this backdrop and the loss of EU law enforcement tools as a result of Brexit, it is also essential that comprehensive arrangements are in place to enable the continuation of cross-border police and judicial co-operation.

Covid-19

- 1.18 The extraordinary impact of the Covid-19 pandemic has overshadowed all other issues in 2020. We list it as a contextual factor here since paramilitarism, as in all other dimensions of life in Northern Ireland, was also impacted by its arrival and effect. The changes to people's behaviour as a result of Covid-19, and the restrictions on movement introduced to counteract its spread, are among the factors that reduced the level of recorded crime in spring and early summer and these may have impacted on the level of paramilitary activity. At the time of writing, we believe it is too early to draw definitive conclusions about the precise nature of the impact it has had on paramilitarism. More broadly, our view is that the response to the impact of the Covid-19 pandemic on wider public policy could have implications in terms of tackling paramilitarism and we explore that further in this Report.

Legacy

- 1.19 In our two previous Reports, we have identified Legacy as a key contextual factor in terms of tackling and ending paramilitarism and we do so again in this Third Report. The two issues are fundamentally intertwined. Progress on Legacy should not be further delayed or allowed to slow efforts to tackle paramilitarism. We reiterate our encouragement to the two Governments, the Executive and the Assembly to re-double efforts to advance the implementation of the Stormont House Agreement, complex as that journey has proven to be.

A2: Observations and Findings

1.20 In this part of the Overview Section, we set out a summary of some key observations and findings based on our work since our last Report.

Paramilitarism remains a Reality

- 1.21 Three and a half years into our mandate, it remains the case that paramilitarism is still having a negative impact on life in Northern Ireland. That is not to say that no progress is being made towards its ending. Firstly, in terms of context, the situation is hugely improved over what it was during the Troubles. It is also much improved on what the landscape was in the early years after the ceasefires when tensions remained high overall and it was not yet clear whether violence was definitively over or could return. But for a variety of complex and diverse reasons, the momentum of those years and of the period immediately after the Belfast/Good Friday Agreement was not maintained and what we have now is an impasse in terms of continuing paramilitarism.
- 1.22 On the positive side, we think there are grounds for hope that through the Fresh Start process and the Action Plan, and in the context of a restored Executive and functioning legislative Assembly and the major investment plans around recovery from Covid-19, there is an exceptional opportunity to address what remains to be done in ending paramilitarism. As we outline later in this Report, we are encouraged that, with the Executive restored, the more strategic and holistic approach – the Twin Track Approach – that the Panel Report and the IRC have been calling for is increasingly being accepted; the test, of course, will be implementation.
- 1.23 At the same time, there are no grounds for complacency. There are still too many communities in Northern Ireland and many individuals and families in local communities who remain under the coercive control of paramilitary groups and that is simply unacceptable. This reality remains generally hidden, only coming to wider public notice when there is a particular outrage or atrocity. But for too many people the reality of a paramilitary presence, and all that that involves, afflicts their daily lives and experiences. Part of our task is to call that out in our Reports as a reminder that, despite considerable progress at a number of levels, much work remains to be done in bringing this unacceptable situation to an end, as Fresh Start stated, “once and for all.”
- 1.24 An obvious question for us each year is whether the situation regarding paramilitarism is getting worse or getting better. In terms of 2020, there is no simple answer to that question. In a year dominated by the Covid-19 pandemic, our understanding is that there may have been some reduction in recorded paramilitary-related incidents, but the overall level of threat remains a serious concern. It is very clear, therefore, that the reality of paramilitarism has not yet been ended and that the focus that is now being brought to bear in that regard must be maintained and heightened across all levels of the Twin Tracks. That is the only way success can be achieved.

1.25 In our analysis, we have also come to characterise continuing paramilitarism in terms of risk. We acknowledge that for many communities and people across Northern Ireland paramilitarism is not particularly visible and does not appear to impact their lives on a daily basis. However, in our view, there is a level of risk involved for society as a whole by the continuation of paramilitarism. The issue remains constant and real, with the potential for it to flare up and quickly have wider ramifications. In other words, while continued paramilitarism is a negative and visible reality in the daily lives of communities where paramilitaries operate – and that in itself is unacceptable – there is a wider danger involved also on an ongoing basis for society as a whole that cannot be ignored. Our understanding from the PSNI is that there are still thousands of signed-up (‘sworn’) members of paramilitary organisations in Northern Ireland. While at any given time only a relatively small number of these members are involved directly in specific illegal activities (beyond the fact that membership of such an organisation is in itself an unlawful act), the continued existence of paramilitary groupings of such scale is in itself a ‘clear and present danger’ on an ongoing basis.

Landscape

1.26 We return to an issue that we have referred to in our two previous Reports – the landscape of paramilitarism. We remain of the view that in terms of understanding paramilitarism there is a wide spectrum involved.

1.27 At one end of the spectrum are those who have already decided on the pathway of peaceful, democratic means in personal terms but who say they remain involved with their paramilitary grouping because of their belief that if they walk away they will leave the field to darker forces. Those of that viewpoint are frequently engaged with projects with a positive goal in terms of the betterment of their communities.

1.28 Many others remain within the paramilitary fold for a variety of reasons – tradition, a sense of belonging, fear or threats against leaving. Many of these members remain passively involved in their groupings – available for ‘duty’ or ‘service’ or ‘support’ of various kinds – but, if left to themselves, are not actively involved in ongoing paramilitary activity or criminality.

1.29 A further grouping are those more pro-actively involved for what they believe are genuine ideological or political reasons related to identity, insecurity, or because they are fearful of their political future. Some continue to threaten and attack police and prison officers and individuals linked to their own paramilitary groups.

1.30 And then there are those who use paramilitarism as cover for criminality – assaults, extortion, drugs, and other crimes including threats to political representatives and journalists. The paramilitary ‘cloak’ allows them to conduct these activities under a quasi-political guise in the context of Northern Ireland and its history. These paramilitary members are the ones most likely (though not exclusively) to be involved in coercive control of communities and in enticing vulnerable young people into their

ranks, often as support for their criminal enterprises. But despite the largely criminal focus of this grouping, it is also the case that they retain some degree of connection in identity and political terms to the wider paramilitary movement to which they belong. And even though as time goes on and the connection weakens, it grants them a type of legitimacy that remains a reality and needs to be factored into understanding the equation as a whole.

- 1.31 What we have just described is by no means a comprehensive account of the paramilitary landscape, but should provide an overview of what is involved. One of the implications of the diversity of that landscape is the challenge involved in developing and implementing strategies that address the differing behaviour and involvement of the people in question.
- 1.32 There is a further 'landscape' dimension: the differing attitudes in communities towards ongoing paramilitarism. Here, too, there is a spectrum involved. The broadest portion of that spectrum is occupied by those who reject paramilitarism and see its continuation as unacceptable and morally wrong in the context of modern-day Northern Ireland. But within that cohort there are more nuanced views. For some, continuing paramilitarism is seen as purely a matter of criminality and is an issue for law enforcement. That analysis is sincerely held, but as noted above, paramilitarism cannot be dealt with by policing alone. Others believe that there is a political dimension involved in the continuation of paramilitaries and see it as a legacy of the Troubles.
- 1.33 There are also differing attitudes in the communities where the paramilitaries operate. For some in these communities, they regard paramilitaries not as outsiders but as 'part of us, part of who we are.' And in some cases, the paramilitaries are seen as 'go to' people, particularly in terms of 'policing' local issues arising from anti-social behaviour, including drugs. While this, in our view, is unacceptable, it is the reality of the complex landscape in Northern Ireland.
- 1.34 From our engagement with relevant stakeholders, we have encountered several examples of encouraging developments in communities where paramilitarism has been an issue and indeed in some cases remains so. These have included initiatives around providing mental health support, youth provision, social economy projects, restorative justice and welfare advice. The International Fund for Ireland, the European Union PEACE Programmes and various other bodies and philanthropic organisations have supported valuable projects in that regard within loyalist and republican areas. Some of the projects have reached such an advanced stage that they are able to provide assistance to others in the early stages of their development. We are encouraged to see cross community capacity building in that regard. We appreciate that some people will be sceptical about the motivation of some of the groups, but we feel it is important to recognise and acknowledge progress where it is happening.

The Twin Track Approach

1.35 We remain strongly of the view that it is only by means of a Twin Track Approach, which combines policing and justice responses (Track One) alongside measures to address the deep socio-economic issues in which the paramilitaries operate (Track Two), that a sustainable ending of paramilitarism can be achieved.

Track One

1.36 Track One is the name we give to the policing and justice responses that are needed in tackling the criminality dimension of paramilitarism. We have said from the outset of our tenure that this Track is critical to the success of the overall Fresh Start initiative of bringing paramilitarism to an end “once and for all.” That is why we welcomed the establishment of the Paramilitary Crime Task Force (PCTF), further to the recommendation of the Panel Report. The PCTF brings together a range of agencies who are taking an integrated, robust approach to dealing with paramilitary crime. We report on their ongoing work more fully in Section C.

1.37 Track One also involves a range of measures across the wider landscape of law enforcement and the administration of justice. One element in this regard is confidence in policing. Confidence in policing, particularly in neighbourhood policing, is a critical part of the equation in terms of tackling paramilitarism. In those communities where confidence in policing is low the vacuum is frequently filled by the paramilitaries. The issues go hand-in-hand. We have made a series of Recommendations in previous Reports in regard to neighbourhood policing and we report more fully on those in Sections C and D. In broad terms, we welcome the increased focus of the PSNI on neighbourhood policing and the additional resources that have been assigned to the sector. We strongly encourage the continuation of this focus and further work to ensure public confidence in policing.

1.38 In terms of the Recommendations we have made on speeding up justice and also in regard to other law enforcement responses, we are disappointed at the pace of progress overall. We comment more fully about that in Sections C and D.

1.39 We are also disappointed by the lack of movement on our Recommendation last year for a dedicated, stand-alone agency that focuses solely on civil recovery of the proceeds of crime in Northern Ireland similar to those in place in other jurisdictions. We welcome the support of the Northern Ireland Policing Board’s Partnership Committee for this recommendation in its recent Report⁸.

1.40 In regard to improving the effectiveness of the Justice System, there has also been limited progress over the past year. An exception to this was the extension of the Unduly Lenient Sentences scheme in Northern Ireland to include offences linked to

⁸ <https://www.nipolicingboard.org.uk/publication/committee-review-tackling-paramilitary-activity-criminality-and-organised-crime-1>

terrorism, organised crime and paramilitarism. We are disappointed about the additional time taken for criminal cases to be disposed of in Northern Ireland as a result of the committal process, but note the commitment by the Justice Minister to progress legislation to that end (introduced to the Assembly on 3 November 2020).

- 1.41 We also recommended last year that the review of serious and organised crime legislation, required by Action C2 of the Action Plan, should be expedited without further delay. We welcome the Department of Justice's consultation on proposed new organised crime offences which closed on 2 October 2020, and repeat our recommendation that a model similar to the Scottish framework should be given serious consideration as this work develops.
- 1.42 In making these comments, we acknowledge fully that at the time of our first two Reports the situation was hampered by the absence of the Executive and a functioning legislative Assembly, but now with their restoration our hope is that a new impetus can be brought to bear on addressing these measures. We urge the Justice Minister to adopt them in the year ahead.

Track Two

- 1.43 Track Two of our Twin Track Approach relates to the tackling of the underlying systemic socio-economic issues prevailing in communities in which the paramilitaries operate. These include educational under-attainment, adverse childhood experiences, unemployment, poverty, lack of investment, mental health issues and drugs. The necessity for such an approach was first flagged in the Fresh Start Agreement itself and amplified further in the Panel Report. The latter made a series of important Recommendations headed "Addressing Systemic Issues", focusing on precisely these matters. These Recommendations were incorporated into the Action Plan and are being addressed and implemented in the Tackling Paramilitarism Programme set up to execute that Plan.
- 1.44 It is an area we have placed particular focus on in our Reports, arguing that it is as critical to the success of the overall process of tackling paramilitarism as the policing and justice measures – hence our use of the phrase 'Twin Track Approach.' Our point is that, as mentioned earlier, it is only by combining both sets of responses that the goal can be sustainably achieved. We were further confirmed in our view by a mapping exercise we included in our First Report in which we tracked indicators of paramilitary activity and indicators of socio-economic deprivation ward by ward in Northern Ireland. They broadly matched. That does not conclusively prove causation but it certainly points to the very close linkages involved. We are not saying that all paramilitary activity is rooted in socio-economic deprivation – it is very clear that many other factors such as identity, political persuasion, and local traditions are also in play. But socio-economic deprivation serves as a fuel and a driver of paramilitarism. Many of the communities where the paramilitaries exert greatest control have long suffered from deprivation and disadvantage, much of which was exacerbated by the Troubles.

While the peace that has developed since the ceasefires and the Belfast/Good Friday Agreement has benefited Northern Ireland, the sustained, long-term investments that are needed in these communities to tackle what are exceptionally deep-rooted, intractable issues have not yet been made in our view in a sufficiently targeted way which takes account of the very particular circumstances prevailing in each of them.

- 1.45 We appreciate that this is a complex subject. As a body tasked with analysing and reporting in a holistic way on progress towards ending paramilitarism, we feel that, as sign-posted in the Fresh Start Agreement and the Panel Report, these wider systemic issues in the communities where the paramilitaries operate are essential to a full understanding of the issue and, therefore, to its resolution.
- 1.46 Our focus is on those particular communities where the grip of paramilitarism is strongest. The disadvantaged communities are the same places which experienced some of the worst impact of the Troubles. It follows that in tackling paramilitarism as part of the legacy of the conflict, a particular focus needs to be brought to bear in addressing the issues facing these communities. That is why we emphasize this issue in each of our Reports.
- 1.47 In that regard, we see the restoration of the Executive and functioning legislative Assembly as particularly timely and important. We understand well that, particularly in the context of the recovery from Covid-19, there are huge demands on public services and the public purse. We appreciate that what is involved here are sensitive political decisions around investment and focus. But we also see this as an opportunity. We have taken particular note of the intention of the UK Government, under plans announced by the Chancellor of the Exchequer, to significantly boost investment in the regions of the UK, including Northern Ireland. The precise details in regard to the latter will, of course, be a matter for the Executive. But we think there is a general opportunity here to re-set and to bring a new focus to bear on long-standing problems. It is our view that addressing the very specific issues facing certain communities where paramilitarism is particularly prevalent constitutes a 'special case' in terms of any post-Covid Plan in Northern Ireland.
- 1.48 If such a focus on these communities is not brought to bear, the prospect that any increase in economic deprivation and unemployment that might arise from the pandemic would exacerbate the current situation and mean the grip of certain paramilitaries could deepen further. That has to be a major concern.
- 1.49 In any case, we have noted that in the commentary around the investment plans of the Chancellor of the Exchequer special mention has been made of those regions in the UK that were already suffering from particular disadvantage even before the pandemic. It is accepted that those areas will require a bespoke focus above and beyond any general post-Covid lift. Our argument is that this rationale deserves to be extended also in Northern Ireland to those communities beset by paramilitarism.

- 1.50 In our view, all roads on this effort lead back to the Executive. In our Second Report we argued that it was only by taking a holistic Whole of Government Approach, incorporating both Tracks of our Twin Track analysis, that paramilitarism could be definitively brought to an end. This led us to call for the inclusion of the tackling paramilitarism initiative as an express Outcome of the Programme for Government. We repeat that call in this Report. It will be clear that the wide array of issues involved here, many of them long-term and deep-rooted, can only be addressed in a systemic joined-up way, with all of Government working together on an integrated basis. To us, that means the Programme for Government. We were encouraged by references in New Decade, New Approach in this broad direction⁹.
- 1.51 In our Second Report we stated that achieving transformation on educational under-attainment will be one of the most significant contributors to ensuring a Northern Ireland which is sustainably free of paramilitarism. Since then we have undertaken further work on this important issue and we set out, in Section B of this Report, examples of how under-attainment has been tackled elsewhere. We welcome the initiative of the Executive, through the Education Minister, to establish an Expert Review Panel on educational underachievement and anticipate that the work of the Review Panel will bring an additional focus on the challenges facing young people in communities where paramilitarism is strong¹⁰. As such, its findings should make a significant contribution to the overall effort to end paramilitarism and enhance the life chances of young people who are vulnerable to paramilitary influence. We look forward to exchanges with the Panel in the coming year.

Review of the Executive's Action Plan and proposals for Phase Two

- 1.52 Implementation of the Action Plan, which is being co-ordinated by the Programme Team, is reviewed in Section C of this Report. We appreciate that the absence of an Executive and decisions by Ministers for over three years of the implementation phase was a major impediment to progress. We also appreciate that a significant body of work was taken forward during this time by officials across a wide range of Northern Ireland Departments. Here, we take the opportunity to note the Review of the measures and proposals that have been developed by the Team, endorsed by the Programme Board and approved by the Executive for a next phase of the Plan for a further three years¹¹. We are encouraged that it will be overseen directly at Ministerial level, and will be subject to scrutiny by the legislative Assembly. Overall, we welcome the direction of travel as now constituted. In particular, we welcome the fact that our analysis around the continuing need for a Twin Track Approach is expressly accepted and we look forward to seeing all of the elements of the Plan being developed and implemented in the coming period. The key of course will be effective and

⁹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/856998/2020-01-08_a_new_decade_a_new_approach.pdf

¹⁰ Further information about the Expert Panel, including its Terms of reference, can be found at:

<https://www.education-ni.gov.uk/news/expert-panel-tackle-educational-underachievement>

¹¹ See paragraph 1.15

comprehensive implementation and we will be keeping that under close review in the period ahead.

Whole of Society/Public Support and Confidence

- 1.53 In our two Reports to date, we have expressed our firm view that for paramilitarism to be ended definitively the process by which that happens needs to enjoy public confidence and support. In order for that to happen, we believe there needs to be extensive public debate about all of the issues involved. We welcome the indications since our last Report that a more considered debate is increasingly taking place, including through discussions in the media. We encourage its continuation. As we did in our last Report, we ask that space be given for the wider focus that we feel is necessary in discussing paramilitarism. Presenting the correct analysis is essential if an enduring and sustainable solution is to be found. The wider, more complex socio-economic factors outlined in our Reports need to be taken into account, alongside the issues of criminality, for the outcomes we are all working towards to be achieved.
- 1.54 This may be challenging given that the public debate on paramilitarism also impacts victims and survivors of violence and discussions on the issue continue to affect their lives on a daily basis. The process in which we and others are engaged – to bring paramilitarism to an end – is ultimately seeking to ensure that there will be no further victims of paramilitarism. That is the key focus of our work.

Memorialisation

- 1.55 One major issue that surfaced again during the period since our last Report is what we are calling ‘Memorialisation of the Past.’ There have been several occasions during the year where echoes of the paramilitary past were brought starkly into the present by means of events such as funerals or the public displays at various times of flags and emblems depicting paramilitary figures or events. The public commentary and controversy around such actions and occasions have highlighted the deep divides that still exist around narratives of the paramilitary past and what they mean for the present and future. As we have seen, these events and incidents have the capacity to damage trust and confidence between communities.
- 1.56 The Treaty establishing the IRC sets our mandate in the context of “promoting progress towards ending paramilitary activity connected with Northern Ireland and supporting long term peace and stability in Northern Ireland.” Against that background, we believe there would be merit in putting a more express focus on the whole area of how the paramilitary past is remembered and reflected. We appreciate that there are many useful projects and initiatives around commemoration of the past more broadly, but we believe recalling and marking the paramilitary past requires particular approaches and attention. We are suggesting the word ‘Memorialisation’ as best capturing that process. We have in mind events/occasions such as funerals, anniversaries, murals, flags, emblems, memorial plinths, remembrance areas, street names, club names etc. This is by no means an exhaustive list and these examples

are mentioned simply by way of illustration. The common denominator is the connection in some way to paramilitarism, and past paramilitary figures and events. In light of the continuing controversy around these issues, what we are suggesting is greater debate and focus on the whole area, so that whenever such events, people or moments are being commemorated – memorialised – account is taken of the potential wider impact in the context of what the Fresh Start Agreements calls the “continued transformation of our society.” We believe that such an approach to Memorialisation could make a valuable contribution to that continued transformation. We include a Recommendation to that effect in this Report.

Towards a Process of Transition for Paramilitaries

- 1.57 In our Second Report we asked whether the time had come for consideration to be given to developing a formal process of transition for paramilitary groups in addition to work with individuals. We raised this point because thousands of people are estimated to belong to paramilitary groups and because mass arrests are patently not feasible. We also raised this point because we have met some individuals who genuinely appear to want to transition away from paramilitarism and yet do not know how to do so legally. In that regard, we noted that one possible element of a transition process, deproscription (the removal of prohibited organisations from the listing of terrorist groups under UK legislation), had proven problematic, both legally and politically. Finally, we raised this point because we believe that the alternative is for the status quo to drift on, with the resultant risks for the peace-building process, which we highlight elsewhere in this Report. A transition process for paramilitary groups can address this risk and help end paramilitarism definitively.
- 1.58 In light of that, we very much welcome the recent commitment by the Northern Ireland Justice Minister to bring forward a paper to the Executive on some of the cross-cutting and challenging issues which, in our view, must include how the concept of transition (for groups as well as individuals) can be progressed. We believe this is an important development and encourage the Minister and the Executive to give it strong priority, recalling the commitment given by all parties to the Fresh Start Agreement to “work collectively to achieve a society free of paramilitarism” and “call for, and work together to achieve, the disbandment of all paramilitary organisations and their structures and to support those who are determined to make the transition away from paramilitarism.”
- 1.59 By the same token, we acknowledge that there is already a process of ‘informal transition’ being undertaken within some local communities by a range of stakeholders behind the scenes, and we believe this work is helpful. We also recognize that there are ‘critical friends’ who have been supportive of those involved. We welcome these efforts, which we know are carried out in good faith with the aim of promoting the public good and we encourage those involved to continue this important work.
- 1.60 Women play a vital role in our communities, including in relation to a process of transition and in building strong local leadership. We note how momentum has been

building as the Women Involved in Community Transformation (WICT) programme (see Section C, Action B5) has progressed and encourage WICT participants to enhance their leadership role in helping end paramilitarism within local communities and welcome this encouraging development. We recommend that WICT network with other women's regional groups and representatives of the women's sector, to share and further develop expertise on women and peace building, and build on recent sectoral work on the role of paramilitaries in illegal money lending¹². We will engage with WICT participants in the year ahead to explore these issues further.

Other relevant issues

- 1.61 In the course of our work and engagement with various stakeholders, a range of other issues have also been raised with us and we want to draw attention to them in this Report. We believe these factors need to be taken into account in a holistic Whole of Government approach to tackling paramilitarism.

