

UK COVID-19 INQUIRY

CORPORATE WITNESS STATEMENT ON BEHALF OF THE NATIONAL POLICE CHIEFS' COUNCIL

ANNEX C: MATTERS PERTAINING TO POLICE SERVICE NORTHERN IRELAND

Introduction

1. This is an annex to the corporate witness statement made on behalf of the National Police Chiefs' Council (**NPCC**) dated 14 April 2023, drafted in response to a Rule 9 request for Module 1 dated 4 January 2023 (**the Rule 9 request**), to assist the Chair of the UK Covid-19 Inquiry (**the Inquiry**).
2. The information in this annex relates to the Police Service of Northern Ireland (**PSNI**).
3. The information in this annex has been provided by colleagues in the PSNI. Save where otherwise indicated, all references to paragraphs by number in this annex are to paragraphs in the corporate witness statement. This annex adopts the same abbreviations as in the corporate witness statement.

Civil contingencies: legislative and policy framework in Northern Ireland

4. Due to Northern Ireland's administrative and constitutional arrangements, the CCA, Regulations and guidance apply differently to that jurisdiction as they do to the rest of the UK.
5. Part 1 of the CCA applies to a limited number of organisations in Northern Ireland. It does not place statutory duties on organisations delivering transferred functions and so applies only to organisations whose roles were not fully devolved or remain UK-wide. The Category 1 responders in Northern Ireland are PSNI and the Maritime and

Coastguard Agency. The Category 2 responders in Northern Ireland are telecommunications operators.

6. As the CCA does not apply to the full spectrum of response agencies in Northern Ireland, the Regulations treat the named organisations in a different way. Regulations which relate to how individual responders should perform their duties apply with adjustments for the Northern Ireland context. Provisions relating to LRFs and their activities, including the production of a CRR, do not apply to Northern Ireland. There are also specific provisions which apply only to Northern Ireland.
7. The Emergency Preparedness Guidance applies to PSNI only in relation to emergencies arising from war or terrorism threatening serious damage to the UK. As policing is a devolved matter, the Northern Ireland Department of Justice is responsible for oversight of PSNI's delivery of its duties under the CCA in relation to events or situations which threaten serious damage to human welfare and/or to the environment. The *Northern Ireland Civil Contingencies Framework (the Framework)* provides guidance on arrangements for effective emergency management in Northern Ireland. It complements the CCA and applies to all bodies involved in civil protection in Northern Ireland. The aim of the 2011 version of the Framework, which applied during the Covid-19 pandemic, was "to ensure that the people of Northern Ireland receive a level of protection and emergency response which is consistent with that elsewhere in the United Kingdom and which meets their needs and expectations".

Duties on PSNI under the CCA framework

8. Despite the legislative differences, in practice PSNI undertakes its individual and co-operative duties as a Category 1 responder together with the many emergency responders and local civil contingencies organisations not named in the CCA. The Regulations require Category 1 responders in Northern Ireland to have regard to other specified public service bodies involved in civil protection. These include Northern Ireland departments, District Councils and the various bodies responsible for health and social care provision. Further, during the Relevant Period, the Framework placed other Northern Ireland organisations under a reciprocal requirement to co-operate with the Category 1 (and 2) responders in the discharge of their duties under the CCA. PSNI also undertakes its individual and co-operative duties by participating in Northern Ireland co-operation, co-ordination and crisis management machinery.

9. PSNI has a strategic level Emergency Planning Unit, known as 'HQEP' (Headquarters Emergency Planning), within its Operational Support Department. HQEP works together with local government, Category 1 and 2 responders and community partners in planning for, responding to and recovery from emergencies and disruption. There is one PSNI sergeant and one or two constables who are designated emergency planners for each of the three Emergency Preparedness Groups (**EPGs**), as well as for the HQEP team.
10. The HQEP is PSNI's link to the NPCC, monitoring police capability in line with national standards. PSNI has a Strategic Co-ordination Centre in Police Headquarters, a purpose-built facility for joint co-ordination which enables partners to work together more effectively and share resources and expertise to mitigate the impact of emergencies on communities.
11. The National Security Risk Assessment (**NSRA**) is the main document used by PSNI to inform planning. Since 2013, PSNI has also had access to the majority of the Northern Ireland Risk Register (**NIRR**), which is produced by the Office of the First Minister and Deputy First Minister (**OFMdFM**) and held by The Executive Office (**TEO**). These documents were used to inform planning during the Relevant Period. Not all EPG partners have access to the NIRR as it is marked 'official sensitive', but some contributed to its development due to their regional and/or topic specific roles.
12. Due to the structures in Northern Ireland, a range of strategic emergency plans are managed by Northern Ireland Government Departments or their arm's length bodies and are not therefore devolved to the local level. Each organisation would have their own plans which align with the various multi-agency regional and local plans developed for different emergencies. For example, pandemic planning was led at the regional level by central government in Northern Ireland. There were health focussed pandemic plans across the health service at a regional level (Department of Health, Public Health Agency, Health and Social Care Board and Business Services Organisation) and plans at a local level (Health and Social Care trusts, Northern Ireland Ambulance Service) and PSNI had its own pandemic plan. The Northern Ireland Excess Pandemics Death Plan was led by the Department of Justice. Business continuity is also the responsibility of individual organisations. PSNI's emergency planning is undertaken centrally by PSNI HQEP as well as locally by EPGs.