Racism and Hate Crime

- 1.62 We met with a number of groups and individuals to discuss their experiences of racism and hate crime and the first-hand accounts of victims being intimidated out of their homes. Although the perceptions of those we have heard from are that some of these crimes have a paramilitary dimension, we reported in our Second Report that the PSNI does not have hard data on links to paramilitarism at present. Whether supported by intelligence or not, these perceptions point to another dimension of the fear that these organisations continue to exert on communities. We will continue to examine race and hate crime, and whether there are links to paramilitarism, with the relevant authorities and will remain vigilant in this respect. In the year since our last Report, there has been a renewed focus on racism in response to the Black Lives Matter movement. We take this opportunity to reiterate that there should be no place in Northern Ireland for discrimination around race, ethnicity, religious belief or in any other form.

- 1.63 In our previous Report, we welcomed Judge Marrinan's review of hate crime legislation as an important step towards strengthening the criminal justice response. The review is set against the context of the continued burning of flags and effigies on bonfires which, regardless of affiliation, causes heightened community tensions and unrest. We have been advised that the anticipated timescale for publication of Judge Marrinan's report is 30 November 2020 and that it will be presented to the Justice Minister to decide how it will be taken forward.

Flags, Identity, Culture and Tradition (FICT)

- 1.64 We welcome the fact that the Report of the Commission on Flags, Identity, Culture and Tradition (FICT) has been completed and submitted to the Executive. That

¹² <https://wrda.net/wp-content/uploads/2020/07/WPG-NI-Feminist-Recovery-Plan-2020-.pdf> and <http://www.womensregionalconsortiumni.org.uk/sites/default/files/Making%20Ends%20Meet%20-%20Women%27s%20Perspectives%20on%20Access%20to%20Lending.pdf>

Commission was established to deal with sensitive issues in terms of relations between the different traditions in Northern Ireland. The issues within FICT's remit are directly relevant to the resolution of the issues with which we are dealing and we would welcome immediate publication of the Report.

Integrated Education and Housing

- 1.65 We mentioned in last year's Report that we had had representations from groups calling for greater integration in education and housing. They made the case that enabling children from different backgrounds to be educated together improved the likelihood of better community relations and lessened the likelihood of young people becoming vulnerable to the influence or control of paramilitaries. The same case was made for more shared housing.

- 1.66 We mention the issue again this year as the Education dimension, in particular, is receiving increasing attention in public discourses in the media. It is also relevant in the context of the establishment of the Expert Review Panel on educational underachievement.

- 1.67 We believe this forms part of the important debate in the context of ending paramilitarism. It also places a clear focus on education as a key strategic underlying factor in terms of understanding the issue. We continue to note the relevance of integrated education and shared housing to our mandate. We are encouraged that integrated education is the fastest growing sector in Northern Ireland in terms of new enrolments and note the additional funding committed to integrated education in the past year.

A3: Reporting on progress so far

- 1.68 In the preceding Sections of this Report we have set out our analysis of the progress which has been made in tackling paramilitarism since our Second Report. In doing that, we have made reference to specific measures in the Action Plan approved by the Executive in July 2016 and the Tackling Paramilitarism Programme established to give effect to the Plan. Part of our task each year is to report in detail on the implementation of each of the measures involved. We do that in this Report in Section C. As mentioned already, the Plan has been the subject of a Review over the past year, as a result of which a Plan for a Phase Two of the Programme, together with a three year extension to 2024, has been approved by the Executive, subject to UK Government match funding. As we have indicated in this Report, we broadly welcome the new Plan and provide more detailed comment in Section C, while making clear that the test will be in the implementation. It is important that the right direction of travel has been decided upon – and we believe that with this Review and new Plan it has – but deeds rather than words will be what count now. We encourage the intensification of the Twin Track Approach we have spoken about throughout – combining strong policing and justice responses alongside ambitious measures to tackle the underlying systemic socio-economic challenges facing communities where the paramilitaries operate.
- 1.69 We recognise fully that tackling underlying issues in communities is a complex and long-term process, requiring, as mentioned, integrated and sustained working together between a wide range of Departments and Agencies. That also raises challenging questions around accountability. With so many diverse contributions required, the public needs to know who is accountable for the integrated delivery of the overall Programme. That is why we have argued for a Programme for Government approach, which should bring everything together under that aegis, including in terms of its accountability framework. We recommended in our First Report that a dedicated hub be established for the effective delivery of all aspects of the Tackling Paramilitarism Programme. We reiterate that recommendation in this Report, as we remain convinced of the important role it would play in the implementation process and in ultimate accountability. We are encouraged that the Review of the Programme appears to recognise the value of close working and would urge adoption of our original recommendation.
- 1.70 We welcome the continued progress being made regarding cross-border co-operation on tackling paramilitarism. The threat from violent Dissident Republican groups has a significant cross-border dimension and we commend the ongoing close co-operation between law enforcement agencies including the PSNI and An Garda Síochána, and between the two Justice Departments, together with the important work of the Joint Agency Task Force which was set up under the Fresh Start Agreement to tackle cross jurisdictional and organised crime. It is essential that comprehensive arrangements are in place to enable the continuation of cross-border police and judicial co-operation after the end of the Brexit transition period.

A4: Conclusion

1.71 It is now over 26 years since the ceasefires of 1994 and over 22 years since the Belfast/Good Friday Agreement. We appreciate that peace processes everywhere move at a slow and uneven pace and that there are many complexities to be overcome in their implementation. There are always multiple reasons why progress is difficult. However, it is also the case that there is a 'time and a tide' for movement; moments for leaps rather than increments. We believe that in a year in which a pandemic has swept our world and in many ways turned that world upside down, it is time for momentum and movement again on this residual, stubbornly difficult issue of ending paramilitarism, which we consider to be pivotal to the transformation of Northern Ireland society. We believe that the restoration of the Executive and functioning legislative Assembly provides a strong opportunity to capitalise on that moment and momentum and bring about the necessary 're-set.' We believe that the new Plan approved by the Executive for the next phase of the Tackling Paramilitarism Programme is a strong vehicle through which to achieve that 're-set.' The task now is to turn that opportunity into reality.

SECTION B: CURRENT LANDSCAPE: DATA AND INDICATORS FROM NORTHERN IRELAND WITH MODELS AND LESSONS FROM ELSEWHERE

General Reporting

- 2.1 The IRC reports annually on progress towards ending continuing paramilitary activity. In this Section of the Report we draw upon the same data sources we have used in our earlier Reports to provide an up-to-date analysis of the trends in reported incidents of paramilitary activity over the last ten years. We are grateful to the statutory agencies who have provided us with the relevant input.

- 2.2 We have carried out some further work this year on educational under-attainment, and provide a summary of approaches taken to address the issue in other jurisdictions. We noted in our Second Report that achieving transformation on this issue will be one of the most significant contributors to ensuring a Northern Ireland which is sustainably free of paramilitarism. Improving opportunities for young people, equipping them with qualifications and skills to enhance their prospects of employment and reducing their vulnerability to paramilitary influence are all key steps to achieving that goal. We therefore welcome the various initiatives being taken by the Department of Education in Northern Ireland, including the establishment of an Expert Panel on educational underachievement and the work the Department is doing under the auspices of Action D1 of the Action Plan (see below, and Section C).

Security Situation Statistics 2020

- 2.3 The PSNI's recorded security statistics provide official information on the security situation in Northern Ireland and include data on the number of shootings, bombings and paramilitary style attacks¹³.
- 2.4 The following data show ten year trends by financial year to 31 March 2020. Updates are also provided for the period 1 April to 30 September 2020¹⁴. Overall, there has been a downward trend in security-related incidents over the last ten years. The exception is paramilitary assaults, which have seen a general increase.

Security Situation Deaths

- 2.5 Table 1 shows deaths related to the security situation in the last ten years, up to 31 March 2020¹⁵. Following a peak in 2016/17, deaths declined to a single death in 2019/20. Over the decade there has been no year in which there have been no security-related deaths.

Table 1: Security Situation Deaths up to 31 March 2020

10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20
1	1	2	1	3	3	5	2	2	1

Source: PSNI

- 2.6 There have been two security-related deaths between 1 April and 30 September 2020, in May and June. These were the only such deaths in the period 1 October 2019 to 30 September 2020, compared to a total of 3 in the previous 12 months.

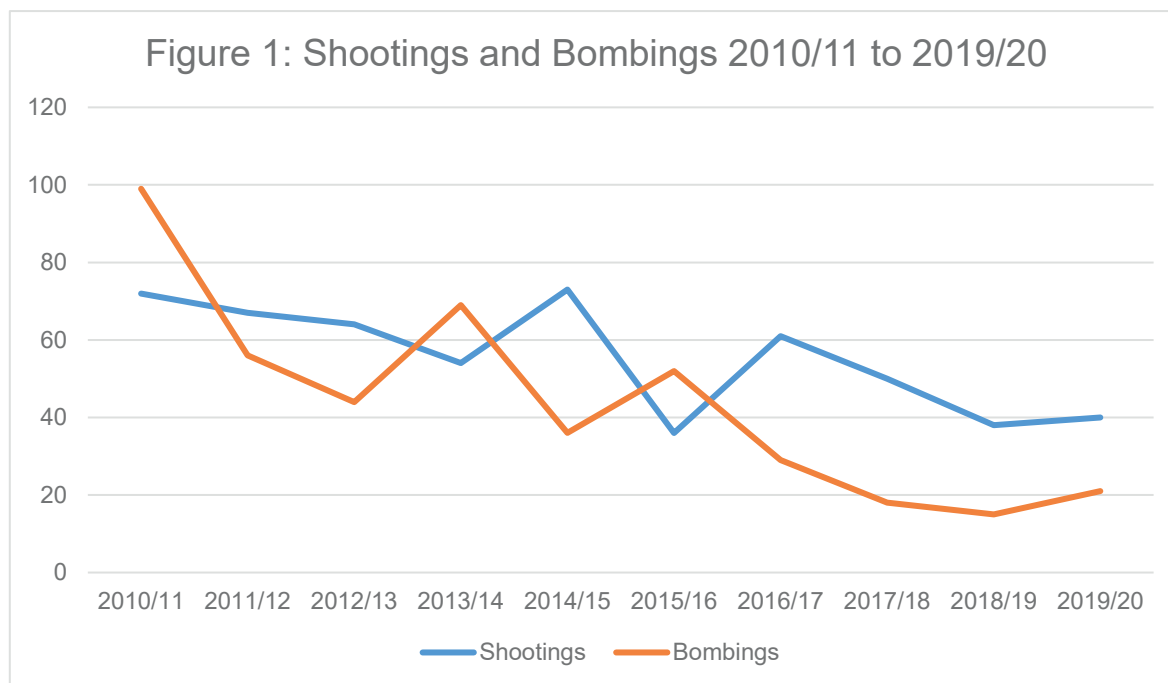
¹³ <https://www.psnipolice.uk/inside-psni/Statistics/security-situation-statistics/>

¹⁴ We recognise that this makes direct comparison challenging, but it is important to present the latest data as well as the ten-year trends.

¹⁵ Source of definition: PSNI Recorded Security Situation Statistics: "Security related deaths are those which are considered at the time of the incident to be directly attributed to terrorism, where the cause has a direct or proximate link to the subservice/sectarian strife or where the death is attributable to security force activity."

Shootings and Bombings

2.7 Figure 1 shows the trend for shootings¹⁶ and bombings¹⁷ recorded in the last ten years, up to 31 March 2020. After a consistent reduction in the frequency of shootings since 2016/17 and bombings since 2015/16, there was an upturn in both kinds of incidents in 2019/20. However, the overall trend in the past decade has been downwards.



Source: PSNI

2.8 Of the 18 bombings in the year ending 30 September 2020, six took place from 1 April to 30 September 2020, compared with 9 in the same period of the previous year (from a total of 15). Of the 42 shootings in the year ending 30 September 2020, 19 took place from 1 April to 30 September 2020, compared with 17 in the same period of the previous year (from a total of 39).

¹⁶ Source of definition: PSNI Recorded Security Situation Statistics: “These include any shooting incident relating to the security situation and include shots fired by terrorists, shots fired by security forces, paramilitary style attacks involving shootings and shots heard (and later confirmed by other sources).”

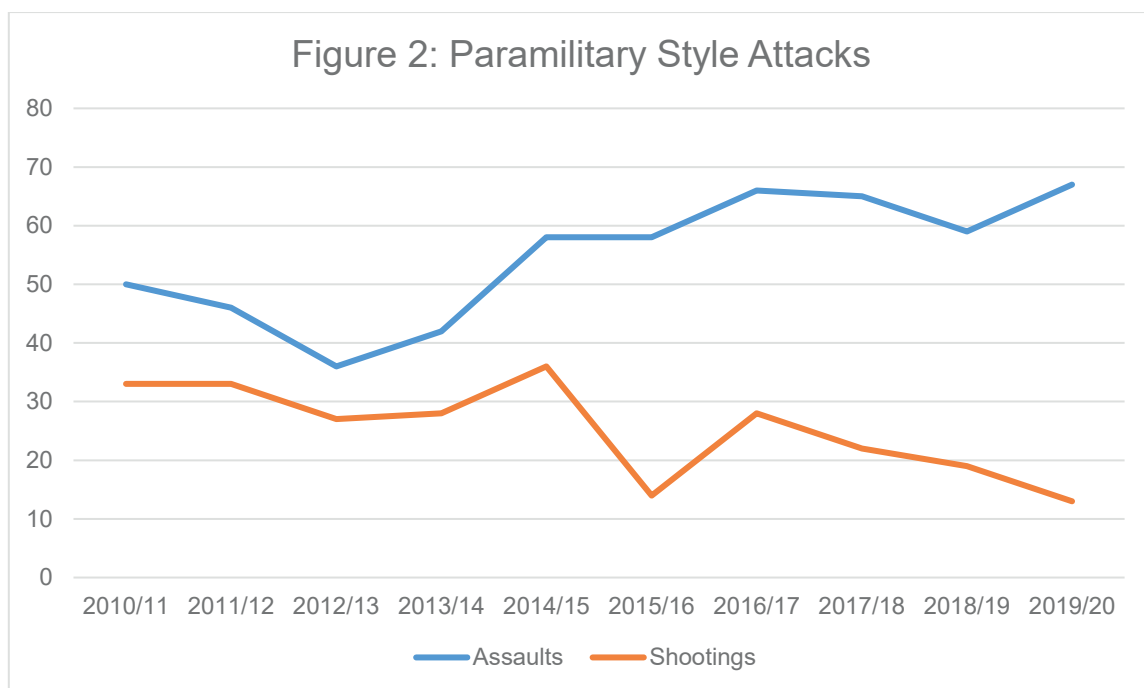
¹⁷ Source of definition: PSNI Recorded Security Situation Statistics: “These include all incidents where a bombing device explodes or is defused. If a device is found that is not complete or armed, then it is recorded as a ‘find’ and not as a bombing.”

Paramilitary Style Attacks

2.9 Figure 2 shows paramilitary style assaults and shootings in the last ten years, up to 31 March 2020. Assaults and shootings carried out by paramilitary organisations are used to exert control over communities¹⁸.

2.10 Although there has been some fluctuation in the frequency of paramilitary style assaults in the last decade, the general trend has been upward: rising from 50 in 2010/11 to 67 in 2019/20. The decline in the frequency of such assaults from 2016/17 to 2018/19 has not been sustained, and they have increased in 2019/20.

2.11 The general trend for paramilitary shootings in the last decade has been falling: from 33 in 2010/11 to 13 in 2019/20. Following an increase to 36 shootings in 2016/17, these have continued to decline in frequency, remaining at a lower level compared with assaults.



Source: PSNI

2.12 While the evidence appears to show that the Covid-19 pandemic has had little effect on the frequency of shootings and bombings overall, there has been a significant reduction in the number of paramilitary style assaults since 1 April 2020. Of the 44 assaults in the year ending 30 September 2020, 17 took place from 1 April to 30 September 2020, compared with 40 in the same period of the previous year (from a total of 66).

¹⁸ Source of definition: PSNI Reported Security Situation Statistics: “The assault involves major or minor physical injury to the injured party typically involving a group of assailants armed with, for example, iron bars or baseball bats. Paramilitary style assaults that result in death are counted as ‘security related deaths’ and are not reflected in the paramilitary style assault figures.”

2.13 The same cannot be said of paramilitary style shootings. While 15 such shootings took place in the year ending 30 September, compared with 17 over the previous year, seven of those took place between April and September 2020 (compared with five in the same period of the previous year).

2.14 Whilst the precise implications of Covid-19 on the level of paramilitary activity are not clear, it is likely that Covid-related restrictions on movement introduced as part of efforts to stop the spread of the virus may have helped reduce the level of recorded paramilitary activity.

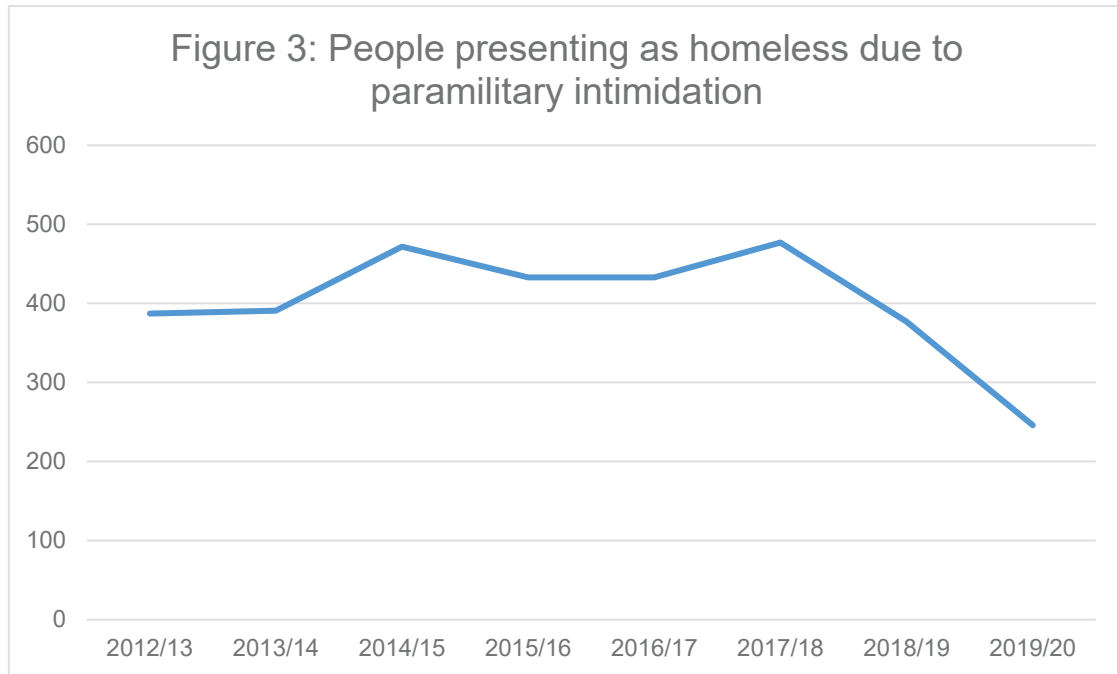
2.15 Further data drawn from the PSNI's Recorded Security Situation Statistics for the period 1 October 2019 to 30 September 2020¹⁹ show that:

- there were 15 casualties of paramilitary style shootings, compared to 17 during the previous 12 months. All 15 casualties were aged 18 years or older;
- the number of paramilitary style shootings increased in Belfast (from five to eight) but substantially decreased in Derry City and Strabane (from 11 to two), compared to the previous 12 months;
- there were 44 casualties of paramilitary style assaults, compared to 66 in the previous 12 months. Of the 44 casualties, one was under 18 years old; and
- the greatest number of paramilitary style assaults occurred in Belfast and Mid and East Antrim (ten in each District). Although Belfast experienced ten such assaults, this was approximately half the number that occurred in this district during the previous 12 months (21 assaults).

¹⁹ <https://www.psni.police.uk/globalassets/inside-the-psni/our-statistics/security-situation-statistics/2020/september/security-situation-statistics-to-september-2020.pdf>

Homelessness due to Paramilitary Intimidation

2.16 Figure 3 shows the numbers of people reported as being homeless due to intimidation by paramilitaries over the last eight years²⁰. After an increase in numbers of people reported as homeless due to paramilitary intimidation in 2016/17 to 2017/18, there has been a decline in the years 2017/18 to 2019/20.



Source: *Department for Communities*

²⁰ In general, between two thirds and three quarters of people presenting as homeless due to this reason are accepted. Comparable figures are only available from 2012/13 due a change in data collection methodology.

Educational under-attainment

- 2.17 In our Second Report we mapped statistics for educational under-attainment overlaid with indicators of paramilitary activity at ward level and noted correspondence between lower average educational attainment and higher frequencies of paramilitary style attacks. While this does not itself indicate a causal relationship, educational under-attainment and paramilitary style attacks often occur in the same areas.
- 2.18 We regard educational under-attainment as a profound challenge in the communities in which paramilitaries continue to operate. A substantial body of research indicates that a solid educational foundation and related skills, such as cognitive functioning and problem-solving skills, build resilience in young people that can positively affect life trajectories. Achieving transformation in this sphere can provide a buttress to wider efforts to keep young people out of paramilitary groups and significantly contribute to ensuring that Northern Ireland is sustainably free of paramilitarism.
- 2.19 We noted in our Second Report that we would look at educational under-attainment in more detail. RSM Consulting UK has conducted research on our behalf (incorporating a literature review and consideration of case studies) to inform an analysis of approaches to address educational under-attainment and the efficacy of interventions. A summary of this research follows.

Issues

- 2.20 The research by RSM shows that a range of negative socio-economic factors have a detrimental effect on educational attainment. In particular, children from families who are experiencing deprivation in multiple aspects of their lives such as income, employment and health often experience lower levels of educational attainment. These factors are among the most impactful on children's educational attainment.
- 2.21 The case studies show that low levels of educational attainment endure in areas that experience social or spatial segregation, whether this is based on income levels, ethnicity/culture, or religion. In Northern Ireland, research noted that the legacy of the Troubles – in particular exposure to violence – and lack of cohesion within families is linked to lower attainment among adolescents²¹. There are also strong links between areas with long-term unemployment and high prevalence of mental health issues, and low attainment in schools.
- 2.22 Alongside the wider societal issues other factors shown to affect educational attainment include a lack of parental involvement in the education of their children and poor parent-teacher engagement. The type of leadership and the quality and style of school teaching has been shown to greatly affect the educational outcomes of children from deprived socio-economic backgrounds.

²¹ For example Goeke-Morey et al (2013) Adolescents' educational outcomes in a social ecology of parenting, family, and community risks in Northern Ireland. *School Psychology International*, 34(3).

Approaches/Responses

2.23 The literature review has identified a number of best practices adopted in various areas of the UK and Ireland to improve educational attainment. These approaches are grouped as immediate level (individual, family and community); school level; and structural/policy level²².

Immediate level

2.24 This includes:

- the provision of a needs-based approach to education has been demonstrated to be effective in raising the educational attainment of students, particularly those from disadvantaged backgrounds. Needs-based approaches enable programmes to be individual-led and focus more on processes, whilst also allowing for greater flexibility in the provision of educational services or other interventions;
- several interventions have been identified as best practice, including those improving the resilience, aspirations and behaviour of pupils, and those aimed at increasing parental involvement in children's education (for example, addressing negative parental experiences of education and increasing parents' capacity to create a home environment that is conducive to learning) as well as facilitating parent-school engagement; and
- community planning has also been an effective mechanism for providing a more co-ordinated response to poor levels of educational attainment in particular communities.

School level

2.25 This includes:

- a whole-school or a holistic approach to education provision which aims to improve young people's educational attainment, while also focusing on their emotional and social development, and ensuring that attendance and participation are maintained;
- effective school leadership;
- peer mentoring between students of the same age or between an older and a younger student;
- creating a shared education network involving co-operation and sharing of best practice and expertise has been found to have positive effects on school performance and could have the potential to improve pupil attainment; and
- research conducted by the Institute for Conflict Research²³ into barriers to

²² Centre for Shared Education (2017), Investigating Links in Achievement and Deprivation (ILiAD) Study: Final Summary Report. Queen's University Belfast.

²³ Lucas, O., Sturgeon, B. and Jarman, N. (2019) Barriers to Participation and Progression in Education and Employment for those at risk of becoming involved with Paramilitary Organisations in NI. Institute for Conflict Research.

education for those at risk of paramilitary involvement – carried out under Action D1 of the Action Plan – recommends several school-level measures that have been shown to work, including valuing youth work, expanding restorative practice in schools, and managing transition years.

Structural/Policy level

2.26 The main structural/policy approach identified in the research was the implementation of national and local government strategies specifically aimed at improving educational attainment, and particularly recognising the need to improve educational outcomes for children from deprived or disadvantaged socio-economic backgrounds. In each of the three case study areas (see below), local authorities considered their approach to improving educational attainment alongside wider strategies to tackle other socio-economic issues such as deprivation, segregation, economic insecurity and unemployment. Other policy approaches identified as capable of having a positive impact on attainment levels include private sector collaboration, increased expenditure (including multi-year funding cycles) and providing wrap-around support (addiction support and counselling, for example) for pupils.

Case Studies

2.27 The following studies are examples of areas where the links between deprivation and educational under-attainment were well-established. Below we examine the efficacy of strategies adopted to deal with educational under-attainment in these areas.

Birmingham

Birmingham faces a range of issues that have resulted in educational under-attainment, particularly in the case of boys from underprivileged backgrounds. Birmingham is a diverse city with people and families of a variety of faiths, races and cultures. Communities in Birmingham face significant segregation with wealth and ethnicity/culture being the main contributory factors. Furthermore, antisocial behaviour and crime are considered a cause and an outcome of the divisions within the city. These factors have in turn been linked to educational under-attainment.

Birmingham City Council's (BCC) approach to raising the educational attainment of students is underpinned by its Education Delivery and Improvement Plan which outlines five key actions: securing a good school place for children; raising attainment and closing gaps for children; children and young people with Special Educational Needs and Disability have their needs met in appropriate provision; children are safe and develop resilience; and preparing young people to leave school with the skills they need for life. According to the most recent progress report (from 2016-17) there has been improvement in some actions, although others still fall short of the targets set.

The BCC also has a strategic relationship with the Birmingham Education Partnership (BEP), which works to improve schools and the education of young people through enabling collaboration and co-operation between all those supporting the development of Birmingham's young people. Whilst BEP reports a number of positive impacts and outcomes including that a number of schools are no longer classed 'vulnerable' the direct impact of the programmes on attainment is more difficult to discern.

Glasgow

Despite a significant economic turn-around over the last two decades, some communities in Glasgow continue to be held back by child poverty, deprivation and educational under-attainment. Evidence gathered by 'Understanding Glasgow' has identified that although school attainment levels in Glasgow have been rising steadily over the last decade, pupils in Glasgow on average still have lower attainment levels than counterparts in other areas of Scotland²⁴.

A number of programmes aimed at reducing educational underachievement are organised at national (National Improvement Framework); local (Glasgow City Council); and community (third sector) levels. These programmes focus either on raising educational attainment, reducing the impact of factors that contribute to educational under-attainment (e.g. poverty) or bolstering the employability skills of young people.

Council initiatives such as Glasgow's Improvement Challenge (2015-2020) focus specifically on raising attainment through targeted support and interventions, supporting families, improving children's health and enhancing the leadership of senior teachers. This work is complemented by the work of third sector organisations providing mentoring support for disadvantaged and care-experienced young people to improve their aspirations, educational and wellbeing outcomes. Programmes implemented at the three levels have shown some encouraging results.

Limerick

Limerick's experience of serious gangland crime and violence in the early 2000s resulted from a range of factors including deprivation, spatial and social exclusion, and high unemployment. Limerick continues to face a range of social issues related to deprivation and inequality, with educational under-attainment being one of the contributing factors to deprivation in some areas.

²⁴ A project developed by the Glasgow Centre for Population Health (GCPH) with support from a range of partners, including Glasgow City Council, Glasgow's Community Planning Team, Community Safety Glasgow, Glasgow Life, the University of Glasgow, NHS Greater Glasgow and Clyde and the International Futures Forum:
<https://www.understandingglasgow.com/indicators/children/education/overview>

In 2007, the Government-commissioned Fitzgerald report proposed a three-stranded approach to deal with the problems in Limerick's most deprived estates, the third of which focused on addressing educational issues:

- dealing with the issue of criminality to remove barriers to attainment;
- economic and infrastructural regeneration to strengthen the community, to create employment, improve access and create a better commercial and housing mix; and
- co-ordinated responses to social and educational problems, in order to break the cycle of disadvantage.

Due to the diverse nature of the risk factors identified in Limerick associated with poor educational outcomes, the approach taken by Limerick City and County Council (LCCC) incorporated policies to improve the wider socio-economic conditions within Limerick, as well as more targeted efforts to improve education provision.

Some of the efforts to improve educational attainment in Limerick are implemented under the broader framework of the Limerick Regeneration Framework Implementation Plan (LRFIP). The strategy – a multi-sectoral partnership approach led by the Council – involves working with communities to contribute to the physical, social and economic regeneration of Limerick. Interventions to improve educational attainment include education and learning initiatives appropriate to each life stage, developing a learning culture that parents can embed within the home, alongside employability and work interventions for people currently detached from the labour market. The strategy included targeted support for families with difficulties and youth at risk, ensuring adequate provision is developed at the community level.

These efforts complement the Department for Education and Skills' Developing Equality of Opportunity in Schools (DEIS) Programme which focuses on addressing and prioritising the educational needs of children from disadvantaged communities, from pre-school to the end of secondary education. In 2019/20, 890 schools were part of the programme. Its annual expenditure is approximately €125 million.

To give one specific example: Corpus Christi National School in Moyross benefits from both central and local government support. It has experienced a 39% increase in literacy and a 41% increase in numeracy between 2008 and 2015, according to standardised tests. These outcomes have been supported by educational interventions under the DEIS Schools Support Programme, an Extra-Curricular Activities programme funded by the Strategic Investment Fund and speech and language interventions for teachers in Limerick City.

Other programmes such as that run by the Coiscéim Education Centre, supported mainly by DEIS and the Limerick and Clare Education and Training Board, provide intensive support to young people in secondary school at risk of school exclusion. A review showed that the programme run by the Coiscéim centre had helped a third of those attending to achieve educational outcomes within the average range.

What works?

- 2.28 The case studies show a number of common approaches. In all three cities, a multifaceted approach that delivers interventions at different levels is apparent. Strategies in Limerick and in Glasgow (and Birmingham to a lesser extent) go beyond a singular focus on raising attainment levels, seeking to also tackle underlying barriers to education.
- 2.29 It is important to stress that no individual remedy or policy will improve educational attainment for all children in Northern Ireland because low levels of attainment are "...a result of interaction and accumulation of experiences and processes over time that hinder learning"²⁵. Research into educational policy and practice has shown that there is not one 'gap' nor a single 'solution' at the immediate, school or policy level.
- 2.30 To adequately address the complexity of the issue, policy responses are required at different levels depending on the specific issues that exist within an area i.e. at an immediate level (individual, family and community); school level; and structural/policy level.
- 2.31 There are pockets of good work at school-level in Northern Ireland including at the Loughshore Educational Resource Centre, the Belfast Boys' Model school and Brownlow Integrated College in Craigavon, which are exemplary in their whole-school approach to children's education. That approach, underpinned by the promotion of an ethos of attainment for all pupils and selection of a range of evidence-based strategies tailored to meet the needs of individual schools and pupils, is delivering positive results for their pupils.
- 2.32 At a structural/policy level Northern Ireland has a range of policies and mechanisms in place aimed at improving attainment or have the potential to address it (for example, shared education initiatives and an Extended Schools Programme). To sustainably improve educational attainment, a suite of policies/mechanisms should, in our view, be developed at immediate, school and structural/policy levels, to complement the existing provision within Northern Ireland.

²⁵ Henderson, L., Harris, J., Purdy, N. and Walsh, G. (2020) Educational Underachievement in NI: Evidence Summary. Stranmillis University College, Belfast: Centre for Research in Educational Underachievement.

2.33 We have shared these findings with the Department of Education’s new Expert Panel on educational under-attainment. As we said in the Overview, we welcome this important initiative and anticipate that the work of the Review Panel will bring an additional focus on the challenges facing young people in communities where paramilitarism is strong. We look forward to exchanges with the Panel in the coming year.

2.34 We also welcome initiatives being taken forward by the Department of Education under Action D1 of the Executive Action Plan to address educational under-attainment (see Section C). One example is the Aspire programme – a pilot between Monkstown Boxing Club and Abbey Community College set up under the Action D1 WRAP project – which is based on the guiding principle that significant learning cannot happen without significant relationships. Each pupil on the programme is assigned a Key Youth Worker who nurtures the relationship, promotes positive behaviour and builds good social skills. Soon after joining the programme a Year 12 pupil, who had not engaged with mainstream education, had multiple suspensions during his time in junior school and was diagnosed with Asperger’s syndrome, began to recognise the importance of education for his future and found an environment in which he could cope with setbacks and reach his potential in education. After his year with the programme he achieved 9 GCSE qualifications at grades A-C, and his home life changed positively for him and his family. He reflected on his experience, commenting: “My Key Worker helped me deal with conflict and how to handle those situations better. If it wasn’t for the guidance and support I got from this programme, I don’t think I would have been as successful in achieving my GCSE’s and getting on my college course. Words cannot explain how grateful I am to have had the opportunity to participate in the Aspire programme.”

Conclusion

2.35 We have consistently highlighted in our Reports our view of the central importance of tackling educational under-attainment as part of the overall effort to end paramilitarism. We continue to do so in this Report. We firmly believe that only a systemic, root and branch approach to the issue, which as the Education Minister has rightly said is deep-rooted and persistent, will bring about the change that is needed. We hope that the case studies from elsewhere and the difference being made by the Aspire programme and other initiatives give encouragement in this regard. We appreciate that the challenges involved are complex and inter-connected to many other issues – which is why we believe that addressing educational under-attainment is best done as part of a wider, holistic Whole of Government approach.

SECTION C: IMPLEMENTATION OF MEASURES

- 3.1 In this Section we consider progress made against the Executive Action Plan, drawing on information and updates shared with us by the Programme Team²⁶, and where appropriate the Irish and UK Governments. We have also drawn upon discussions with the relevant officials and other delivery leads on the progress they are making and the challenges they face²⁷. We are grateful for the assistance they have provided along with that of law enforcement and other statutory and non-statutory bodies. Our broader engagement throughout the year also informs our view.
- 3.2 We report on the progress of each action, and highlight areas where we believe further work is required. The status of each action from the Action Plan is reported using the following four categories:
- Action complete: an action from the Action Plan which, in our view, has been undertaken and completed.
 - Action underway: an action from the Action Plan which, in our view, has been started but is not yet complete. We note where follow up is required.
 - Action planned: an action from the Action Plan which, in our view, has not yet started but there are clear plans to do so. We note where follow up is required.
 - Action not taken: an action from the Action Plan which, in our view, has not been planned or is suspended. We note where follow up is required.

Part I: Executive Action Plan

- 3.3 In the year since our last Report, the Tackling Paramilitary Activity, Criminality and Organised Crime Programme (‘the Programme’) has delivered results and, with the return of the Executive and Ministerial decisions, its operating environment has changed considerably. The Programme has seen a number of key successes, including:
- creative and effective work with at-risk young people to support them and reduce their vulnerability to paramilitary influence;
 - building the capacity of youth workers (navigators) working in Altnagelvin Area Hospital Accident and Emergency Department to engage with young victims of violence, perpetrators of violence and – as part of follow-up support – the wider family unit;

²⁶ The Tackling Paramilitarism Programme Team is located at the NI Department of Justice and coordinates the Tackling Paramilitary Activity, Criminality and Organised Crime Programme (“the Tackling Paramilitarism Programme”). The Programme Team publishes quarterly updates on progress which can be read online: <https://www.justice-ni.gov.uk/publications/executive-action-plan-delivery-updates-tackling-paramilitary-activity>

²⁷ Including but not limited to the PSNI, Lord Chief Justice, Education Authority’s Youth Service, NI Probation Board, Prison Service NI, NI Housing Executive, and organisations such as Co-operation Ireland and the women’s and voluntary sector.

- work to promote a culture of lawfulness among young people and in wider society;
- development of further plans, support and investment in neighbourhood policing;
- work to establish best practice in discouraging teenagers from coming into contact with paramilitary-linked criminality;
- increasing collaboration and sharing of expertise around designing and implementing effective interventions between departments, agencies and community-based organisations and service providers;
- an encouraging improvement in processing times for cases in the criminal justice system;
- Unduly Lenient Sentence provisions being extended to cover hybrid offences linked to terrorism, paramilitary activity and organised crime groups;
- progress to enhance legislative powers in Northern Ireland to tackle terrorist and organised crime groups, including wider confiscation and civil recovery powers, such as Unexplained Wealth Orders and Account Freezing Orders;
- consultations on proposals for new organised crime offences for Northern Ireland and on a draft new Organised Crime Strategy for Northern Ireland, to ensure law enforcement agencies have robust powers to tackle the threat to communities by those engaging in organised crime;
- further rollout of Communities in Transition projects, to build resilience in communities most susceptible to paramilitary influence;
- provision of further education and training opportunities to prisoners in the separated prison regime;
- successful work with marginalised young men most at risk from being involved in paramilitarism and criminality to prevent and reduce offending and to enable these young men to resist negative influences and to develop their capacity, through personal development, health and wellbeing support, opening up access to employment, training and stable housing;
- positive work to enable women's organisations to enhance their role in helping end paramilitarism as well as encouraging women to take on leadership roles within their local communities;
- multi-agency work to help individuals under threat, including Belfast City Council's multi-agency pilot with agencies and accredited restorative justice schemes to deliver a targeted co-ordinated programme of work to address the needs of those under threat, with a particular focus on improving communication and co-ordination amongst services funded to work with these individuals and their families within West Belfast; and
- disruption of the criminal activities of paramilitary groups through the Paramilitary Crime Taskforce (PCTF), consisting of the PSNI, National Crime Agency and Her Majesty's Revenue and Customs (HMRC).

3.4 To have accomplished this in three years, particularly in the absence of the Executive for much of that time, is a significant achievement and we commend all those involved

for the progress they have made to date.

- 3.5 However, we are disappointed not to see further and faster progress in certain areas. We welcome initiatives to improve the education and employment prospects of young people in deprived areas under Action D1 but are disappointed that action is not moving on the scale envisaged. Similarly, although we welcome the completion of a literature review about preparing offenders with links to paramilitary groups for return to society and to assist with their reintegration, we would have expected to have seen greater progress by now on this Action. Improving the monitoring arrangements for prisoners on license and managing bail in cases of serious offences also needs to move at a faster pace. Furthermore, we are disappointed at the lack of action in building on the Executive's Good Relations Strategy. Work to establish a Centre of Excellence for Restorative Justice practice and central fund has not been progressed to the stage that we would have expected it to reach by now. A multi-faceted approach is essential, so that no aspect of this work will be left behind.
- 3.6 It is important that clear outcomes and benefits are agreed and monitored at early stages to ensure effectiveness of the interventions and appropriate investment of funding. We note the Programme Team's plans to embed new methodologies to measure success in Phase Two of the Programme. We will follow the effectiveness of this approach.
- 3.7 We see the benefits of greater cohesiveness among aspects of the Programme, such as collaboration between the Communities in Transition projects and specific interventions. A Whole of Government approach to addressing paramilitarism, serious and organised crime, and associated concerns with sectarianism, is vital to success. We have identified a number of specific areas for further joint work.
- 3.8 With the restoration of the Executive and the return of Ministers who have the authority to make decisions, we expect to see more rapid progress on legislative actions such as committal reform. Ministers are encouraged to address challenging issues, such as group transition, terminology, and protocols for engaging paramilitaries. We particularly welcome the Justice Minister's plan to bring a paper to the Executive on cross-cutting issues such as how to progress the concept of transition (for groups and for individuals), which we believe to be fundamental to the transformation of Northern Ireland's society, as part of the Twin Track approach.
- 3.9 We also welcome the Justice Minister's initiative to re-establish and chair the Political Advisory Group, and her efforts to ensure that these challenging aspects of the Programme are firmly on the Executive's agenda. Executive ownership and drive is vital if we are to see this work progressing across Government and the Political Advisory Group has a key role in that task. We therefore recommend that the role of the Political Advisory Group and the governance of the Programme as a whole be reviewed to ensure that 1) there is appropriate, helpful early political steering of the

direction of travel of the Programme and active engagement in its design and development, 2) there is cross-cutting political engagement on the detail of these sensitive and challenging issues, 3) decisions are taken at the appropriate level, and 4) all appropriate expertise is brought to bear on these issues. The partnership approach adopted for EU PEACE funding and the partnership model of the Northern Ireland Policing Board provide useful examples to draw on in this regard.

3.10 Covid-19 has had a major impact on the Programme in terms of resources needed to address the pandemic and the restrictions on the ability to continue face-to-face engagement. We have seen evidence of creative and innovative approaches being adopted in response, which include:

- youth outreach workers using technology and social media to continue their work with young people who were not previously engaged with youth services and who were at higher risk of involvement in paramilitary activity;
- participants in Communities in Transition projects (see Action B4 below) distributing food and care packages, and work by the Education Authority and others to facilitate similar provision;
- participants in the Women Involved in Community Transformation Programme (see Action B5) taking greater leadership roles in Covid-19 community response teams; and
- a stage performance to promote lawfulness to schoolchildren being adapted for online delivery.

3.11 Such a culture of innovation in responding to changing circumstances is vital. Given the consequences of Covid-19, particularly in relation to employment and education, and the impact on disadvantaged local communities, the Executive needs to continue its commitment to the Tackling Paramilitarism Programme and a Whole of Government approach.

3.12 The commitment to an extension of the Programme for a further three years by the Executive (subject to UK Government match funding) is a welcome and important step. The work to tackle continuing paramilitary influence, and serious and organised crime, requires ongoing political focus, specific attention and creative approaches, and to be embedded in a future Programme for Government.

3.13 The second phase of this work must continue the Twin Track approach. Two workstreams are planned. The first will deliver measures to achieve the outcome that “People and Communities are Safe from the Harm Caused by Paramilitarism” and will include: a robust law enforcement and criminal justice response that effectively tackles the harm caused by paramilitary activity, criminality and organised crime; activity to address confidence in and build collaborative working between statutory agencies in communities affected by such activity; community-based and community-led initiatives in areas which are being exploited by paramilitaries or to respond to paramilitary

activity and reduce general community vulnerability; and multi-agency responses to support people who are victims of the harm caused by paramilitary activity, criminality and organised crime. The second will focus on measures to make “People and communities more resilient to paramilitary influence and involvement in paramilitarism, criminality and organised crime” and will include: early intervention initiatives; targeted support and guidance for individuals at risk and those assisting them; interventions to promote the reintegration of prisoners, the effective monitoring of prisoners on license, and support for those who wish to exit paramilitary groups; and community-based interventions to address the physical, social, and leadership effects of paramilitary activity.

- 3.14 The Programme Team must continue to ensure that relevant departments and agencies play a full role in the Programme, as part of a Whole of Government approach. Plans to increase connections between the different strands are essential and we will assess the extent to which this takes place as we move forward.
- 3.15 The success of this work relies on political buy-in, risk-taking and an ambitious Whole of Government approach. The following Section provides an update on each aspect of the Programme to date, and offers commentary on progress made or yet to be realised. We report on implementation of the five Actions which are to be taken forward by the Irish and/or UK Governments in Part II of this Section.

A1	The Executive should make promoting lawfulness a priority.
Commitment by the Executive in its Action Plan	The draft Programme for Government Framework demonstrates through outcome 7 that promoting lawfulness is a key priority in the current mandate ²⁸ . <i>A Fresh Start</i> sets out the Executive's commitments to upholding the rule of law, tackling paramilitarism, organised crime and criminality. These values and the commitment to disbanding paramilitary organisations and their structures are reflected in the new Ministerial Pledge of Office ²⁹ .
Lead responsibility	Executive
Summary of current position reported to the IRC by project leads	<p>Outcome 7 of the draft Programme for Government (“we have a safe community where we respect the law and each other”) demonstrates that promoting lawfulness was a key priority for the Executive.</p> <p>The Ministerial Pledge of Office reflects the Executive's commitment to promoting lawfulness. Upholding the pledge is an ongoing obligation upon Executive members.</p> <p>Parties' engagement with the re-established Political Advisory Group demonstrates an ongoing commitment to this end. A lawfulness framework provides a shared understanding of lawfulness across the Programme.</p>
IRC comments	<p>With power-sharing restored the Executive should promote its commitment to the rule of law, tackling paramilitarism, organised crime and criminality on an ongoing basis. Activities associated with this Action should be clear that lawfulness is the outcome, and that upholding the rule of law through active citizenship is the vehicle through which to achieve it.</p> <p>As indicated in paragraph 3.9 above, political engagement and accountability must be strengthened, to ensure political buy-in and direction for the Programme as this work moves forward. We have recommended a review of governance arrangements to support this.</p>
Implementation status	Action underway.

A2	The Executive should use all avenues available to it to increase public awareness of what people can do about criminality in Northern Ireland and promote active citizenship in building a culture of lawfulness.
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²⁸ Outcome 7 of the Programme for Government is that “we have a safe community where we respect the law, and each other.”