13. PSNI has access to ResilienceDirect. To navigate the limitation identified at paragraph 58, Northern Ireland uses a single page to which all local partners with a .gov email address are permitted access. It contains the key information partners need, including a contacts directory for EPGs, EPG and local multi-agency plans and information for training and exercises.

The role and structure of police involvement in emergency planning and response

14. The command structure outlined at paragraphs 63-67 operate slightly differently in Northern Ireland. If an emergency cannot be dealt with by a single council, Lead Government Department or emergency responder such as PSNI, sub-regional, regional or national co-ordination may occur.
15. Local co-ordination and sub-regional co-ordination are the norm. PSNI or local government will co-ordinate the response at this level by establishing and chairing one or more TCGs, as required. As elsewhere, the purpose of the TCG is to ensure actions taken at the operational level are co-ordinated, coherent and integrated. In Northern Ireland, a TCG is largely based on the membership of the EPG with additional partners brought in as required.
16. Where the emergency is wider in scale or impact triggering regional co-ordination, a SCG may be required. Its purpose is to take overall responsibility for the multi-agency management of an incident and establish a strategic framework for all levels of command, control and co-ordination. In instances where there is a major and imminent threat to life, a significant public order implication or a possibility of criminal or terrorist activity, PSNI will ordinarily chair the SCG and it will follow established police procedure. The chair does not provide leadership but facilitate co-ordination. Each agency under the SCG retains its own command, but the SCG can issue strategic co-ordination guidance and direction for operational activity which should be transmitted to the lower level operational and tactical responders in each organisations. In Northern Ireland, SCGs do not operate under the umbrella of the EPG but rather involves EPG partners.
17. When an emergency occurs which is likely to have a serious impact on all or part of Northern Ireland, central crisis management arrangements can be activated. Generally this is where the emergency has or threatens to cause serious damage to human welfare, the environment or the security of Northern Ireland or the UK as a whole. This

escalation enables strategic co-ordination both within and outside of Northern Ireland. The written request to TEO to seek activation of Northern Ireland Central Crisis Management Arrangements (**NICCMA**) may be made by a senior representative of the PSNI Gold Group.

Civil Contingencies structure in Northern Ireland

Emergency Preparedness Groups

18. EPGs were established in 2014 following various recommendations made by the OFMdfM to the Northern Ireland Executive (**NIE**) on measures to enhance civil contingencies arrangements at a local level. Initially there were five EPGs: four were newly created, and the Belfast Resilience Forum which had been established in 2005 as a voluntary multi-agency emergency planning forum for the Belfast City Council area was renamed and became the fifth. In January 2018, the number of EPGs was reduced to three (Northern, Southern and Belfast EPGs) to align with PSNI's new policing areas following boundary changes in 2017.
19. EPGs have a similar role and purpose to LRFs, although, unlike LRFs, EPGs are not statutory bodies. They facilitate multi-agency co-operation in planning for and responding to emergencies at a local level, ensuring an appropriate level of preparedness to enable an effective multi-agency response. The role and function of EPGs is governed by Terms of Reference. Members work in partnership and on an equal footing towards the Terms of Reference. There is no lead organisation within the group. Each agency has command and control of their own resources. EPGs are not a response co-ordinating group: response co-ordination is via TCGs and SCGs and can be at a local or regional level. Rather, members of EPGs are the responders and support operational delivery on the ground.
20. EPGs comprise representatives from a range of bodies including the blue-light emergency services, various Northern Ireland Government Departments, District Councils and health and social care trusts in the relevant area, and utilities. British Red Cross is a standing member of EPGs, providing local liaison with voluntary and community organisations. Membership is not fixed: organisations may be co-opted if they have something to contribute. This can include organisations with relevance to only one EPG due to geography, for example an airport or a seaport.

21. EPGs are chaired jointly by a PSNI Chief Superintendent or Superintendent and a local government representative (CEO or Director). The role of the Joint Chairs extends to representing the EPG at the Northern Ireland Emergency Preparedness Group (**NIEPG**). EPGs meet a minimum of three times a year.
22. Each EPG has a Resilience Manager and Resilience Officer who provide the secretariat function. Since 2019, this function has been provided by local government and funded by Department for Communities.
23. Prior to April 2015, there were 26 District Councils in Northern Ireland of which 25 were supported by a system of Environmental Health Groups. This system facilitated the Local Government Emergency Management Group (**LGEMG**), a Northern Ireland wide multi-agency multi-disciplinary working group which included representation from local government, central government, the Northern Ireland Local Government Association, environmental health, policing representatives and other partners. The LGEMG was established to provide expertise in emergency planning for District Councils, to give guidance to District Councils on emergency planning issues, to liaise with government departments regarding emergency planning issues and to facilitate communication between central government departments and District Councils.