²⁹ See sections 7 and 8 of the Northern Ireland (Stormont Agreement and Implementation Plan) Act 2016: <http://www.legislation.gov.uk/ukpga/2016/13/contents/enacted>

Commitment by the Executive in its Action Plan	<p>We welcome the emphasis that <i>A Fresh Start</i> (Section A) and the Panel Report have placed on the need to increase the public’s understanding of criminality. The Department of Justice will launch a public awareness campaign before the end of 2016 on the issue of organised crime and its links to paramilitary activity, which will promote active citizenship in building a culture of lawfulness. This will build on community views and understanding, and will provide more information for citizens and communities about the harm faced from organised crime. Alongside this, the Department of Education will consider commissioning the development of additional curriculum materials to support teachers and youth workers in delivering these aspects of the curriculum.</p>
Lead responsibility	<p>Department of Justice and Department of Education</p>
Summary of current position reported to the IRC by project leads	<p>The Council for the Curriculum, Examinations and Assessment (CCEA) have implemented two interrelated elements: the development of Active Citizenship and Lawfulness online resources (which have been available since March 2019) and a three-year programme to promote the teaching of active citizenship as a way of tackling paramilitarism and promoting lawfulness through film and drama.</p> <p>The Department of Education has also worked with Cinemagic and the Northern Ireland Office (NIO) to develop a series of resources (including short films) to assist post-primary teachers to explore the theme of lawfulness.</p> <p>Initial feedback from teachers and pupils that have used the CCEA resources has been positive. School closures in March 2020 as a result of Covid-19 led to the cancellation of three teacher support events for about 60 teachers. A planned live stage performance was adapted for online delivery because of school closures. Additional resources are under development including new short films with Cinemagic.</p> <p>The <i>Ending the Harm</i> campaign has publicized the nature of current-day paramilitarism on a range of platforms. Phase one (branded “I am your money”) was delivered in 2016/17 and further phases in 2018/19 focused on challenging the implicit acceptance of paramilitary style attacks in some areas. A further phase of the public awareness campaign is under development which will focus on indebtedness, exploring the power and leverage that paramilitaries</p>

	use when people are in debt to them, and the damage that can cause to vulnerable individuals, their families and the wider community.
IRC comments	<p>The CCEA resources are a valuable and user-friendly tool to inform children about sensitive issues and we commend the team for their work. We recognise the positive feedback from teachers and pupils and encourage efforts to promote the use of the resources in more schools.</p> <p>We welcome the efforts of the communications team to use both traditional and social media to promote its public awareness campaign to as wide an audience as possible. The Programme Team should ensure integration between the public awareness campaign and wider Programme efforts to encourage active citizenship and a culture of lawfulness (see Actions A3 to A6 below).</p>
Implementation status	Action underway. Follow up required.

A3	The Executive should work with leading figures and organisations throughout all sectors of society to take a stand against criminality in Northern Ireland and promote responsible co-operation with authorities as part of a culture of lawfulness.
Commitment by the Executive in its Action Plan	We agree the need to take forward this recommendation to promote these messages throughout society, and to clearly speak to the issues of concern to communities and citizens. We plan to take forward a number of actions across the Executive to further ensure that all sectors of society are equipped to take a stand against criminality and encourage responsible cooperation with relevant authorities. The Department for Communities will bring forward proposals for engagement on this issue via community, voluntary, and sports forums.
Lead responsibility	Department for Communities and Attorney General's Office
Summary of current position reported to the IRC by project leads	<p>The Department for Communities continues to deliver three lawfulness programmes with partners. In 2019, 355 young people took part in the National Citizen Service programme, which included workshops and panel discussion on lawfulness and the issue of paramilitary style attacks. This programme will not take place in 2020/21 due to Covid-related restrictions.</p> <p>Redeeming Our Communities (ROC) Action Groups have been formed in Belfast in Lower Shankill, Newtownards Road, St James and Lower Falls with the aim of encouraging people to proactively make a difference in their communities, through partnerships</p>

	<p>between statutory agencies, schools, faith-based groups and local residents. Examples of activities include projects to share secondhand school uniforms and winter coats (to reduce dependence on illegal money lending).</p> <p>Volunteer Now (in partnership with Sport NI and the University of Ulster) delivered a programme on lawfulness through sport (the Small Steps programme) to 473 young people from 16 schools in areas of deprivation/areas with indications of paramilitary activity in Derry/Londonderry, Larne, Carrickfergus, Lurgan and Bangor. School closures resulted in postponement of the Small Steps phase two project at a point when 246 of the intended 450 children had taken part.</p> <p>A pilot project on money management and safe borrowing options has been developed between Volunteer Now, Stranmillis University College and the Consumer Council of Northern Ireland, and was delivered to 300 of the planned 450 primary seven pupils across Northern Ireland before being postponed due to school closures resulting from Covid-19.</p> <p>Funding of about £65,000 has been approved to deliver a pilot project involving four Sporting Partners – the Irish Football Association, Ulster Gaelic Athletic Association, Ulster Rugby and the Belfast Giants. The project – which is due to start in autumn 2020 – aims to provide sports-based learning and support for 40 hard to reach young men and women to prevent them from becoming involved or recruited into paramilitary activity, organised crime or criminality.</p> <p>The Attorney General continues to deliver the “It’s Your Law” programme to promote lawfulness and active citizenship; twenty-eight sessions have been delivered to date (two in the last year) with a number of planned sessions postponed because of Covid-19 related restrictions.</p> <p>A cross-agency development session on tackling illegal money lending was held in January 2020.</p>
IRC comments	<p>The Department for Communities has implemented initiatives in the community, voluntary and sports sectors, not all of which were as a result of the Programme but contribute directly or indirectly to its intended outcome of tackling paramilitarism. Progress has been made in some areas but the onus is now on the Executive to drive this Action and proactively engage “leading figures and organisations</p>

	throughout all sectors of society” to make headway in the coming year.
Implementation status	Action underway. Follow up required.

A4	As part of its “cross-departmental programme to prevent vulnerable young people being drawn into paramilitary activity,” the Executive should commission appropriate initiatives aimed at promoting lawfulness in schools and through youth work in communities.
Commitment by the Executive in its Action Plan	The Department of Education will develop initiatives to ensure that those schools and youth groups dealing with the effects of paramilitary activity on young people are appropriately trained to identify risk factors and to adopt a whole school/group approach to help deal with those challenges. The Department of Education and The Executive Office will deliver Youth Intervention programmes specifically targeted at vulnerable young people, including those most at risk of becoming involved in, or affected by paramilitary activity, so that they can make a positive contribution to their communities.
Lead responsibility	Department of Education
Summary of current position reported to the IRC by project leads	<p>The Education Authority’s (EA) Youth Service Capacity Building Programme for teachers and youth workers focuses on implementing an innovative partnership approach between teachers and youth workers to engage with young people involved in risk-taking activities, and to promote lawfulness through programmes in schools and youth clubs. Initiatives include a Managing Risk module (exploring sectarianism and paramilitary influence) delivered to 520 pupils from 36 schools by a youth worker/teacher team as part of the EA’s Learning Together Programme. Other initiatives include training for over 240 people (including EA Outdoor Learning Staff, youth workers in Derry/Londonderry and PSNI officers from the Neighbourhood Policing Team) on the “Circle of Courage” model: Trauma Informed Practice. Two significant pieces of research were commissioned under this Action: <i>Common Purpose, A proof of concept for targeted youth services in the Derry area</i> (completed in December 2019) and <i>Countering Paramilitary and Organised Criminal Influence on Youth – A Review of Best Practice</i> (published in March 2020)³⁰.</p> <p>The EA’s Youth Outreach programme “Steer Teenagers Away from Recurrent Trouble” (START) placed 13 Outreach Workers across the</p>

³⁰ <https://www.corrymeela.org/cmsfiles/Countering-Paramilitary-and-Organised-Criminal-Influence-on-Youth---FULL-REPORT.pdf>

	<p>eight Communities in Transition areas (see Action B4), and in Rathcoole and South Belfast. Across the eight areas, Outreach Workers have built relationships with young people who do not currently engage with youth services and who are at higher risk of involvement in paramilitary activity. There is evidence of core group members moving into mainstream youth service groups and evidence of a positive impact on parents. Youth Outreach Workers adapted their approach following the introduction of Covid-related restrictions and continued to support core, peer and sibling groups through daily contact management plans and over social media. To date, 1,425 young people have been involved in the START programme.</p> <p>In September 2019, additional funding (£32,000) was approved for the “Supporting Youth Through Engagement” (SYTE) programme in which the EA and the PSNI work collaboratively to promote lawfulness with youths at risk of exclusion from schools and within communities. Delivery of this programme commenced in January but was curtailed due to school closures resulting from Covid-19.</p> <p>Additional Youth Workers are being recruited to supplement areas where outreach workers cover a large geographical area and where young people are vulnerable to the influence of paramilitaries. They will also cover two additional areas where there are higher levels of risk and vulnerabilities.</p> <p>In May 2020, the Programme approved funding to deliver the “Navigator” programme to build the capacity of youth workers (navigators) to engage with young victims of violence, perpetrators of violence and – as part of follow-up support – the wider family unit. Three youth workers will work in Derry’s Altnagelvin Area Hospital Accident and Emergency Department in partnership with the PSNI and others to support young people admitted as a result of violent injury or drug and alcohol abuse. This is a community-based service across the City to support young people to move away from violent or chaotic lifestyles.</p> <p>Further examples of EA initiatives are set out in the Programme Team’s Quarterly Updates on progress³¹.</p>
IRC comments	<p>The multiple initiatives carried out under this Action are delivering significant results for vulnerable youths at risk from paramilitary groups. The EA team has shown the ability to identify a problem</p>

³¹ <https://www.justice-ni.gov.uk/publications/executive-action-plan-delivery-updates-tackling-paramilitary-activity>

	using evidence-based research and deliver novel programmes that have practical benefit for young persons at risk. The commitment of key individuals and organisations and good partnership working, including between the EA and the PSNI – which we saw at first hand when we met the teams in Lurgan and Craigavon – is commendable. The willingness of the EA team to deliver novel programmes, and to take risks in this way, could inform other parts of the Programme.
Implementation status	Action underway.

A5	The Executive, the Policing Board and the PSNI should review the resourcing and operation of policing in communities to ensure that policing is visible and resourced to fully engage in those communities most vulnerable to criminal control.
Commitment by the Executive in its Action Plan	The Executive, the Policing Board and the Police Service of Northern Ireland will review the resourcing and operation of policing in communities to ensure that policing is visible and resourced to fully engage in those communities most vulnerable to criminal control. Bespoke interventions and training designed to enhance confidence and trust between the police and communities will be developed.
Lead responsibility	Northern Ireland Policing Board and PSNI
Summary of current position reported to the IRC by project leads	Review of resourcing and operation of policing in communities, being led by the NI Policing Board (NIPB) An action plan was launched by the Chief Constable and the Chair of NIPB on 5 November 2019 and an implementation plan was submitted to NIPB in February 2020. The Neighbourhood Policing Delivery Programme was suspended on 19 March 2020 in order to prioritise resourcing to the national Covid-19 response. The Programme resumed on 5 June 2020 and the majority of Neighbourhood officers reverted to normal duties from 22 June 2020. Roll-out of bespoke interventions and training designed to enhance confidence and trust between the police and communities which are still susceptible to paramilitary influence (being led by the PSNI) The PSNI is continuing its delivery of the ‘Policing with the Community Project’ (PWC). The overall aim of the work is to address issues of visibility, engagement and problem-solving in those communities still

	<p>susceptible to paramilitarism. The focus will be on training; research into community issues; and local interventions.</p> <p><u>‘Gauging Community Voice’</u> Further research, community engagement and community awareness raising events within communities most affected by the Troubles including the eight Communities in Transition areas (see Action B4) is planned in 2020/21 which will inform progress from the baseline of feedback captured in 2017/18.</p> <p><u>Training</u> 3,000 individuals have completed the Collaborative Problem Solving for Community Safety course, which is also a requirement for all new entrant PSNI officers. Various support resources are also being developed, and the on-line resources have already been extensively used.</p> <p>Further modules including on Community Empowerment, Better Supporting Youth and Young People, Procedural Justice, Fairness and Mediation and Evidence-based and Professional Judgement are being developed and this training is promoted as part of continuous personal development for officers and external stakeholders.</p> <p><u>Targeted local interventions</u> Visible, meaningful engagement and activity linked to problem-solving is critical to the development of trust and confidence in policing within communities impacted by the threat of paramilitary activity, and should complement high-profile operational and investigative activity. District Commanders can bid for resource to support delivery of specifically tailored interventions.</p> <p>The Programme Team is working with the PSNI to identify targeted local interventions as well as wider opportunities to further embed PWC. Work is also ongoing between the Programme Team and the PSNI to explore the potential for better connection between Actions A5, A9, B4 and B13.</p>
IRC comments	<p>We reiterate that effective neighbourhood policing is a key element to the transformation of Northern Ireland’s society. We have engaged with a number of the PSNI’s Neighbourhood Policing Teams across Northern Ireland, including those working in Lurgan, Portadown, Derry/Londonderry and Carrickfergus, and have seen at first hand the difference effective neighbourhood policing makes. We note that work delivered to date includes:</p>

- *a scoping project on addressing the needs of youth at risk of paramilitary-style assault (PSA);*
- *additional operational activity focused on licensing checks and patrolling of hotspots for drugs, anti-social behaviour and PSAs;*
- *additional engagement activity with local youth and community groups and with businesses on the issue of extortion;*
- *a Restorative Practice Event in December 2019, attended by 21 Youth Diversion officers and Neighbourhood Policing officers. The objectives of the PSNI's restorative practice approach are to increase confidence, accountability and relationships in policing; assist with addressing localized challenges that encourage young people to become involved in organised crime and violent extremism; enhance and improve engagement for police and young people; help and support young people to leave criminal gangs in confidence and without fear of reprisals; and upskill and empower police officers and staff in restorative practices;*
- *facilitating the showing of the Partisan Production of "Time of your Life"³² in various locations across Northern Ireland;*
- *distribution of 140,000 "Ending the Harm" leaflets to 22 targeted areas at the start of 2020 to increase community awareness of the public campaign, promote a culture of lawfulness and undermine the narrative of paramilitaries;*
- *a meeting with Rangers Football Club in February 2020 to develop, plan and agree a timeline for delivery of activity in East Belfast including football coaching, resulting in an 8 week programme (which commenced in February 2020) supporting police engagement at the local level (although completion of this has been postponed due to Covid-19 restrictions);*
- *Community Planning Sergeants have also been engaging with the Programme Team on a project to prevent vulnerable young people from becoming involved in paramilitary activity;*

³² The "Time Of Your Life" theatre production is an attempt to contribute to an open and genuine conversation about the place of paramilitarism in working class communities and in the life experience of young people. Further information is available at: <https://www.community-relations.org.uk/events/time-your-life-partisan-productions>

	<p><i>and</i></p> <ul style="list-style-type: none"> • <i>a number of Crimestoppers awareness raising events were due to take place in the 8 Communities in Transition areas (see Action B4) during January to mid-March 2020; however, these had to be postponed due to Covid-19 restrictions.</i> <p>We encourage the PSNI to continue expanding its neighbourhood policing work, in particular with vulnerable young people at risk of paramilitary assault and influence. We welcome the development of an implementation plan to embed delivery across the PSNI.</p> <p>We are aware that 200 neighbourhood posts rely on EU related funding. The PSNI must have all the resources it needs to fulfil this vital function.</p>
Implementation status	Action underway.

A6	In setting the strategic objectives of Policing and Community Safety Partnerships, the Department of Justice and Policing Board should ensure that the partnerships focus on building community confidence in the rule of law and embedding a culture of lawfulness.
Commitment by the Executive in its Action Plan	In setting new strategic objectives for the Policing and Community Safety Partnerships (PCSPs), the Department of Justice and the Policing Board will implement this recommendation. The Department for Communities will ask local Government to ensure that, in aspects of local Community Plans that address community safety issues or where Policing and Community Safety Partnerships act as a delivery agency, Community Planning Partnerships also focus on building community confidence in the rule of law and embedding a culture of lawfulness.
Lead responsibility	Department of Justice, Northern Ireland Policing Board and Department for Communities
Summary of current position reported to the IRC by project leads	The Department of Justice has worked with PCSPs and the NI Policing Board to build a commitment to promoting lawfulness into the strategic objectives of all PCSPs. Links have also been made between the role of PCSPs and the Community Plans being rolled out across all District Council areas. Formal linkages have been made between relevant departments, PCSPs and Community Planning Partnership personnel to capture and share best practice. As such, a shared focus across organisations has been established. All eleven PCSPs were allocated funding towards initiatives aimed at

embedding a culture of lawfulness for 2019/20 with a similar commitment in 2020/21.

Annual funding of £4.25m was secured in 2019/20 to support the delivery of the PCSPs' action plans across Northern Ireland, with an additional £4.25m secured to support the work of the PCSPs in 2020/21. These plans link to the role of PCSPs in embedding a culture of lawfulness and improving confidence in the rule of law (primarily in support of the existing PCSP Strategic Priority 3: 'To Support Confidence in Policing').

A working group has been established by the Department of Justice to arrange a number of regional Culture of Lawfulness workshops. These were initially planned for March 2020 but have been postponed due to Covid-19 restrictions.

PCSPs continue to report individual project-based initiatives. These include:

- *Causeway Coast and Glens PCSP has developed a new Partnership initiative to enable it to react more quickly to anti-social behaviour in the Council District. It also aims to work on early intervention initiatives, especially with young people, to divert individuals from future criminal activity. This initiative has reported resolving three reported incidents and has facilitated 40 meetings to help influence the community to embrace a culture of lawfulness;*
- *in the first six months of 2019/20 Derry and Strabane PCSP issued 14 press releases and 61 social media posts supporting policing and encouraging reporting to the PSNI. Since April 2019 they have issued 12 press statements condemning paramilitary attacks/shootings/pipe bombs and murder and shared these statements on social media;*
- *Ards and North Down PCSP is conducting a review of its interventions to assess those offering greatest impact in terms of discouraging teenagers from coming into contact with paramilitary-linked criminality in the Borough. It has allocated £55,669 to drug and alcohol initiatives, tackling anti-social behaviour and youth engagement, tackling domestic and sexual violence, tackling burglary and fear of crime, rural security, and road safety;*

	<ul style="list-style-type: none"> ● <i>Armagh, Banbridge and Craigavon PCSP is using the film 'Recruited' to raise awareness in schools of the dangers of recruitment to paramilitary crime gangs;</i> ● <i>West Belfast PCSP has established a working group to review, develop and deliver the Community Safety Strategy for West Belfast. The Strategy aims to incorporate various elements of work which have been supported over previous years, including learning from work on Peace IV, Culture of Lawfulness, Tackling Paramilitaries and Organised Crime;</i> ● <i>North Belfast District PCSP's 'Feet on the Street' project started service delivery on 26 and 27 June, post Covid-19 lockdown. Four outreach workers were deployed in areas of North Belfast and engaged with young people to address issues or concerns. The outreach workers link with the Council, the PSNI and the EA to build confidence in policing and embed a culture of lawfulness. Approximately 33 young people were engaged with over the two days;</i> ● <i>Newry, Mourne and Down PCSP committed funding of £20,000 to a number of local projects supporting diversionary work with young people across the Council District. It is also working with the PSNI to determine if there is potential for direct diversionary activity work with young people across the District.</i> <p>Further examples of PCSP initiatives are set out in the Programme Team's Quarterly Updates on progress³³.</p>
IRC comments	<p>The PCSPs play a central role in building good relationships between communities and police.</p> <p>Evaluation of PCSP projects means that good practice can be shared across all the Partnerships. One example of this is the work by Ards and North Down PCSP to review its interventions to identify those offering greatest impact in discouraging teenagers from coming into contact with paramilitary-linked criminality. Sharing of evaluations and best practice should continue, to ensure interventions are as effective as possible.</p>
Implementation status	Action underway.

³³ <https://www.justice-ni.gov.uk/publications/executive-action-plan-delivery-updates-tackling-paramilitary-activity>

A7	The designated organisations should also ensure that their representatives are sufficiently senior and committed to building effective partnerships.
Commitment by the Executive in its Action Plan	The designated organisations will ensure their representation at Policing and Community Safety Partnerships is of a sufficiently senior level to facilitate effective partnerships.
Lead responsibility	Department of Justice and Policing and Community Safety Partnerships
Summary of current position reported to the IRC by project leads	<p>The seven designated organisations that have staff members on each of the 11 PCSPs and four District PCSPs (in Belfast) continue to play an active role in the work of PCSPs across Northern Ireland. Representation continues to be at an appropriately senior level and is augmented by further colleagues from the designated organisations – with particular subject or local area expertise – involving themselves in forums addressing issues such as community safety and anti-social behaviour.</p> <p>Organisations, such as Health Trusts, are able to make a particularly important and effective contribution to the work of a PCSP by having colleagues in disciplines such as mental health, safeguarding children, Emergency Department and NI Ambulance Service attend PCSP-convened Support Hubs in order to address the needs of vulnerable citizens from the PCSP/District Council area.</p> <p>A Joint Committee – a body comprising senior officials from the Department of Justice, two members of the NI Policing Board and the Board’s Chief Executive – provides oversight of PCSPs. The Joint Committee convenes annual meetings with Chief Executives from each of the designated organisations and District Councils to highlight best practice examples of partnership working and to address ways in which effective collaboration can help all parties represented on PCSPs to improve community safety, tackle anti-social behaviour and increase confidence in local policing.</p>
IRC comments	Attendance at PCSPs by senior representatives of designated organisations is essential to ensuring the work of the Partnerships is shaped and supported at the appropriate levels within key organisations. This should be kept under regular review and steps taken to address any shortcomings.
Implementation status	Action underway.

A8	The Executive and the Police Service of Northern Ireland, in conjunction with the Northern Ireland Policing Board, should review their protocols for engaging with representatives of paramilitary groups. This change in approach should also apply to other public community bodies and public representatives.
Commitment by the Executive in its Action Plan	The Executive will propose to the Chief Constable and the Chair of the Policing Board that we commission an agreed independent expert – of suitable expertise and standing – to review current practice and legal requirements, as well as lessons from other contexts, and provide them with draft protocols for consideration.
Lead responsibility	The Executive, Northern Ireland Policing Board and PSNI
Summary of current position reported to the IRC by project leads	This is a particularly sensitive recommendation, and one that would benefit from Executive consideration. In the interim, the Tackling Paramilitarism Programme Team is exploring how best to engage on this issue with a view to identifying and better understanding the type of situations in which engagement by statutory agencies might fall into the space alluded to in order to explore some of the issues involved and identify learning. This is a complex issue, which is being taken forward in the context of the wider programme values, and the related issues around lawfulness.
IRC comments	Political leaders have a key role to play in facilitating a collaborative, problem-solving approach to delivery of this Action, hence our new Recommendation in relation to the governance of the Political Advisory Group outlined at paragraph 3.9 above. Their input on this issue will be vital. We welcome the Justice Minister’s commitment to bring a paper to the Executive in relation to some of the cross-cutting and challenging issues, such as this. Progress on this Action – which requires the input of the PSNI and Policing Board – is important and is closely linked to the wider issue of transition. It should be a priority.
Implementation status	Action planned. Follow up required.

A9	Put in place a dedicated fund for restorative justice initiatives to provide enhanced levels of resource over longer periods of time to deliver positive outcomes for individuals and communities. This should include resourcing the proposals for a centre of restorative excellence.
Commitment by the Executive in its Action Plan	The Executive will put in place a dedicated fund for restorative justice initiatives to provide enhanced levels of resource over longer periods of time to deliver positive outcomes for individuals and communities. The Department of Justice will carry out a feasibility study to identify best options for a new centre of restorative excellence.

Lead responsibility	Department of Justice and The Executive Office
Summary of current position reported to the IRC by project leads	Research commissioned by the Department of Justice in 2017 identified options for establishing a Centre of Restorative Excellence. A working group was established to assist further development of these options, including the location and staffing structure. Core funding has been maintained for accredited restorative justice organisations. The Executive Office is developing an options paper, for the consideration of Ministers, to identify the means by which to put in place a dedicated fund. In the meantime, proposals on restorative practice are being developed under the Communities in Transition commitment and a regional restorative practice project has been commissioned that is valued at approximately £1.4m. A draft Adult Restorative Justice Strategy document, which includes proposals for a centre of restorative excellence, closed to public consultation in September 2020.
IRC comments	We welcome implementation of regional restorative practice projects across the eight areas targeted under Communities in Transition (see Action B4), and the further plans to roll out such work in other areas. Whilst we recognise the steps taken on the restorative practice strand of Communities in Transition, we are disappointed at the length of time it has taken to establish a dedicated fund for the accredited organisations and a Centre of Excellence. This work needs to be progressed at a faster pace.
Implementation status	Action underway. Follow up required.

A10	The Department of Justice should bring forward draft legislation to further reform committal proceedings to remove the need for oral evidence before trial.
Commitment by the Executive in its Action Plan	Committal proceedings will be further reformed. The Department of Justice will bring forward draft legislation in relation to this recommendation.
Lead responsibility	Department of Justice
Summary of current position reported to the IRC by project leads	<p>The Committal Project Board continues to meet regularly to review progress against all elements of the committal reform project.</p> <p>The Department of Justice will abolish oral evidence as part of committal proceedings following the passage of a Committal Reform Bill that was introduced to the Assembly on 3 November 2020. The Department estimates that it may take the Bill nine to twelve months</p>

	to become law, which brings the timeframe for abolishing oral evidence to autumn 2021.
IRC comments	Removing the need for oral evidence before trial, as part of further committal reform, is an integral part of the commitment to speed up criminal justice and support victims. The lack of a fully functioning legislative Assembly from January 2017 until January 2020 resulted in significant delay in implementing this legislative change. The introduction of the Committal Reform Bill to the Assembly is an important step. Further measures to speed up criminal justice are being taken forward by Actions A11 to A13 below.
Implementation status	Action underway. Follow up required.

A11	The Department of Justice should also use the measures already available to it to abolish committal proceedings in respect of those offences most frequently linked to paramilitary groups, including terrorist offences and offences which tend to be committed by organised crime groups.
Commitment by the Executive in its Action Plan	Committal proceedings in respect of those offences most frequently linked to paramilitary groups will be abolished. The Department of Justice will work closely with justice organisations to identify suitable offences to be added to the list of offences which can be directly transferred to the Crown Court.
Lead responsibility	Department of Justice
Summary of current position reported to the IRC by project leads	<p>The Committal Reform Bill which the Department of Justice introduced to the Assembly on 3 November 2020 will amend the direct committal provisions of the Justice Act (NI) 2015 to simplify the direct committal process, and extend the range of offences which will be directly transferred to the Crown Court. The extension to the list of offences includes a range of serious assault offences, as well as some firearms, explosives and a small number of offences under the Terrorism Acts.</p> <p>A significant amount of IT change is required across the justice system to implement the changes relating to direct committal. These changes can only be finalised once the content of the Bill is settled. The estimated timeframe for commencing these changes is therefore likely to be late 2022. In line with commitments given to Fresh Start, and a number of other agreements and scrutiny reports, the Minister has agreed a more expansive rollout of direct committal, and the draft Bill will therefore seek to remove all offences which can be prosecuted only on indictment as part of the first wave of offences to</p>

	<p>be removed. A number of factors were considered in agreeing the offence types to be removed from the committal process. This included officials reviewing offences falling within the tackling paramilitarism sphere. The Department believes this approach should capture a significant number of paramilitary related cases.</p> <p>Criminal justice organisations will work towards sequencing all necessary supporting arrangements to ensure readiness for a new go-live date and will continue to develop IT solutions, testing scenarios, benefits realisation plans, and operational business processes required to support direct committal.</p>
<p>IRC comments</p>	<p>We note the preparatory work undertaken to implement this Action and appreciate the complexities involved in ensuring the criminal justice system in Northern Ireland is in a state of readiness for committal reform. There has been significant delay in progressing this Action due to the three-year absence of a functioning legislative Assembly. It is imperative that the Committal Reform Bill, introduced to the Assembly in November 2020, is progressed without further delay to speed up the criminal justice system for victims and defendants in Northern Ireland. It should then be implemented as quickly as possible.</p> <p>The Director of Public Prosecutions' view is that, in addition to the introduction of the proposed new legislative provisions, it will be important to bring significant cultural change to the criminal justice system in order to deliver successful committal reform. Collaborative working, early engagement between police and prosecution and between the prosecution and defence, and active case management are all important elements of the cultural shift needed to ensure the effectiveness of committal reform in Northern Ireland. We will continue to discuss progress with key justice stakeholders over the coming year.</p>
<p>Implementation status</p>	<p>Action underway. Follow up required.</p>

<p>A12</p>	<p>The Department of Justice, the Courts Service and the Public Prosecution Service should implement the case management improvements piloted in the Ards area throughout Northern Ireland, particularly in respect of those offences linked to terrorism or serious organised crime groups.</p>
<p>Commitment by the Executive in its Action Plan</p>	<p>The Department of Justice and criminal justice partners will assess how best to implement the case management improvements in the</p>

	Ards Indictable Cases Pilot (ICP) and will also explore other offence types which may be suitable for ICP type processing.
Lead responsibility	Department of Justice
Summary of current position reported to the IRC by project leads	<p>This initiative was derived from an inter-agency 'Indictable Cases Pilot' (ICP) which operated in the Ards County Court Division during 2015, aimed at addressing avoidable delay through early engagement in a case.</p> <p>Following efforts to increase awareness, and a more focused approach across the Public Prosecution Service (PPS) and the PSNI, the number of cases in which the principles have been applied has increased. The PPS and the PSNI have also implemented a number of internal measures, including Quality Assurance processes, to ensure that ICP cases are identified early and taken forward accordingly.</p> <p>Court business has been affected by the changes required due to the Covid-19 lockdown and there have been a number of other effects of the virus which have had an impact on ICP such as a significant reduction in crime reported to police during the lockdown period. Plans for a third round of Crown Court Cases Performance Groups, which bring together key stakeholders under the chair of a Crown Court Judge to address issues at a regional level, including monitoring progress of ICP, were postponed due to the Covid-19 pandemic. ICP figures are therefore unavailable at present for January 2020 onwards.</p> <p>The latest available management information figures (October to December 2019) indicate that at the end of December 2019, 282 Crown Court cases had completed through the ICP process in an average (median) time of 394 days.</p> <p>The Department recently conducted an interim evaluation of ICP examining the process more broadly. The report, which focused on ICP cases completed prior to March 2019, found that the 123 cases completed through the ICP process at that point completed in an average time of 374 days. This was a 26.4% improvement on the average (median) case processing time for all Crown Court cases completed in the baseline year (2014/15).</p>
IRC comments	We welcome the increase in the number of types of cases in which ICP principles have been applied, and the reduced average

	processing times. Efforts to speed up the criminal justice system must continue unabated.
Implementation status	Action underway. Follow up required.

A13	Law enforcement agencies and others involved in the process of bringing prosecution cases to court should ensure that they have appropriate systems and procedures in place to enable cases to progress as expeditiously as possible.
Commitment by the Executive in its Action Plan	<p>The Police Service of Northern Ireland is seeking to appoint an experienced Detective Superintendent to work with partners in developing more effective criminal justice processes to manage prosecutions in respect to paramilitary activity and organised criminality.</p> <p>The overall strategy for speeding up justice includes all of the measures described in the preceding Actions, as well as other measures contained in the Justice Act (Northern Ireland) 2015 including: measures concerning Early Guilty Pleas, the reform of the Summons process, and the introduction of Statutory Case Management³⁴.</p>
Lead responsibility	PSNI and Department of Justice
Summary of current position reported to the IRC by project leads	<p>The first phase of the project's work has focused on undertaking research to establish the facts on bail, sentencing and disclosure in order to lay the groundwork for actions to be taken to improve outcomes in those areas.</p> <p>Justice partners have introduced a number of measures to facilitate the operation of the system coming out of Covid-19 lockdown some of which, over the longer term, will help to contribute towards the efficiency and effectiveness of the justice system such as the introduction of telephone statements, extension of live links in courts and the use of penalty notices for disorder.</p> <p>Other progress includes:</p> <p>Legislative reform – Measures around encouraging Early Guilty Pleas (s.88 Justice Act (NI) 2015) and enabling Prosecutors to issue summons without first requiring approval from a Lay Magistrate (s.93 of the same Act) have been implemented. The Department of Justice</p>

³⁴ <http://www.legislation.gov.uk/nia/2015/9/contents>

	<p>has introduced a Committal Reform Bill to the Assembly on 3 November 2020.</p> <p>The Office of the Lord Chief Justice implemented a new case management practice direction in autumn 2019 and the Department is presently planning to keep the impact of the practice direction under review, along with other key speeding up justice initiatives, with a view to informing the future direction on Statutory Case Management Regulations, subject to the views of the Justice Minister. Also, to help inform the process, the Department and criminal justice partners are in the process of developing a criminal justice end-to-end case management framework.</p> <p>Procedural reform – ICP has rolled out (from 2 May 2017) (see Action A12) and efforts are continuing across the PPS and the PSNI to further promote and raise awareness. The number of concluded ICP cases continues to increase. The PSNI Cyber Support Units now have an establishment of 60 technical officers and the PSNI’s Cyber Crime Centre has an establishment of 21 technical officers.</p> <p>Performance focus – An interim evaluation of ICP examining the process more broadly found that the 123 cases completed through the process at that point took an average time of 374 days. This was a 26.4% improvement on the average (median) case processing time for all Crown Court cases completed in the baseline year (2014/15).</p>
<p>IRC comments</p>	<p>The impact of the steps taken by the Department of Justice, the PPS and the PSNI and implementation of the new case management practice direction by the Office of the Lord Chief Justice appears to be reflected in the improvement in completion times as outlined in performance statistics (see also Action A12). We will continue to monitor implementation of these measures to eliminate delay. It is important that the Department of Justice closely monitors the impact of these measures on the efficient and effective disposal of cases and keeps the need for Statutory Case Management Regulations under regular review.</p> <p>The Director of Public Prosecutions has emphasized the need for a bespoke process for ensuring that Early Guilty Pleas are dealt with expeditiously in the event that the statutory provisions are amended. We endorse the benefits of such a process. There needs to be cohesion between the work undertaken under this Action and under Action A10 on committal reform. We urge criminal justice partners to work collaboratively to ensure that appropriate mechanisms and</p>

	processes are in place at an early stage for cases being directly transferred to the Crown Court.
Implementation status	Action underway. Follow up required.

A14	The Department of Justice, working with the judiciary and with counterparts in the UK and Irish Governments, should review the position regarding bail in respect of serious offences to determine the facts about its availability and, if required, bring forward measures to improve the situation.
Commitment by the Executive in its Action Plan	The Department of Justice will lead work, drawing on assistance from colleagues in UK and Ireland, initially to establish facts about bail decisions. Should that review and the analysis of its findings demonstrate any gaps in the law, phase two of this work will consider whether further measures are needed.
Lead responsibility	Department of Justice
Summary of current position reported to the IRC by project leads	<p>The key issue at the core of this commitment is determining if bail is more readily available, or less readily available, in Northern Ireland than in the rest of the United Kingdom. Preliminary statistical analysis was conducted into this.</p> <p>The Department of Justice held a workshop with operational partners in 2017 to look at general concerns about bail decisions and the reasons for these. The fundamental conclusion was that bail is sometimes granted in serious cases, including those connected with terrorism and serious and organised crime, due to the length of time the suspect has spent on remand. The workshop agreed that the primary task was, therefore, to improve the speed of the justice system and updates are provided under Action A13 above. Updates under Actions A10 and A11 detail progress in relation to committal reform.</p>
IRC comments	<p>We are disappointed that there has been no evidence of progress in relation to bail since the publication of our First Report in 2018. The Department of Justice must ensure steps are taken to progress this action without further delay.</p> <p>We acknowledge that other steps being implemented to speed up justice, summarised at Actions A10 to A13 above, will also impact on the granting of bail and urge the Department of Justice and its criminal justice partners to pursue the implementation of the full suite of criminal justice measures set out in this Action Plan.</p>

Implementation status	Action underway. Follow up required.
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A15	The Department of Justice should ensure that an appropriate mechanism is in place to enable the Director of Public Prosecutions to refer sentences he believes to be unduly lenient, particularly to include offences linked to terrorism and organised crime groups.
Commitment by the Executive in its Action Plan	The Department of Justice will consider this recommendation within the scope of the recently announced Sentencing Policy Review. The Department will prioritise this element of the Review and seek to bring proposals for consultation as soon as possible, including the possibility, in the shorter term, of adding further 'linked' offences to the statutory list by secondary legislation.
Lead responsibility	Department of Justice and the Lord Chief Justice
Summary of current position reported to the IRC by project leads	A proposal to add a comprehensive list of hybrid offences linked to terrorism, paramilitary activity and organised crime to the statutory list of offences that can be referred by the Director of Public Prosecutions on the grounds of undue leniency was consulted on in 2018. A Statutory Order was subsequently laid in the Assembly on 9 July 2019, and came into effect on 1 August 2019 ³⁵ .
IRC comments	We welcome the introduction of the new legislation extending the list of offences that are within the scope of the unduly lenient sentence provisions
Implementation status	Action complete.

A16	The Judiciary may also wish to review the use of sentences and other punitive measures, including confiscation powers, to establish whether they are deployed to best effect in respect of terrorism and organised crime offences, including environmental crime.
Commitment by the Executive in its Action Plan	Taking into account the Department of Justice's review of sentencing policy, the Lord Chief Justice's Sentencing Group will consider the guidance available to the judiciary in respect of relevant offences. The Department of Justice will work with justice organisations to develop proposals on other sentencing measures, such as confiscation orders.
Lead responsibility	Department of Justice and the Lord Chief Justice

³⁵ <http://www.legislation.gov.uk/nisr/2019/131/made>

Summary of current position reported to the IRC by project leads

The Lord Chief Justice's Sentencing Group considered a paper on the issue of guidance available to the judiciary in March 2017. It concluded that existing guidance is sufficient but it raised policy issues for consideration by the Department of Justice. The Department's broader review of sentencing policy will explore the issue of media reporting raised by the Sentencing Group in the context of securing public confidence in sentencing.

Significant research and information gathering has been completed on the main strands of the review of sentencing, and an expert reference group has been established comprising academics, victims groups and other stakeholders to inform and critically challenge the related development work. A public consultation was held last year, and a summary of responses has been completed and was published in September; work will continue to finalise recommendations.

Work under Action C2 to develop specific organised crime legislation has also considered how other sentencing measures such as Serious Crime Prevention Orders might be used, as appropriate, to reduce the risk of harm posed by organised criminals. The Department also continues to engage with the Home Office on a wide programme of economic crime reform. This involves engagement on the Economic Crime Delivery Board and includes work with the Home Office on improving the confiscation and recovery of criminal assets. The Department of Justice has also worked with the National Crime Agency's (NCA) Proceeds of Crime Centre to highlight and promote training for law enforcement on the application of Proceeds of Crime Act powers to partners in Northern Ireland. An Organised Crime Task Force Financial Investigators' Conference was held in October 2019 with relevant agencies in attendance to share best practice in financial investigation.

With the return of a functioning legislative Assembly preparations to seek agreement for the commencement of the Criminal Finances Act 2017 was prioritised. Following engagement with the Justice Committee, Executive Ministers and MLAs in May 2020 the Justice Minister asked the Home Secretary to progress commencement as soon as possible. The Department has been informed by the Home Office that this will likely be in the first quarter of 2021. Once fully implemented this legislation will enhance powers in Northern Ireland to tackle terrorist and organised crime groups, including through the availability of wider confiscation and civil recovery powers, such as

	<p>Unexplained Wealth Orders and Account Freezing Orders which are not yet available to law enforcement in Northern Ireland.</p> <p>Department of Justice officials have continued to work on drafting four associated Proceeds of Crime Act 2002 Codes of Practice for consultation in autumn 2020.</p> <p>A Review of the Asset Recovery Incentivisation Scheme (ARIS) has also been initiated to explore the possibility of securing the full value of civil recovery receipts and cash forfeitures to be directed for distribution for appropriate purposes in Northern Ireland. On civil recovery receipts, currently 50% is returned to the UK ARIS pot; 25% is returned to the enforcement agency (NCA); and 25% to the referring agency (e.g. PSNI). Further work was commenced to scope legal gateways or gaps/barriers and potential administration arrangements. A meeting with the Home Office to discuss the NI ARIS review took place in February 2020 and it was agreed that the priority for both parties would continue to be the commencement of the Criminal Finances Act 2017. In addition, the Home Office has advised that a wide ranging review of the UK ARIS funding arrangements is currently underway, the outcomes of which the Department will consider when resuming the joint NI ARIS review later in 2020.</p>
<p>IRC comments</p>	<p>The launch of the Department of Justice’s consultation on proposals for new organised crime offences for Northern Ireland in July 2020 is an important step towards ensuring law enforcement agencies have robust powers to tackle the threat to communities by those engaging in organised crime.</p> <p>We are disappointed that there have been no further Serious Crime Prevention Orders obtained in the year since publication of our Second Report. Whilst we welcome the planned introduction of Unexplained Wealth Orders and additional powers under the Criminal Finances Act 2017 in Northern Ireland, we reiterate our call for law enforcement agencies to work closely with the Public Prosecution Service to ensure that all available statutory tools are exploited to their fullest extent.</p> <p>We support the Department of Justice’s efforts to secure the full value of civil recovery receipts being directed for distribution to enhance law enforcement actions in Northern Ireland and will monitor progress. This should be resolved urgently.</p>

	<p>We recommended in our Second Report that serious consideration should be given to establishing an agency that focuses solely on civil recovery of the proceeds of crime in Northern Ireland and are disappointed that this has not yet been taken forward. The Northern Ireland Policing Board’s Partnership Committee endorsed our view in its recent review on tackling paramilitary activity, criminality and organised crime.³⁶ We repeat our view that an agency that focuses solely on civil recovery of the proceeds of crime in Northern Ireland would have exponential benefits in the fight against organised crime. We urge the Justice Minister to consult with the relevant law enforcement agencies to explore this option further.</p>
Implementation status	Action underway. Follow up required.

B1	<p>The Executive should urgently adopt recommendations by the Review Panel that (a) the Fair Employment and Treatment Order 1998 should be amended; (b) the employers’ guidance should be implemented in respect of public sector recruitment and vetting; and (c) that there should be greater transparency over all these issues. Oversight of the implementation of these specific measures should be included within the remit of the Independent Reporting Commission.</p>
Commitment by the Executive in its Action Plan	<p>The Executive will urgently adopt recommendations by the Review Panel that (a) the Fair Employment and Treatment Order 1998 should be amended; (b) the employers’ guidance should be implemented in respect of public sector recruitment and vetting; and (c) that there should be greater transparency over all these issues.</p>
Lead responsibility	<p>The Executive Office and Department of Finance</p>
Summary of current position reported to the IRC by project leads	<p>The Executive Office has drafted policy instructions to amend the Fair Employment and Treatment Order 1998 and legislation can now be progressed following the restoration of the Executive.</p> <p>Consideration is being given to reviving a sub-group of the overall Working Group to discuss barriers to employment.</p> <p>The Northern Ireland Civil Service has implemented the Employers’ Guidance and updated relevant policies. A website providing information and support is available at www.reviewpanel.org and work to promote the guidance has also taken place.</p>

³⁶ <https://www.nipolicingboard.org.uk/publication/committee-review-tackling-paramilitary-activity-criminality-and-organised-crime-1>

	The Review Panel continues its work on broadening engagement.
IRC comments	<p>We note that legislation can now be progressed to amend the Fair Employment and Treatment Order following the return of the Executive and functioning legislative Assembly, and urge that this be progressed as soon as possible.</p> <p>We welcome implementation of employers' guidance by the Northern Ireland Civil Service and the broader engagement with the relevant stakeholders.</p>
Implementation status	Action underway.

B2	The Review Panel's work should continue to consider what steps can be taken to improve access to financial services (including lending and insurance), adoption, and travel advice.
Commitment by the Executive in its Action Plan	The Executive will engage with the Review Panel (appointed by the Ex-Prisoner Working Group) to address the issues identified relating to access to financial services (including lending and insurance), adoption and travel.
Lead responsibility	The Executive Office
Summary of current position reported to the IRC by project leads	<p>Progress on increasing access to insurance for those with conflict related convictions has been made and an updated list of insurers has been prepared.</p> <p>The Department of Health is bringing forward proposals in relation to new adoption legislation. The Adoption and Children Bill contains a specific power to make regulations that may provide that an adoption agency, in determining the suitability of an individual to adopt, must not take into account offences of a prescribed description.</p> <p>The Executive Office has engaged with the US Consulate, the Northern Ireland Office, the Department for Foreign Affairs and the Northern Ireland Bureau in Washington to discuss the way forward on issues relating to travel to the United States. The Review Panel continues to take forward work on individual cases and has engaged with the Australian, Canadian and New Zealand embassies on ongoing difficulties related to travel to these countries.</p>
IRC comments	We note some progress on this Action and that engagement on outstanding elements continues. We urge that legislation related to adoption be progressed now that the Executive has returned.
Implementation status	Action underway.

B3	The Executive should make representations to the US Secretary of State to seek an expedited procedure for visa applications from ex-prisoners affiliated with groups on ceasefire.
Commitment by the Executive in its Action Plan	The Executive will make representations to the US Secretary of State to seek an expedited procedure for visa applications from ex-prisoners affiliated with groups on ceasefire.
Lead responsibility	The Executive Office
Summary of current position reported to the IRC by project leads	The Executive Office has met with the US Consulate in Northern Ireland, and engaged with the Northern Ireland Bureau in Washington, with a view to advancing this issue with the US Department of State. However, advice indicates that the current political climate in the US makes progress difficult. Officials will continue to liaise with the US Consulate, the Northern Ireland Office, the Department of Foreign Affairs, and the Northern Ireland Bureau to ensure this issue is kept on the agenda. In parallel with the above work, the Review Panel seek to help on a case by case basis, where appropriate. The insights derived from these individual cases are helping to inform the development of the over-arching policy representation.
IRC comments	We welcome the ongoing engagement on this issue between the UK, Ireland and US.
Implementation status	Action underway.

B4	The Executive should establish a fund to support ambitious initiatives aimed at building capacity in communities in transition, including through developing partnerships across civil society and across community divisions.
Commitment by the Executive in its Action Plan	The Executive will establish a fund to support ambitious initiatives aimed at building capacity in communities in transition, including through developing partnerships across civil society and across community divisions. The Executive Office and the Department for Communities will take forward this recommendation on behalf of the Executive. This will be designed in collaboration with stakeholders with relevant experience and expertise, such as the Northern Ireland Housing Executive, the Community Relations Council, the International Fund for Ireland, local Government, and community representatives.
Lead responsibility	The Executive Office. The Department for Communities and the NI Housing Executive also have responsibility for taking forward related strands of work.

Summary of current position reported to the IRC by project leads

Action B4, also known as 'Communities in Transition', aims to support eight identified geographic areas across Northern Ireland, where there has been a significant history of paramilitary activity and coercive control, to move to more open and accessible communities where paramilitarism no longer plays a role³⁷.

The Executive Office procured a strategic partner (a consortium led by Co-operation Ireland) to develop a two-phase programme to support the Department in the delivery of Action B4. Seven key emerging themes were identified where interventions would be required to facilitate transition:

- community safety and policing;
- addressing the needs of young people;
- health and wellbeing;
- environment and culture;
- community development issues;
- restorative justice and restorative practice; and
- personal transition.

The 'Communities in Transition' Project commissioned delivery partners to implement these interventions. In 2019, the Programme Board approved £8.5m for this project (£12m had been earmarked initially by the Programme Board). As of 31 March 2020, partners are delivering 28 projects across the eight areas.

Local co-ordination teams have been established in each area to ensure there is a consistent presence within each community able to build relationships within and across the relevant areas. An important element of this delivery structure will be establishing and maintaining links to other elements of the 'Communities in Transition' Project and the wider Programme. As part of the local delivery structure, reference groups will be set up including stakeholders such as statutory bodies that are delivering programmes and funders, businesses and churches.

Formal reporting structures have been in place, including monthly reporting templates and outcomes-based accountability scorecards,

³⁷ New Lodge and Greater Ardoyne; Lower Falls, Twinbrook, Poleglass, Upper Springfield, Turf Lodge and Ballymurphy; Shankill, upper and lower, including the Woodvale; Brandywell and Creggan; Larne area, including Antiville and Kilwaughter and the Carrickfergus area, including Northland and Castlemara; parts of the Mount and Ballymacarrett in East Belfast; Drumgask (Craigavon) and Kilwilkie (Lurgan); and parts of North Down including Clondeboye and Conlig, including Kilcooley and Rathgill.

	<p>and the strategic partner and local co-ordination teams have been working with delivery partners to embed these processes for more detailed reporting throughout 2020/21. On a monthly basis, delivery organisations provide updates on project activity, finances and risks, which are discussed at monthly meetings with individual groups. Area-based or thematic meetings take place on an alternating basis every month. These meetings gather together delivery organisations from the same area, or organisations delivering under the same theme to discuss progress and challenges, to network and to share best practice.</p> <p>The strict measures and restrictions put in place to manage Covid-19 have affected delivery of projects and some delivery has moved online. Local area co-ordination teams are working closely with both Co-operation Ireland and delivery partners to offer advice and support and to better understand the potential impact Covid-19 may have on their organisations and projects.</p> <p>The commitment to extend the Northern Ireland Housing Executive (NIHE) Re-Imaging Programme is also within the scope of this Action. This Programme is part of the Housing Executive’s ongoing commitment to tackle paramilitary activity, criminality and organised crime within Housing Executive estates. Additional investment from the Programme Board enabled the reimagining of 20 paramilitary murals between 2016 and 2018. The NIHE continues to fund additional re-imaging projects outside of the Programme. In parallel with re-imaging work, the NIHE has introduced enhanced training and capacity building to ensure sustainable outcomes. The NIHE work no longer has a direct link to the Programme.</p>
<p>IRC comments</p>	<p>We welcome the progress made since our Second Report in beginning to implement projects in the eight B4 areas. Early indications are that the projects are engaging a significant number of people. We commend the good work carried out by participants taking part in community development projects under this Action as part of a community support response to Covid-19. This highlights the quick impact that some projects are having. These are positive signs, as are tentative plans to build on progress achieved to date and include this Action within the draft Phase Two of the Tackling Paramilitarism Programme (2021-24). We recognise that it is too early to judge comprehensively the efficacy of the Action. We are concerned, however, that implementation is slower in some areas and on some thematic projects and we call on the Executive Office, Co-operation Ireland and delivery partners to ensure that this is</p>

	rectified. Those leading the Action should also strengthen links with other programmes, which would multiply the impact of this Action.
Implementation status	Action underway. Follow up required.
B5	The Executive’s programme for women in community development should be designed not only to enable women’s organisations to continue to carry out transformative community development work in our communities but also to ensure that women are equipped to take on more leadership roles in public decision-making.
Commitment by the Executive in its Action Plan	The Department for Communities will organise a series of co-design workshops to determine the shape and content of the programme. These will include The Executive Office and Department of Justice participation and other Executive Departments where appropriate, alongside experts in the community and women’s organisations who will be taking forward the delivery of the programme.
Lead responsibility	Department for Communities and Probation Board for Northern Ireland
Summary of current position reported to the IRC by project leads	<p>Phases one and two of the Women Involved in Community Transformation (WICT) programme (involving 539 and 439 women respectively), supporting women in taking on community leadership roles, have been completed. About 300 newcomers and about 200 existing programme participants are participating in phase three of the programme. In light of Covid-related restrictions, the project has adapted and video calls have provided support to participants. Some participants, however, have been unable to take part as they do not have internet access or access to devices. Covid-related restrictions have affected the women taking part in the project in different ways; some have reported feeling the effects of coercive control in the home whilst others have used what they have learnt thus far to take on community leadership roles.</p> <p>The Engage Project, which supports approximately eighty women a year within the justice system to resettle in their communities and engage with community and women’s groups, is also part of this Action. Evaluations have demonstrated strong engagement with women in the target group.</p>
IRC comments	We recognise the positive work that the WICT programme is delivering for its participants and that momentum is building as the Programme progresses. Women who are part of the programme have taken on greater leadership roles in Covid-19 community response teams and this is encouraging and to be commended. As

	<p>set out in Section A, we recommend that WICT network with other women's regional groups and representatives of the women's sector, to share and further develop expertise on women and peace building, and build on recent sectoral work on the role of paramilitaries in illegal money lending. We will engage with WICT participants in the year ahead to explore these issues further.</p> <p>We support the approach that the Engage programme has adopted to holistically address women's needs and recognise the positive impact that it is having on the lives of these women.</p>
Implementation status	Action underway.

B6	The Executive, in implementing rigorous enforcement of funding rules, should ensure that funding will be available for supporting creative and ambitious initiatives.
Commitment by the Executive in its Action Plan	The Executive is providing additional funding to support the delivery of this Action Plan and is committed to working with local communities, as well as relevant criminal justice and statutory agencies, in developing creative and ambitious initiatives that will support communities in transition. Executive Departments and other bodies allocating funds made available by the Executive will continue to rigorously enforce funding rules (<i>Managing Public Money</i> , the <i>Guide on Grant and Procurement</i> and the Government Funders' Database) in a proportionate manner, commensurate with risk. The Department for Communities is also giving consideration to what further work can be done in this area.
Lead responsibility	Department for Communities
Summary of current position reported to the IRC by project leads	The Department for Communities continues to seek feedback on funding and related governance issues that are of concern to the voluntary and community sector (this is wider than the Action Plan commitment). The Department for Communities' Guide on Grant and Procurement is reviewed as required. The Department now has access to the records of sub-delivery agents, which helps prevent/investigate fraud. The Department for Communities responds regularly to queries about the Government Funders' Database and continues to receive feedback on a Project to review governance issues (Government Accounting Guidance and Addressing Bureaucracy). The Project was postponed due to other work being prioritised because of Covid-19.
IRC comments	Ongoing dialogue with the voluntary and community sector is necessary to ensure that funding is available to support the creative

	and ambitious initiatives that are necessary to tackle paramilitarism, and we welcome ongoing efforts in that regard. Whilst funding should be available for such initiatives, the rigorous enforcement of funding rules is necessary to ensure that monies do not benefit those who may damage the aims of the wider Programme. We see good examples across the Programme of creative and ambitious initiatives being funded, and encourage the Programme Team and delivery partners to take a similar approach to Phase Two.
Implementation status	Action underway.

B7	A dedicated unit should be established to carry out a programme of work, including research, to enable Government to better understand relevant issues in communities and the options for influencing change; to ensure that all Executive Departments are fully engaged in the strategy; to develop further targeted interventions; and to ensure that wider Government policy and messaging contribute to delivering positive outcomes in respect of paramilitaries and communities in transition. For that reason, this unit should not sit within any one Department but instead report to the Executive.
Commitment by the Executive in its Action Plan	The Executive will establish a dedicated unit to ensure a joined up approach to delivering this programme. The Department of Justice will lead this, working in partnership with other Executive Departments, statutory bodies and community and voluntary sector organisations where appropriate.
Lead responsibility	The Tackling Paramilitarism Programme Team
Summary of current position reported to the IRC by project leads	<p>A dedicated Tackling Paramilitarism Programme Team was established in 2016 that leads co-ordination and implementation of the Action Plan. Its establishment also contributes to Action D4, which called for "...strong programme management arrangements for developing and delivering the strategy".</p> <p>The Programme Team has been developing measures of success of the programme outcomes, which has included identifying existing data and commissioning new data from the Northern Ireland Life and Times Survey. It is also implementing new monitoring and evaluation arrangements through the introduction of a benefits management approach. This will involve developing shared measurable improvements across delivery themes and establishing associated governance structures to enable delivery partners to work together to deliver those benefits.</p>

	<p>The Programme Team has also been embedding a ‘one team’ approach to bring statutory partners together and enhance delivery. Under this approach the Programme Team and delivery leads meet in a monthly forum, as ‘one team’ to discuss and co-ordinate activity, share learning and strengthen existing links. This collaborative approach has resulted in greater alignment of effort and improved connections on a cross-Departmental basis.</p> <p>A Political Advisory Group, set up to facilitate engagement with political parties following a recommendation of the IRC, was dissolved following the restoration of power-sharing. The Group has now been re-established and is chaired by the Justice Minister. A schedule of quarterly meetings has been agreed for the year ahead. These will be supplemented by more detailed discussions/problem-solving sessions on the cross-cutting and challenging issues that arise under the Programme.</p> <p>The Programme sub-groups (Communities, Transition and Learning; Lawfulness and Communications), established to provide opportunities for engagement, connection of action and learning, will be consolidated into a wider stakeholder forum involving all delivery partners to better address key issues.</p>
<p>IRC comments</p>	<p>The Programme Team has put measures in place to encourage a joined-up approach and is working well to ensure that all Executive Departments are engaged in delivering the Programme. We recommended and continue to advocate for a cross-Departmental hub of co-located officials to implement the Programme, recognising that the issues involved go far beyond the remit of the Department of Justice.</p> <p>The cross-Government, partnership response to the Covid-19 pandemic has shown how much can be achieved when departmental silos are overcome – lessons should be learnt from that response to address other cross-cutting issues like this.</p> <p>We welcome the decision of the Justice Minister to chair a reinvigorated Political Advisory Group as crucial in providing political impetus to the Programme. We have outlined above a recommendation that governance arrangements are reviewed.</p> <p>In our First Report, we noted that the make-up of the Programme Board must be fully reflective of the breadth of the Executive Action Plan and recommended a greater role for local Councils. We</p>

	<p>welcome the Programme Team’s actions on this recommendation and that a representative of local Councils is now part of the Programme Board.</p> <p>In our Second Report we called for a Review of the Programme’s progress to date. We note that a Review has taken place and that it has provided the basis for assessing progress and for developing further targeted interventions to fill identified gaps. We repeat our call, as made in our Second Report, that the Programme Team, in its role of measuring progress on individual Actions, should further develop their monitoring and evaluation arrangements to capture fully impacts and outcomes. We welcome further work in that respect, and will follow the progress of the new methodology to ascertain the benefits that arise. The ‘one team’ model should assist with more joined up working, and further embed a collaborative, cross-cutting approach.</p>
Implementation status	Action underway. Follow up required.

B8	The Department of Justice should revisit the framework related to the separated regime and arrange for an independent review to be undertaken examining the operation of the separated regime, evidencing the need for any changes and providing useful information for stakeholders to take forward.
Commitment by the Executive in its Action Plan	The Northern Ireland Prison Service remains committed to finding ways to address the challenging issues associated with the operation of the separated regime. The Department of Justice will engage with stakeholders, develop terms of reference, and identify individuals to lead an independent review. The review will deliver a report and make recommendations required in respect of the framework for separation.
Lead responsibility	Northern Ireland Prison Service
Summary of current position reported to the IRC by project leads	Commencement of the review requires Ministerial consideration and approval. Preparatory steps have been taken, including the development of draft Terms of Reference and an estimate of the potential funding required. Unfortunately progressing this work is more difficult at a time when the prison service is responding to the Covid-19 outbreak. In the interim, the Northern Ireland Prison Service continues to engage with key stakeholders on issues relating to the operation of the separated regime; and Action B9, detailed below, is being progressed as a ‘pathfinder’ for engagement in separation, and to inform the approach to this Action.

IRC comments	We acknowledge that the aim of securing the end of a separated regime for paramilitary prisoners is a longer term goal.
Implementation status	Action underway. Follow up required.

B9	Whilst ensuring that all prisoners are treated fairly, the Department of Justice should ensure that appropriate education and training opportunities are provided to prisoners in the separated regime.
Commitment by the Executive in its Action Plan	<p>Recognising that there are operational challenges involved in managing the separated regimes, the current provision of constructive activity in separation is commonly identified as an issue of concern by prisoners being held there. The Northern Ireland Prison Service's aspiration is to deliver well matched interventions to everyone in custody.</p> <p>The Department of Justice will commission a consultative evaluation of constructive activity in separated prison accommodation leading to the development and delivery of a new model of constructive activity for separated prisoners focused upon positive educational and wellbeing outcomes.</p>
Lead responsibility	Department of Justice and Northern Ireland Prison Service
Summary of current position reported to the IRC by project leads	<p>The work programme for this initiative has been centred on a consultative review of constructive activity in the separated prison accommodation, and the development and design of a new model, focused upon positive educational and wellbeing outcomes.</p> <p>A Review Team established in 2018 provided opportunities for prison staff, stakeholders in the wider educational field and all prisoners in the separated accommodation to engage with the review. The Review Team's report was received by the Prison Service and was published in March 2019: https://www.justice-ni.gov.uk/publications/b9-report-education-and-training-prisoners-separated-regime-northern-ireland.</p> <p>Detailed planning was undertaken in consultation with delivery partners (Belfast Metropolitan College and voluntary and community sector organisations) and new arrangements in response to the report's recommendations commenced:</p> <ul style="list-style-type: none"> • Belfast Met have delivered classes in Irish, Numeracy, Literacy and Enterprise and Employability;

	<ul style="list-style-type: none"> ● Prisoner Arts have delivered art and creative writing classes; ● Gaelic Athletic Association sessions and Irish Football Association sessions have taken place, however these have now been delayed due to the impact of Covid-19; ● virtual sessions have now commenced offering classes in Business Administration, Employability, Irish and Numeracy. <p>A Distance Learning Review Team has been set up to carry out a review of Distance Learning to create a long-term approach to the provision of effective education for individuals within prison establishments, including within separated, high-security accommodation. The team completed an interim report in March 2020, however review of this has been delayed due to the current situation with Covid-19.</p>
IRC comments	We welcome the steps taken by the Northern Ireland Prison Service and delivery partners to implement recommendations arising from the review of constructive activity in the separated regime. We encourage the Prison Service to evaluate the impact of the new arrangements.
Implementation status	Action underway.

B10	The Department of Justice and the Probation Board should work together with others to urgently develop and implement specific interventions to prepare offenders with links to paramilitary groups for return to society and to assist with reintegration.
Commitment by the Executive in its Action Plan	The Department of Justice will commission research to inform the design of relevant interventions that will develop a tailored desistance pathway for offenders with links to paramilitary groups to assist them as they prepare to return to their communities and to support their successful reintegration. This will be taken forward in conjunction with the Probation Board and other relevant individuals and organisations. This work will include community views on reintegration.
Lead responsibility	Department of Justice
Summary of current position reported to the IRC by project leads	The Department of Justice has been liaising with the Probation Board for Northern Ireland to identify the scope of this work and how it may link with other Tackling Paramilitarism Programme initiatives. It is anticipated that learning from other Action Plan commitments, specifically under Actions B9 (educational and training opportunities for those in the separated regime), B12 (the Aspire programme for young men) and B4 (the Communities in Transition project) is

	particularly relevant. A report on phase one of the project is being considered by the Justice Minister.
IRC comments	Preparing offenders with links to paramilitary groups for return to society has significant potential to support reintegration and the transition of ex-prisoners. We welcome the completion of the first phase of this work and expect to see further progress in the coming year.
Implementation status	Action planned. Follow up required.

B11	The Department of Justice should also work with law enforcement agencies and the Probation Board to improve the monitoring arrangements for paramilitary offenders when on license.
Commitment by the Executive in its Action Plan	The Department of Justice will develop and implement a plan for improving monitoring arrangements.
Lead responsibility	Department of Justice
Summary of current position reported to the IRC by project leads	<p>The Department of Justice has been reviewing options with statutory agencies to ensure a suitable mechanism for collective risk management. A provider has been appointed to lead a project to develop a risk assessment tool. The methodology has been agreed and key stakeholders have held a series of workshops which will inform and contribute to the design (and evaluation) of the risk assessment tool. The assessment tool, when finalised, will inform risk management and monitoring arrangements. Stakeholders have agreed to participate in a reference group which will provide organisational views and expertise and provide a quality assurance role during the various phases of the project.</p> <p>In addition, the Department of Justice has recently introduced interim multi-agency review arrangements to contribute to the effective management of the risks posed by terrorist-related offenders.</p>
IRC comments	The appropriate monitoring of paramilitary offenders when on license is key to preventing re-engagement in paramilitary activity. We welcome the steps that have been taken to develop new arrangements and encourage the Department of Justice to complete this Action urgently.
Implementation status	Action underway. Follow up required.

B12	<p>The Executive, in conjunction with the Probation Board, should develop, fund and implement an initiative (based on the INSPIRE model) focused on young men who are at risk of becoming involved, or further involved, in paramilitary activity. This initiative should be a collaboration between Government Departments and restorative justice partners to combine restorative practices and peer monitoring with targeted support in respect of employment, training, housing, health and social services.</p>
Commitment by the Executive in its Action Plan	<p>The Probation Board for Northern Ireland will lead on the development of a model aimed at systematically addressing the age related specific risks, experiences and needs of young men who have offended and are at risk of being drawn into crime and paramilitarism. The model will be co-designed between Government Departments and restorative justice partners to combine restorative practices and peer mentoring with targeted support in respect of employment, training, housing, health and social services.</p>
Lead responsibility	<p>Probation Board for Northern Ireland</p>
Summary of current position reported to the IRC by project leads	<p>The Aspire project which commenced in late 2017/18 seeks to prevent and reduce offending and to enable marginalised young men to resist negative influences and develop their full capacity. This involves intensive interventions with a focus on personal development, health and wellbeing, opening up access to alternative social pathways, including employment, training and stable housing.</p> <p>437 statutory and 502 non-statutory referrals have been made to Aspire. A number of participants have secured employment, work experience or training/progression opportunities. Many have obtained independent accommodation. Those involved report that the project gave them increased confidence and independence, an improved sense of well-being and better integration into the community. A number of clients have successfully completed work with addiction services. Additional funding for a newly established link with ASCERT (a charity that has been providing services to reduce alcohol and drug related harm in communities) provides further addiction and mental health support.</p>
IRC comments	<p>The Aspire programme continues to deliver positive outcomes for young men and we commend the Probation Board and the Northern Ireland Association for the Care and Resettlement of Offenders (NIACRO) for their work. Feedback from those involved has been positive, as has an external programme evaluation. The programme shows the good results that follow when bespoke intensive initiatives</p>

	are sufficiently resourced. This highlights a wider lesson for government to be realistic about the level of need, the time it takes to deliver lasting change and the need to allocate sufficient resources to sustain such initiatives.
Implementation status	Action underway.

B13	As part of the cross-Departmental programme, the Executive Departments with responsibility for Education, the Economy, Health, Communities, Infrastructure and Justice, together with the Executive Office, should all identify the opportunities available to them to both prevent at-risk individuals becoming involved in paramilitary activity and measurably address the underlying issues that put some young people at a higher risk of becoming involved.
Commitment by the Executive in its Action Plan	A cross-Departmental programme to prevent vulnerable young people being drawn into paramilitary activity will be developed to sit within the Early Intervention Transformation Programme (EITP). The EITP Board will develop a draft programme for consideration and approval by the Executive. The programme will be designed in conjunction with representatives from wider civic society.
Lead responsibility	Department of Health and the Early Intervention Transformation Programme
Summary of current position reported to the IRC by project leads	<p>Two strands of work have been undertaken as part of this Action: work to build a shared understanding and application of the commitment across a range of Departments and agencies; and the provision of funding for the Early Intervention Transformation Project (EITP) Edges Project pilot in the Newtownabbey area.</p> <p>The EITP Edges Project supported families with troubled and/or troubling adolescents to address issues that could put young people at risk of involvement in paramilitary activity. This has been completed and an evaluation was undertaken to inform development of this Action. Work to date has included stakeholder engagement, programme development and designing a delivery model with policy leads and practitioners.</p> <p>A Belfast City Council project funded under this Action is using multi-agency structures in West Belfast to help people under threat. In the first quarter of 2020, 37 people have engaged with this project following referrals from a number of agencies.</p>

	A Trauma Informed Practice Project has received part funding from the Programme for the 2020/21 year. That training is being offered to Programme delivery partners who work with children and young people affected by trauma. It aims to deliver transformative change by embedding a better understanding of Adverse Childhood Experiences and trauma-informed thinking across health, education, social care and the justice and voluntary sectors.
IRC comments	There is evidence of good co-operation between this Action and others, including Action A4. Work carried out under this Action shows that learning from other parts of the Programme is being applied in other areas. Whilst pilot projects appear to be delivering positive results, formal evaluation is necessary to understand their impact. We welcome the funding of a Trauma Informed Practice Project – equipping practitioners to be responsive to the needs of people suffering from trauma, including trauma associated with the Troubles – and recognise that this approach can help deliver the wider aims of the Programme.
Implementation status	Action underway.

C1	The strategies and activity of the Police Service of Northern Ireland and other law enforcement agencies should be updated to reflect a shift in focus from ‘paramilitary activity’ to criminality.
Commitment by the Executive in its Action Plan	Strategies and activity in this area will be updated by the Police Service of Northern Ireland as appropriate to reflect the situation as informed by regular operational and strategic assessments.
Lead responsibility	PSNI
Summary of current position reported to the IRC by project leads	<i>For update see C4.</i>
IRC comments	Effective law enforcement is central to Track One of the twin track approach to bringing paramilitary activity to an end. We therefore welcome the establishment of the Paramilitary Crime Task Force (PCTF) with its dedicated focus on tackling criminality related to paramilitary groups, on which we comment in more detail at Action C4 below, and call for it to continue to receive the level of resources and support it needs.
Implementation status	Action underway.

C2	The Department of Justice should urgently review the legislation relating to serious and organised crime in Northern Ireland to make sure that it is as effective as possible.
Commitment by the Executive in its Action Plan	The Department of Justice will commence a review of relevant legislation in July 2016. The review findings will then go out for consultation with a view to introducing draft legislation to the Assembly in the current mandate.
Lead responsibility	Department of Justice
Summary of current position reported to the IRC by project leads	<p>A paper based review of existing organised crime legislation in other UK jurisdictions, as well as selected international jurisdictions, was completed and various models and options considered in respect of their potential application in Northern Ireland.</p> <p>Draft legislative provisions were agreed following a preliminary workshop with operational colleagues from the NCA and the PSNI. These were tested in a wider multi-agency workshop, held at the end of November 2018 with senior officials from the Scottish Government, the PSNI, the PPS, the NCA, Police Scotland, Scottish Crown Office and Procurator Fiscal Service, HMRC, Belfast City Council and the NI Housing Executive. The group considered if there were any changes or improvements to the current regime that would positively contribute to thwarting organised crime in the absence of new draft offences. Further bi-lateral meetings took place to identify and address potential issues with the draft legislative proposals.</p> <p>The Department of Justice completed work on a consultation document in respect of draft policy proposals for new organised crime provisions in Northern Ireland. The consultation paper was shared with the Justice Committee in mid-March. The Committee noted the draft proposals and endorsed the Department's intention to consult. The launch of the consultation was postponed due to Covid-19, however a 12 week public consultation was launched on 10 July³⁸.</p>
IRC comments	The launch of the Department of Justice's consultations on proposals for new organised crime offences for Northern Ireland and on a draft Organised Crime Strategy for Northern Ireland is an important step towards ensuring law enforcement agencies have robust powers to tackle the threat to communities by those engaging in organised crime. The consultations closed on 2 October 2020 and responses are currently being analysed. Law enforcement strategies and activities against criminality (see Action C1 above) must also be supported by a robust and appropriate legislative framework. We

³⁸ <https://consultations.nidirect.gov.uk/doj-corporate-secretariat/organised-crime-offences>

	therefore urge the Department of Justice to progress this review of legislation relating to serious and organised crime as quickly as possible, and to move to legislate swiftly.
Implementation status	Action underway. Follow up required.

C4	The PSNI should prioritise investment in its investigative capacity for tackling criminality linked to paramilitary groups and work with the NCA and other agencies to tackle all organised crime linked to paramilitary groups in Northern Ireland.
Commitment by the Executive in its Action Plan	To establish an additional dedicated investigative capacity to tackle criminality linked to paramilitary groups. The objective is to tackle the insidious influence of paramilitary groups and reinforce efforts to tackle more intensely organised crime and criminality. Key to maximising the disruption (and ultimate disbandment) of these groups will be the niche capabilities provided by relevant law enforcement agencies.
Lead responsibility	PSNI
Summary of current position reported to the IRC by project leads	<p>The PCTF, consisting of the PSNI, the NCA and HMRC, was set up to provide a dedicated, co-located law enforcement response to tackle the particular issue of criminality related to paramilitary groups. Creating this dedicated investigative resource means that a long-term consistent focus can be applied to the investigation of paramilitary groups. The combined investigative resource of all three agencies has been focusing its efforts on:</p> <ul style="list-style-type: none"> ● increasing understanding of the activity of paramilitary linked Organised Crime Gangs (OCGs), and their criminal enterprises and networks; ● increasing the number of paramilitary linked OCGs frustrated, disrupted and dismantled; ● increasing the number and quantity of cash seizures / confiscations from paramilitary linked OCGs; and ● increasing the number of paramilitary linked offenders subject to Serious & Organised Crime Prevention Orders. <p>The PCTF has also been supporting wider community based strategies aimed at promoting a culture of lawfulness.</p> <p>Over the first quarter of 2020/21 (1 April 2020 to 30 June 2020):</p> <ul style="list-style-type: none"> ● 9 convictions were secured;

- 35 searches were carried out;
- 3 vehicles and 4 weapons were seized;
- over £679k of drugs were seized; and
- over £26k of cash was confiscated.

The following table gives an overview of the Taskforce's outcomes since its inception:

	2016/17	2017/18	2018/19	2019/20	2020/21	Rolling Total
Arrests (PSNI, HMRC & NCA)	70	51	85	68	9	274
Searches	110	193	140	130	36	573
Charge & Reports	45	44	59	72	5	220
Drugs Street Value (£)	£200,000	£58,000	£267,030	£453,794	£679,380	£978,824
Weapons	5	135	23	9	4	172
Vehicles	0	4	31	8	3	43
Cash Seized/Detained	£0.00	£50,000	£210,250	£143,006.81	£26,302	£403,256.81
Cash Forfeited	£0.00	£268,747	£311,146	£34,450	£0.00	£614,343
Value of Freezing Orders Obtained	£0.00	£150,000	£0.00	£2,000,000	£210,000	£2,360,000
Value of Recovery Orders Granted	£0.00	£0.00	£255,000	£210,000	£0.00	£465,000
Value of Tax Assessments Issued	£0.00	£0.00	£0.00	£238,184.04	£0.00	£238,184.04
Revenue Loss Prevented (HMRC) ³⁹	£0.00	£1,237,462	£2,174,106	£1,043,332	£130,659	£4,454,900

IRC comments

Disrupting the criminal activities of paramilitary groups is vital to the overall effort of bringing paramilitarism to an end. The impact which the PCTF is having, in particular in relation to the seizure of drugs, illicit tobacco products and criminal assets, is a welcome start. We note, however, that there have been no further Serious Crime Prevention Orders obtained since our Second Report published in November 2019 (see also Action A16). We urge the PCTF to utilise the full extent of powers available to effectively tackle paramilitary crime. The Task Force should be fully resourced.

Implementation status

Action underway.

³⁹ HMRC define this as "the value of our activities where we have prevented revenue from being lost to the Exchequer". This would include seizure of illicit tobacco products on which duty has not been paid.

C6	The Northern Ireland Environment Agency, and the Environmental Protection Agency in Ireland, should be included in the cross-border Fresh Start Joint Agency Task Force, including the Operations Co-ordination Group.
Commitment by the Executive in its Action Plan	The Joint Agency Task Force will undertake a new strategic assessment in October 2016, and will again consider if it would benefit these agencies either joining the Task Force or participating during specific operations.
Lead responsibility	PSNI
Summary of current position reported to the IRC by project leads	The PSNI continues to support Northern Ireland Environment Agency (NIEA) activity operationally and has invited the agency to participate in a multi-agency operation. The NIEA and the Environmental Protection Agency in Ireland are included in the Joint Agency Task Force, including the Operations Coordination Group.
IRC comments	Illegal dumping not only generates criminal profit and a source of funds for further criminality, but does untold damage to the environment. The NIEA and the Environmental Protection Agency in Ireland are key players in tackling this issue and must be fully engaged in relevant Joint Agency Task Force operations.
Implementation status	Action underway.

C7	The Executive, the UK Government and the Irish Government should consider whether there is merit in allowing some of the assets recovered from criminal activity to be used for the benefit of victims, communities and the environment.
Commitment by the Executive in its Action Plan	The Department of Justice will take forward a review of the Assets Recovery Community Scheme to consider whether current arrangements can be improved upon for further benefit to victims, communities and the environment.
Lead responsibility	Department of Justice
Summary of current position reported to the IRC by project leads	<p>Since 2012 the Assets Recovery Community Scheme (ARCS) has provided significant funding for the benefit of victims and communities to prevent crime and reduce the fear of crime.</p> <p>An overall review of ARCS, including reviewing recommendations introduced in 2017 and 2018, will be conducted and submitted for Ministerial approval within the next 3-4 months, in advance of a new Scheme launching in 2021/2022.</p>

	<p>The ARCS panel completed assessment of 187 applications, and 50 projects received an initial recommendation of funding, totalling £1.8m, up to March 2021. As there were higher than expected receipts into last year’s ARCS fund, a further 12 projects (from the top section of the merit list after the initial awards) were allocated a total of £107,868 to deliver short-term initiatives from December 2019 to March 2020. Three of the projects had an environmental focus.</p> <p>One example of an ARCS-funded project is:</p> <p style="padding-left: 40px;">Mugshots – the Impact Project</p> <p style="padding-left: 40px;">The Advantage Foundation was awarded ARCS funding totalling £10,860 for this short-term project in 2019/2020. The project created opportunities for young people in the justice system to interact with business owners and senior management from companies from across Northern Ireland. The objective was for young people to showcase skills they have gained in order to look towards future employment. Hydebank Wood College is a key partner in this project and the support of the staff there helped to reinforce the message to employers that young people in custody can pursue positive outcomes on release, given the opportunity and guidance. Business in the Community is also a key partner in the delivery of the project and is piloting “Ban the Box” campaign in Northern Ireland calling on employers to give ex-offenders a fair chance to compete for jobs by removing the tick box from application forms and asking about criminal convictions later in the recruitment process.</p> <p>A new review of ARCS will be taken forward in 2020/21 and will look at the duration and operation of the Scheme, including alternative arrangements for administering the funding.</p>
<p>IRC comments</p>	<p>A range of valuable projects are funded by ARCS and we welcome those projects that help divert young people from criminal behaviour and help them to gain employment. Directing assets recovered from criminal activity into projects which prevent crime or reduce the fear of crime in communities is an effective way of building confidence in the criminal justice system and making communities feel safer. We encourage the Department of Justice to ensure that the scheme is advertised widely so that grass roots community sector organisations are aware of the funding opportunity. We welcome the Department’s commitment to continual improvement of ARCS.</p>

Implementation status	Action underway.
C8	<p>The UK Government, the Executive and law enforcement agencies, working with their partners in Ireland, should ensure that tackling organised criminal activity is an integral part of their efforts to deal with Northern Ireland related terrorism.</p>
Commitment by the Executive in its Action Plan	<p>The Executive supports this recommendation and affirms its commitment to continue and build upon existing efforts in this area. The Secretary of State, Justice Minister and Chief Constable meet regularly to discuss the threat and our combined strategic response. Within the Executive, the Justice Minister chairs the Organised Crime Task Force bringing together law enforcement agencies to provide a multi-agency partnership that also includes civil society and the business community.</p> <p>Under the Fresh Start Agreement a Cross Jurisdictional Joint Agency Task Force was established in December 2015 to enhance efforts to tackle cross-jurisdictional organised crime and paramilitary activity. On a North/South basis, the Justice Minister and the Minister of Justice and Equality meet at least twice a year under the auspices of the Intergovernmental Agreement on co-operation on criminal justice matters.</p> <p>The Government of Ireland has also restated its commitment to tackling paramilitarism, criminality and organised crime, and its full support for the work of the Cross-Border Joint Agency Task Force established under the Fresh Start Agreement.</p>
Lead responsibility	UK Government, NI Executive, Government of Ireland and law enforcement agencies in both jurisdictions
Update provided to the IRC by the UK Government	<p><i>For Executive update see Action C4.</i></p> <p>UK Government update:</p> <p>The NIO is responsible for the UK Government’s strategic response to Northern Ireland related terrorism. We recognise the significant interdependencies between terrorism, paramilitarism and organised crime and that it is vital, therefore, that the NIO maintains a close and co-ordinated relationship with the Programme Team in order to ensure that activities to address these related threats are mutually reinforcing and aligned with overarching objectives. The NIO continues to actively participate in the Programme Board meetings through Director/Deputy Director level attendance, and the Secretary</p>

	<p>of State continues to maintain regular contact with the Chief Constable of the PSNI.</p> <p>The restoration of the Executive has led to regular engagement between the Justice Minister and the Secretary of State. The Secretary of State also has extensive, regular engagements with the Chief Constable, his senior officers and a variety of law enforcement bodies. Security challenges are a regular feature of discussion with the Irish Government in a range of fora. In all of these discussions, it is clear that the need for a joined-up approach to a shared problem is critical. This remains a priority for the Secretary of State.</p>
<p>IRC comments</p>	<p>We welcome the recognition from the NIO that there are significant interdependencies between terrorism, paramilitarism and organised crime. They must continue to support efforts to tackle these interlinked problems, and provide resources commensurate with the scale of the transformational change needed.</p> <p>Tackling paramilitarism requires a multi-level, multi-faceted approach and it is vital that the Governments, the PSNI, An Garda Síochána, HMRC, UK Security Service, the NCA, local agencies, community organisations, local groups, political leaders and wider civic society all continue with their vital work, and work together, to address these issues both through the Programme (where involved) and in their ongoing work.</p> <p>We note that the summary of the current position reported by Executive project leads relies wholly on the work of the PCTF to address this Action. However, the work of the Joint Agency Task Force and of the Organised Crime Task Force is also relevant and the strategies of all of these operational Task Forces must complement each other to ensure best use of resources in targeting organised criminal activity.</p> <p>A robust suite of legislative powers is essential to strengthen the law enforcement response to terrorism, including the prevention of criminal profits being used to fund such activity. We therefore welcome the Department of Justice’s consultation on proposals for new organised crime powers (see Action C2) and plans to introduce Unexplained Wealth Orders in Northern Ireland (see Action A16). In our view a dedicated agency focusing on civil recovery of the proceeds of crime, which we recommended in our Second Report, would significantly enhance the law enforcement response.</p>

Implementation status	Action underway. Follow up required.
D1	The Executive should prioritise steps to significantly and measurably improve the educational and employment prospects of children and young people in deprived communities, focusing particularly on those who are at greatest risk of educational under- attainment.
Commitment by the Executive in its Action Plan	<p>In line with the Programme for Government commitment to a more equal society and in the context of its Programme for Government Delivery Plan the Department of Education will work with other Departments to review and refresh actions. The Department of Education will also continue to promote pupil attendance at school. In support of this, the Education and Training Inspectorate will publish a good practice guide for schools on the promotion of pupil attendance.</p> <p>The Department for the Economy, through the “Social Inclusion” project <i>Further Education Means Success</i> will identify the barriers that inhibit groups of learners from participating in further education provision, and explore ways to overcome those barriers.</p> <p>The Department for Infrastructure will, in line with the rest of the public sector, ensure social clauses are included in contracts for major infrastructure schemes, such as the Belfast Transport Hub project. This will include targeting of long-term unemployed, apprenticeships and engagement with the local community.</p>
Lead responsibility	Department of Education, Department for the Economy, Department for Infrastructure, and the Strategic Investment Board
Summary of current position reported to the IRC by project leads	<p>Work is underway, including by the Department of Education, to tackle educational underachievement and improve the quality of educational provision as a means to closing the achievement gap.</p> <p>The Department of Education has developed a range of programmes including: a Parental Engagement Campaign; an Extended Schools Programme; a “Miss School, Miss Out” strategy targeted at increasing pupil attendance; a Primary Principals Support Programme in North Belfast; and a West Belfast Community Project that includes the Greater Shankill Partnership Board which is targeted at supporting pupils transitioning between pre-school, primary and post-primary schools.</p>

	<p>Since October 2018, access to in-year attendance data has provided absence data by school to enable closer monitoring and identification of issues at an early stage. Links between the Department of Education and the PEACE IV Youth Programme have also been developed to help support disadvantaged, excluded or marginalised youth.</p> <p>Research commissioned by the Department for the Economy on barriers that inhibit different groups engaging and participating in education has been completed and its recommendations will be considered by relevant departments⁴⁰.</p> <p>A “Buy Social” approach has been adopted in the implementation of the Tackling Paramilitarism Programme to maximise the benefits from public procurement in terms of social cohesion and inclusion, equal opportunities and sustainable development.</p> <p>A pilot programme (WRAP project) was set up in September 2019 to provide wrap-around education services to children and young people in a number of different geographical areas that are significantly impacted by social and economic deprivation. The programme delivers a holistic intervention that connects young people, their school, their family, and the community. Support has been provided to 130 families and over 650 young people. Initial feedback has been positive. Following the introduction of Covid-related restrictions WRAP partners continued to support families through a combination of home activity packs, phone and video calls. Due to school closures in late March, projects intended to provide after school literacy support were repurposed as summer classes to prepare children for a return to school.</p>
<p>IRC comments</p>	<p>We welcome the July 2020 appointment of an Expert Panel to tackle educational underachievement⁴¹, delivering on a commitment made in New Decade, New Approach. The Expert Panel will be in a position to design a bespoke action plan capable of making the transformative changes to the lives and communities that need it. We also welcome the Panel’s intention to consider support mechanisms for struggling families whose circumstances impact negatively on their children’s education. We urge the Panel to be bold in designing an action plan and for the Minister and Executive to allocate the necessary</p>

⁴⁰ <https://www.economy-ni.gov.uk/publications/barriers-participation-and-progression-education-and-employment-those-risk-involvement-paramilitary>

⁴¹ Terms of reference and further information available online: <https://www.education-ni.gov.uk/news/expert-panel-tackle-educational-underachievement>

	<p>resources that correspond with the scale of the issue of educational underachievement in Northern Ireland.</p> <p>We welcome the setting up of the pilot WRAP project and note that early feedback has been positive.</p> <p>Better co-operation between the Department of Education and the Department for the Economy on this Action is required, as is greater alignment between this Action and Actions A4 and B13, which can multiply the impact and ensure overall programme coherence.</p> <p>We believe that addressing the issue of educational under-attainment is pivotal to the ending of paramilitarism. We continue to urge sustained, ambitious action on the part of the Authorities, on a basis that reflects the way the issue is connected to many other factors and hence to our continued calls for a Whole of Government approach.</p>
Implementation status	Action underway. Follow up required.

D2	The Executive should accelerate and build on its existing good relations strategy to measurably reduce segregation in education and housing and set ambitious targets and milestones to achieve measurable progress as quickly as possible.
Commitment by the Executive in its Action Plan	The Executive is committed to continuing to build on existing strategies and will give ongoing consideration to this going forward.
Lead responsibility	The Executive Office
Summary of current position reported to the IRC by project leads	This commitment is related to the existing Together: Building United Communities (referred to as "T:BUC") programme on shared education and shared housing/neighbourhoods and includes the following projects: Shared Neighbourhoods, Urban Villages, Shared Education Campuses and the Removal of Interface Barriers amongst others.
IRC comments	We are disappointed that ambitious targets and milestones to achieve measurable progress have yet to be set. No plans have been presented to the IRC that would show that the Executive has plans to <i>accelerate</i> its good relations strategy to measurably reduce segregation in education and housing. Given the recommendation to reduce segregation in education and housing in Northern Ireland, the Executive needs to raise its level of ambition significantly.

Implementation status	Action underway. Follow up required.
D4	<p>The Executive should put in place strong programme management arrangements for developing and delivering the strategy, incorporating all those organisations which we have highlighted as having a direct role in implementing the recommendations in this report. More broadly, the Executive should adopt a partnership approach to involve, where possible, representatives of the public and private sectors and the voluntary and community sectors in the design, delivery and evaluation of the measures in its strategy.</p>
Commitment by the Executive in its Action Plan	<p>The Cross-Departmental Programme Board will extend the opportunity to apply for <i>Fresh Start</i> funding to voluntary and community sector organisations and to statutory bodies working in partnership with voluntary and community sector organisations to develop new programmes and actions in support of this Action Plan. The Executive will also put in place appropriate mechanisms to engage strategically with the range of partners involved in delivering this Action Plan. The Executive will extend membership of the Cross-Departmental Programme Board to include representatives of other Executive Departments. The Board will report on progress, through the Chair, to the Executive in line with the <i>Fresh Start</i> reporting arrangements.</p>
Lead responsibility	Tackling Paramilitarism Programme Board
Summary of current position reported to the IRC by project leads	<p>Programme management arrangements, including the Tackling Paramilitarism Programme Board are in place.</p>
IRC comments	<p>The Programme Team has put measures in place to encourage a joined-up approach that include establishing programme sub-groups on specific themes and adopting a ‘one-team’ approach. This has engaged Executive departments in delivering the Programme. It is crucial though that the Programme Team continue to work in partnership with voluntary and community sector partners (and indeed with Executive departments) to develop new programmes and actions in support of efforts to tackle paramilitarism.</p> <p>In our First Report, we noted that the make-up of the Programme Board must be fully reflective of the breadth of the Executive Action Plan and recommended a greater role for local Councils. We</p>

	<p>welcome that the Programme Team has acted on this recommendation and that a representative of local Councils is part of the Programme Board.</p> <p>As set out above, we recommend a review of the governance of the Programme including how the Political Advisory Group could become more fully involved in its work and look forward to seeing how this is taken forward.</p>
Implementation status	Action underway.

Part II: Other measures

3.16 In this part, we set out progress made against actions and commitments made by the UK and Irish Governments as part of the Action Plan agreed and published following the Panel Report.

B14	The UK and Irish Governments should consider a mechanism being put in place for a limited period to deal with any future decommissioning of residual weapons or material.
Action Plan commitment	If there is a need identified for a decommissioning mechanism, both the Government of Ireland and the Government of the UK have advised that they will consult to consider this recommendation.
Lead responsibility	The UK and Irish Governments
Summary of current position reported to the IRC by UK and Irish Governments	The UK and Irish Governments will continue to keep this under review in accordance with the wider Tackling Paramilitarism Programme aim of transitioning groups away from violence.
IRC comments	The two Governments should continue to keep this action under review.
Implementation status	Action underway.

C3	The UK and Irish Governments should review the legislation relating to paramilitary groups (e.g. the Terrorism Act 2000) to ensure that it remains in step with the transitioning status of groups in NI.
Action Plan commitment	The Government of the UK and the Government of Ireland have advised that they continue to keep relevant legislation under review and ensure it is effective.
Lead responsibility	UK and Irish Governments
Summary of current position reported to the IRC by UK and Irish Governments	UK Government update: The UK Government will continue to keep this under review. The Executive Action Plan has a focus on individual transition rather than group transition and this is what the Department of Justice (as lead Executive department) is taking forward. It will be important to focus on what transition for paramilitary organisations looks like, and to understand what pathway can be put in place to support this.

	Irish Government update: The Irish Government continues to keep relevant legislation under review to ensure its effectiveness.
IRC comments	This is an important action and one which must continue to be prioritised by the UK and Irish Governments. We look forward to being briefed on developments.
Implementation status	Action underway.

C5	The UK Government should resource the National Crime Agency and Her Majesty's Revenue and Customs to appropriately prioritise intensive work to tackle all organised crime linked to paramilitary groups in Northern Ireland.
Action Plan commitment	The UK Government supports efforts to tackle paramilitarism and organised crime in Northern Ireland by providing £25 million of funding through the Fresh Start Agreement to help ensure that the relevant agencies are appropriately resourced to fulfil that commitment.
Lead responsibility	UK Government
Summary of current position reported to the IRC by the UK Government	<p>UK Government update: UK Baseline funding allows the NCA and HMRC to operate successfully, and the NCA's most recent annual report has highlighted a number of successes in Northern Ireland. In addition to this the additional funding provided by the UK Government through the Tackling Paramilitarism Programme has allowed for the establishment of the successful PCTF.</p> <p>The PCTF has had a significant impact since its creation. In the 2019/20 financial year alone (April to March), PCTF successes included over £450k of drugs seized; over 68 arrests, including 72 people charged or reported to the PPS; and, over 130 searches.</p>
IRC comments	As set out above, we welcome the achievements of the PCTF and work of the NCA and HMRC in Northern Ireland. We note the need to continue resources for these agencies and for them to receive political support for the vital work that they are undertaking.
Implementation status	Action underway. Follow up required.

D3	Agreement on a way forward for dealing with the past should be reached as soon as possible and the agreed mechanisms should be completed in a time-limited period.
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Action Plan commitment	There remains a need to resolve the outstanding issues relating to the past. The Executive, the UK Government and the Irish Government are reflecting on how to achieve this.
Lead responsibility	UK and Irish Governments
Summary of current position reported to the IRC by UK and Irish Governments	<p>UK Government update: The Government remains committed to introducing legislation to address the legacy of the Troubles in a way which focuses on reconciliation, delivers for victims, and ends the cycle of re-investigations that has failed victims and veterans alike.</p> <p>The Government wants information recovery and reconciliation to be at the heart of a revised legacy system that is fair and proportionate, delivers for victims from all communities, and helps society in Northern Ireland to look forward together, rather than looking back to a divisive past.</p> <p>The Government remains committed to making progress on legacy issues, and engaging with the Irish Government, the Northern Ireland parties and civic society, including victims groups, on the way forward as quickly as possible. We recognise the importance of working with all parts of the community in Northern Ireland as part of this process.</p> <p>Irish Government update: The Irish Government remains committed to working with the UK Government and the political parties in Northern Ireland to address the painful legacy of the Troubles. We will do this as agreed through the implementation of the Stormont House Agreement framework. This commitment was solidified with the Criminal Justice (International Co-operation) Act 2019 which facilitates further co-operation with the Legacy institutions under the Stormont House Agreement as well as providing for co-operation on Legacy Inquests being undertaken by the Northern Ireland Coroner.</p>
IRC comments	Resolving issues relating to the past is vital to the transformation of Northern Ireland's society. We are concerned by the lack of details about the UK Government's planned approach, and that its announcement has not received consensus amongst those involved in the Stormont House Agreement. There are links between progress on tackling paramilitarism and legacy and any further delay in addressing legacy must not be allowed to slow down efforts to tackle paramilitarism.
Implementation status	Action planned.

D5	It is important that the IRC is put in place as soon as possible and is vigorous in holding to account all those responsible for delivering actions as part of the strategy.
Action Plan commitment	The UK and Irish Governments are working together to establish the Independent Reporting Commission.
Lead responsibility	UK and Irish Governments
Summary of current position reported to the IRC by UK and Irish Governments	This action was completed with the passing of legislation.
IRC comments	The parties to the Fresh Start Agreement must agree on future oversight arrangements for the Programme and work across Governments and agencies, to ensure that momentum is sustained, and that those responsible for delivering transformational change are held to account.
Implementation status	Action complete.

SECTION D: RECOMMENDATIONS

- 4.1 In this Section, we summarise recommendations made in this Report and set out progress made against previous recommendations.

Part 1: Recommendations 2018

- 4.2 The following is a summary of action taken in response to the recommendations made in our First Report:

1. **Additional approach to enhance delivery of Executive Action Plan**

We made this recommendation in order to provide impetus and galvanise efforts towards successful delivery of the Action Plan. The Head of the Northern Ireland Civil Service was appointed as the Chair of the Programme Board in 2019 and more recently the Programme has adopted a 'One Team' approach, to foster greater collaboration and joined-up working. We continue to see merit in establishing a cross-Departmental hub working exclusively to tackle paramilitarism.

2. **Advisory Board to the Tackling Paramilitarism Programme Board**

We previously highlighted the importance of regular political input to the Programme. We welcome the decision of the Justice Minister to chair a re-established Political Advisory Group and note that the Group held its first meeting in September. Political ownership and drive of this work is vital to its success, and we make a further recommendation about reviewing governance in this Report.

3. **Whole of Society approach/Shared Responsibility**

We believe that a public debate on all of the issues involved in tackling paramilitarism is necessary so that wider society understands, and supports, the scale of the measures needed to ensure sustainable success.

4. **Neighbourhood Policing**

We recommended that the PSNI have regard to the feedback we have received that visible neighbourhood policing has a key role to play in tackling paramilitary activity. We welcome the ongoing work in prioritising and resourcing neighbourhood teams, and further welcome the commitment of the PSNI to increase the number of Neighbourhood Officers. We highlighted a range of important works being undertaken in response to Action A5, and we encourage the PSNI to continue expanding its neighbourhood policing work at pace, in particular with vulnerable young people at risk of paramilitary assault and/or at risk of falling under the influence of paramilitaries.

5. Sustainability Measures

We highlighted that a key to success is ensuring that these measures are long-term and sustainable. We welcome the parties' commitment in New Decade, New Approach to taking a "targeted and specific focus across government" to tackle paramilitarism and urge that these efforts are reflected as a dedicated outcome in the next Programme for Government. We welcome the Review of the Tackling Paramilitary Activity, Criminality and Organised Crime Programme and support the Executive's approval of Phase Two of the Programme, subject to UK Government match funding.

6. Possible role of local Councils in the delivery of Fresh Start

We recommended that serious consideration be given to the role local Councils could play in implementing these measures more broadly. We note that a representative of local Councils accepted an invitation to sit on the Programme Board and has done so since late 2019. We welcome the inclusion of key partners in the wider work involved in tackling paramilitarism.

7. Governance of funding arrangements

We recommended that funding for the measures being implemented was carefully managed in line with best practice and accountability arrangements to ensure propriety and public confidence in the process. Governance and financial management arrangements are in place, including a commitment by recipients of all Programme funds to adhere to a re-worked Ministerial Pledge of Office. Discussion with the voluntary and community sector is necessary on an ongoing basis to ensure that funding is available to support the innovative initiatives that are necessary to tackle paramilitarism.

8. Enhanced use of Asset Recovery powers

We recommended that asset recovery powers must be used to greatest extent possible as part of concerted effort to tackle organised and paramilitary crime. We are disappointed that these tools continue to be underused. We recommended the Department of Finance consider a more flexible approach to enable unspent monies recovered under the Assets Recovery Community Scheme to be carried into the next financial year. We iterate that call.

9. Speeding up Justice

We recommended that the Department of Justice ensured that preparatory work, including on reviews and consultations, was taken forward so that a future Justice Minister could progress these without further delay. We welcome the efforts of the Department of Justice to speed up justice and note that legislation (in the form of a Committal Reform bill) has been drafted and was introduced in the Assembly on 3 November 2020. We encourage all of those agencies and bodies in the criminal justice sector to redouble efforts so that justice is delivered expeditiously.

Part II: Recommendations 2019

4.3 We made the following recommendations in our Second Report. In this Section, we provide an update on responses to them:

1. **The comprehensive tackling of paramilitarism must become an expressly stated and dedicated outcome of the Programme for Government**

Our analysis has led us to conclude that if we are to end paramilitarism “once and for all” we must integrate tackling paramilitarism efforts with mainstream long-term government policy. We welcome the Executive’s commitment in New Decade, New Approach to make tackling paramilitarism a targeted and specific focus across government, and urge that it becomes a dedicated outcome in the next Programme for Government. The Executive has not yet published a final Programme for Government.

2. **Several measures aimed at enhancing the law enforcement response to tackling paramilitary activity in Northern Ireland**

Civil Recovery of Criminal Assets

We continue to advocate for an agency that focuses solely on the civil recovery of criminal assets in Northern Ireland and urge decision makers to give this recommendation serious consideration. Meanwhile, law enforcement agencies should ensure they use the full range of asset recovery powers to the greatest extent possible.

Unexplained Wealth Orders

We recognise the intent of the Justice Minister to commence Unexplained Wealth Orders and additional powers under the Criminal Finances Act 2017. The Justice Minister has sought the Home Secretary’s agreement to commence the provisions as soon as the Parliamentary timetable at Westminster allows. The Home Office has advised that this will likely be progressed in the first quarter of 2021. The introduction of these measures will broaden the range of tools available to deal with paramilitarism and organised crime and we urge law enforcement and others to use them fully when they become law.

3. **Increased provision of dedicated neighbourhood policing teams should be fully resourced. Models currently piloted in some of the areas where paramilitaries operate should be intensified as a policing priority**

We note the ongoing work in resourcing neighbourhood teams through the PSNI Neighbourhood Policing Delivery Programme and welcome the commitment of the PSNI to increase the number of Neighbourhood Officers. We have seen the good work of Neighbourhood Policing Teams in Lurgan and Portadown. Such work should be intensified, particularly in areas affected by paramilitaries.

Around 200 neighbourhood posts rely on EU related funding. The PSNI must have all the resources it needs for the Neighbourhood Policing Teams post-Brexit.

4. **Several measures aimed at improving the effectiveness of the justice system in Northern Ireland**

Abolition of Committal Proceedings

We welcome the introduction of a Committal Reform Bill to the Assembly on 3 November 2020 and urge that this, and other measures to abolish committal proceedings, be expedited without delay.

New Offences to Tackle Serious and Organised Crime

We note that the Department of Justice is considering proposals for new organised crime offences and a draft Organised Crime Strategy for Northern Ireland following a period of public consultation. New legislation is critical to tackle the threat from organised criminality and paramilitarism.

5. **That a dedicated Transition Process for paramilitaries be developed and implemented**

We recommended consideration of a transition process for paramilitary groups and see this as a critical element of efforts to end paramilitarism. In the absence of a credible alternative mechanism to end paramilitarism “once and for all”, we urge that the Governments and the Executive give this proposal serious consideration in the year ahead. We welcome the Justice Minister’s commitment to bring a paper to the Executive in relation to some of the cross-cutting and challenging issues, such as this.

6. **The need for a major public debate on ending paramilitarism, as part of a wider societal conversation**

A more nuanced debate has emerged on occasion over the last few years on ending paramilitarism. Whilst this is welcome, it is not sufficient. We reiterate our call for a wider public debate on these, and related issues.

Part III: Recommendations 2020

4.4 Paramilitarism remains a reality, and whilst progress is being made in the effort to tackle it, principally through the Tackling Paramilitarism Programme, much remains to be done. We make the following recommendations:

1. Memorialisation

The handling of recalling and marking, which we term ‘memorialisation’, of the paramilitary past, figures and events in certain cases continues to cause controversy and division, ultimately undermining long-term peacebuilding efforts. We recommend that there should be greater debate and focus on this area and that those commemorating events, people or moments – through funerals, marking anniversaries, erecting murals, flags, memorials and plinths, and naming streets and clubs etc. – consider the wider impact of their approach to such actions. While people in Northern Ireland may have experienced the same events, occasions and personalities, narratives around them can be very different and indeed divisive. When not handled sensitively and appropriately, such memorialisation can set back efforts at building a more inclusive society. Our call is to everybody involved to take due account of this reality when planning such occasions or projects.

2. Linking the Twin Tracks

We welcome the Executive’s approval of a Phase Two of the Tackling Paramilitarism Programme. The sustained, long-term investments that are needed in communities to tackle what are exceptionally deep-rooted, intractable issues have not yet been made in a sufficiently targeted way which take account of the very particular circumstances prevailing in each of them. We encourage the Executive to detail plans on how it will integrate wider socio-economic transformation elements with the Programme.

3. Review of governance to ensure political ownership

Executive ownership and drive is vital if this work is to effectively progress and the Political Advisory Group has a key role in that task. We therefore recommend that the role of the Political Advisory Group and the governance of the Programme as a whole be reviewed to ensure that 1) there is appropriate, helpful early political steering of the direction of travel of the Programme and active engagement in its design and development, 2) there is cross-cutting political engagement on the detail of these sensitive and challenging issues, 3) decisions are taken at the appropriate level, and 4) all appropriate expertise is brought to bear on these issues. The partnership approach adopted for EU PEACE funding and the partnership model of the Northern Ireland Policing Board provide useful examples to draw on in this regard.

4. Women and peacebuilding

We recommend that WICT network with other women's regional groups and representatives of the women's sector, to share and further develop expertise on women and peace building, and build on recent sectoral work on the role of paramilitaries in illegal money lending. We will engage with WICT participants in the year ahead to explore these issues further.

We restate two recommendations from our Second Report last year, given the restoration of the Executive this year:

5. Civil Recovery of Criminal Assets

We urge the Executive to consider setting up a Northern Ireland agency for the civil recovery of the proceeds of crime. We recommended this last year and are aware of the support for it amongst relevant stakeholders.

6. A Transition Process for paramilitary groups

In our view, consideration of a transition process for paramilitary groups is now required. The Fresh Start Agreement called on the governments and the Executive to support those who are determined to move away from paramilitarism. We see a process of transition of groups as the logical outworking of this commitment.

APPENDIX A

Extract from Fresh Start Agreement 17 November 2015

Section A: Ending Paramilitarism and Tackling Organised Crime

Statement of Principles

2.1 There has been huge progress in recent years in helping transform society in Northern Ireland. However it is clear that there is work that still remains to be done in completing this transition.

2.5 All the parties to this Agreement remain fully dedicated to each and all of these principles and further commit to:

- work collectively to achieve a society free of paramilitarism;
- support the rule of law unequivocally in word and deed and support all efforts to uphold it;
- challenge all paramilitary activity and associated criminality;
- call for, and work together to achieve, the disbandment of all paramilitary organisations and their structures;
- challenge paramilitary attempts to control communities;
- support those who are determined to make the transition away from paramilitarism; and
- accept no authority, direction or control on our political activities other than our democratic mandate alongside our own personal and party judgment.

Monitoring and Implementation

5.1 A four member international body including persons of international standing will be established by the UK and Irish Governments. The UK Government and the Irish Government will nominate one member each and the Executive shall nominate two members. The body will:

- report annually on progress towards ending continuing paramilitary activity connected with NI (or on such further occasions as required);

- report on the implementation of the relevant measures of the three administrations; and
- consult the UK Government and relevant law enforcement agencies, the Irish Government and relevant law enforcement agencies and, in Northern Ireland, the Executive, PSNI, statutory agencies, local councils, communities and civic society organisations.

5.2 The reports of the body will inform future Executive Programme for Government priorities and commitments through to 2021.

Section D: UK Government Financial Support

Tackling Continued Paramilitary Activity

8.2 The UK Government will provide an additional £25 million over five years to tackle continuing paramilitary activity. The UK Government funding will only be released after the Executive has agreed a strategy to address continuing paramilitary activity.

8.3 The NI Executive will match the UK Government's additional funding to tackle continuing paramilitary activity.

APPENDIX B

Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland establishing the Independent Reporting Commission

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland:

Recalling the agreement reached in multi-party negotiations and annexed to the Agreement signed by both Governments on 10 April 1998 (the Agreement between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland done at Belfast on 10 April 1998);

Recalling subsequent agreements, including the St. Andrews Agreement, the Hillsborough Agreement devolving policing and justice powers, the Stormont House Agreement and the agreement reached on 17 November 2015, 'A Fresh Start, The Stormont Agreement and Implementation Plan';

Reiterating their commitment to work collectively to achieve a society free of paramilitarism, including within the context of the Northern Ireland Executive's Strategy to End Paramilitarism (hereafter referred to as "the Executive's Strategy"), by tackling all paramilitary activity and associated criminality and supporting the rule of law, the PSNI and the criminal justice system;

Having decided to establish an independent international commission to report on progress towards ending paramilitary activity connected with Northern Ireland and to report on and inform the implementation of the Executive's Strategy;

HAVE AGREED as follows:

Article 1

The Independent Reporting Commission (hereafter referred to as “the Commission”) is hereby established by the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland (hereafter “the Government of Ireland and the Government of the United Kingdom”) in accordance with this Agreement.

Article 2

- (1) The Commission shall be independent in the performance of its functions.
- (2) The Commission shall have the legal capacity of a body corporate.

Article 3

The objective of the Commission is to carry out the functions as described in Article 4 of this Agreement with a view to promoting progress towards ending paramilitary activity connected with Northern Ireland, and supporting long term peace and stability in society and stable and inclusive devolved Government in Northern Ireland.

Article 4

- (1) In relation to the remaining threat of paramilitary activity, in particular from those paramilitary groups declared to be on ceasefire, the Commission shall:
 - (a) report on progress towards ending continuing paramilitary activity connected with Northern Ireland; and
 - (b) report on the implementation of the relevant measures of the Government of Ireland, the Government of the United Kingdom, and the Northern Ireland Executive, including the Executive’s Strategy.
- (2) The Commission shall report annually to the Government of Ireland, the Government of the United Kingdom and the Northern Ireland Executive. The Government of Ireland and the Government of the United Kingdom may also jointly request reports on such further occasions as required. The Government of Ireland and the Government of the United Kingdom shall publish the reports of the Commission.

(3) The Commission, in its reports, may make recommendations to the Northern Ireland Executive in order to inform future Programme for Government priorities and commitments through to 2021.

Article 5

In carrying out its functions as described in Article 4 of this Agreement the Commission shall consult:

- (a) the Government of Ireland and relevant law enforcement agencies;
- (b) the Government of the United Kingdom and relevant law enforcement agencies; and
- (c) in Northern Ireland, the Northern Ireland Executive, the Police Service of Northern Ireland, statutory agencies, local councils, communities and civic society organisations.

Article 6

The members of the Commission, who shall include in their number persons of international standing, shall be appointed and serve on terms and conditions decided by the Government of Ireland and the Government of the United Kingdom, as follows:

- (a) one member shall be nominated by the Government of Ireland;
- (b) one member shall be nominated by the Government of the United Kingdom;
- (c) two members shall be nominated by the Northern Ireland Executive.

Article 7

(1) The Commission, its members, staff, property and premises, and any agents of, or persons carrying out work for or giving advice to, the Commission shall have such privileges, immunities and inviolabilities as may be conferred or provided by the relevant legislation of Ireland and of the United Kingdom.

(2) That legislation shall, in particular, provide for immunity from suit and legal process, and the inviolability of the Commission archive, but may provide for the Commission to waive such immunities.

Article 8

Such moneys, premises, facilities and services as may be necessary for the proper functioning of the Commission shall be provided by the Government of Ireland and the Government of the United Kingdom on a basis to be determined by them.

Article 9

(1) No information shall be disclosed by, or on behalf of, the Commission in fulfilment of its functions under Article 4 except by decision of the Commission.

(2) Members of the Commission, staff of the Commission, persons carrying out work for or giving advice to the Commission and agents of the Commission shall, in accordance with the relevant legislation of Ireland and of the United Kingdom, be bound not to disclose any information obtained in the course of the performance of their functions under Article 4 as such members, persons or agents unless such disclosure is authorised by the Commission. Communication of such information to each other shall not be considered disclosure for the purposes of this Article.

(3) The Commission shall not do anything in carrying out its functions which might;

- (a) put at risk the safety or life of any person;
- (b) prejudice the national security interests of Ireland or of the United Kingdom;
- (c) have a prejudicial effect on any proceedings which have, or are likely to be, commenced in a court of law; or

- (d) have a prejudicial effect on the prevention, investigation, detection or prosecution of crime.

(4) Legislation in Ireland and in the United Kingdom may set out arrangements under which the Government of Ireland or the Government of the United Kingdom, respectively, may assist the Commission in meeting its obligations set out in Article 9(3).

Article 10

The Commission shall keep proper accounts and proper records of all moneys received or expended by it and shall, at the joint request of the Government of Ireland and the Government of the United Kingdom, appoint auditors who shall audit the accounts of the Commission. The reports of the auditors shall be submitted to both the Government of Ireland and the Government of the United Kingdom.

Article 11

This Agreement shall enter into force on the date on which the Government of Ireland and the Government of the United Kingdom exchange notifications of completion of any procedures required by their law for entry into force of the Agreement.

Article 12

This Agreement shall continue in force until terminated by mutual agreement of the Government of Ireland and the Government of the United Kingdom and thereafter shall cease to have effect save in so far as and to the extent necessary for meeting any liabilities or disposing in an orderly manner of any remaining assets of the Commission and for the destruction by the Commission of all information received by it in connection with the performance of its functions under Article 4 of this Agreement and any records it holds relating to such information.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto by their respective Governments, have signed this Agreement.

DONE at Dublin in two originals on the 13 September 2016.

James Brokenshire
For the Government of the United Kingdom
of Great Britain and Northern Ireland

Charles Flanagan
For the Government of
Ireland

APPENDIX C

List of acronyms/abbreviations

Action Plan	The Executive's Action Plan on Tackling Paramilitary Activity, Criminality and Organised Crime
ARCS	Assets Recovery Community Scheme
ARIS	Asset Recovery Incentivisation Scheme
Assembly	The Northern Ireland (Legislative) Assembly
BCC	Birmingham City Council
BEP	Birmingham Education Partnership
CCEA	Council for the Curriculum, Examinations and Assessment
Committal Reform Bill	Criminal Justice (Committal Reform) Bill
DEIS	Developing Equality of Opportunity in Schools
EA	Education Authority
EITP	Early Intervention Transformation Programme
FICT	Flags, Identity, Culture and Tradition
HMRC	Her Majesty's Revenue and Customs
ICP	Indictable Cases Pilot
IMC	Independent Monitoring Commission
IRC	Independent Reporting Commission
LCCC	Limerick City and County Council
LRFIP	Limerick Regeneration Framework Implementation Plan
MLAs	Members of the Legislative Assembly
NCA	National Crime Agency
NIACRO	Northern Ireland Association for the Care and Resettlement of Offenders
NIEA	Northern Ireland Environment Agency
NIHE	Northern Ireland Housing Executive
NIO	Northern Ireland Office
NIPB	Northern Ireland Policing Board
OCCG	Organised Crime Gang

Panel Report	Three Person Panel Report
PCSP	Policing and Community Safety Partnerships
PCTF	Paramilitary Crime Task Force
PPS	Public Prosecution Service
Programme Board	Tackling Paramilitarism Programme Board
Programme Team	Tackling Paramilitarism Programme Team
PSNI	Police Service of Northern Ireland
PWC	Policing With the Community
ROC	Redeeming Our Communities
RSM	RSM Consulting UK
START	Steer Teenagers Away from Recurrent Trouble
SYTE	Supporting Youth Through Engagement
Tackling Paramilitarism Programme (TPP)	Tackling Paramilitary Activity, Criminality and Organised Crime Programme
The Executive	Northern Ireland Executive
WICT	Women Involved in Community Transformation