Northern Ireland Emergency Preparedness Group

24. The Northern Ireland Emergency Preparedness Group (**NIEPG**) (known as the Sub-Regional Civil Emergency Preparedness Group (**SCEPG**) during the Relevant Period) oversees the work of EPGs at the local level and acts as a conduit to escalate issues to the strategic level. It was also established following the 2014 recommendations by the OFMdFM. NIEPG is a sub-group of the Civil Contingencies Group (Northern Ireland) (**CCG(NI)**) and co-ordinates planning, response and recovery at the sub-regional level with EPGs and its own sub-groups. NIEPG provides direction to EPGs, facilitates cohesion between them, and ensures effective communication between EPGs, regional working groups and CCG(NI). Its purpose is to ensure that work at a local level is in line with the strategic direction provided by CCG(NI).
25. NIEPG membership includes TEO, Resilience Team, various Northern Ireland Government Departments, District Councils, Public Health Agency, all local health and social care trusts, blue-light emergency services and the three EPG joint chairs. As with EPGs, membership is not fixed.

26. NIEPG is jointly chaired by an Assistant Chief Constable of the PSNI and a nominated representative (Chief Executive level) of SOLACE, the overarching body for all the local councils. It meets a minimum of three times per year, and therefore brings together the three EPG joint chairs at least three times per year.

27. NIEPG's secretariat function is the Regional Office Local Government Civil Contingencies. Since 2019, this function has been provided by local government funded by Department for Communities. Between 2014 and 2019, administration was organised by TEO.

Civil Contingencies Group (Northern Ireland)

28. CCG(NI) is Northern Ireland's principal strategic civil contingencies group. In the prepare phase of operations, it operates as a pan Northern Ireland multi-agency forum for the development, discussion and agreement of civil contingencies preparedness and resilience policy for Northern Ireland's public services and is chaired by the Deputy Secretary with responsibility for civil contingencies in TEO.

29. CCG(NI) comprises senior level membership from TEO, the Civil Contingencies Policy Branch, all Northern Ireland Government Departments, the Northern Ireland Office and key civil contingencies stakeholders including the PSNI. As well as representing their organisations, members represent the interests of associated regional sub-regional and local public service organisations.

30. CCG(NI) meets a minimum of three times a year, with meetings timed to provide governance to the structures below it. The NIEPG/EPG/CCG(NI) structure does not act as the interface between central and local government in Northern Ireland. The role of local government in Northern Ireland is different to the rest of the UK: central government departments and their arm's length bodies in Northern Ireland deliver frontline services such as health and education which councils elsewhere in the UK would provide. In addition, certain Government Departments are represented across the three groups.

31. In the event of an emergency likely to have a serious impact to all or part of Northern Ireland, CCG(NI) supports strategic co-ordination of the response as part of the

NICCM and changes its name to Civil Contingencies Group (Officials) (**CCG(O)**) or Civil Contingencies Group (Ministers) (**CCG(M)**) depending on its level of membership.

Lead Government Departments

32. Northern Ireland Lead Government Departments and their arms lengths bodies play a key role in the management of business as usual resilience planning. Regional and local levels of resilience come together as a result of daily interaction between Lead Government Departments and NIEPG, EPGs, external stakeholders, working groups and steering groups. Lead Government Departments also communicate into CCG(NI), which brings together local and regional resilience efforts in a single forum.
33. In relation to pandemic planning, the Northern Ireland Civil Service Lead Government Departments were:
- (i) The Department of Health for Health Service Demand Surge, Health Service Disruption and Infectious Diseases Response (with tactical delivery via the Joint Response Emergency Plan of the Public Health Agency, Health & Social Care Board and Business Service Organisation and local delivery via the six Local Health & Social Care Trusts which includes the Northern Ireland Ambulance Service).
 - (ii) The Department of Justice for the Excess Deaths Response to a large acute and/or chronic increase in mortality resulting from civil emergencies (which led to the development of 'A Framework for Managing Excess (Pandemic) Deaths in Northern Ireland' with contributions from local partners).

Civil Contingencies Policy Branch

34. The Civil Contingencies Policy Branch (**CCPB**), within TEO, promotes and co-ordinates civil protection arrangements in Northern Ireland. It acts as a link to national resilience structures and liaises across the four nations and with the Republic of Ireland.

Emergency plans

35. NIEPG and EPGs have a range of emergency plans in place, many of which were regionalised and adopted by the NIEPG for use across all EPG areas having been originally produced by the Belfast Resilience Forum. All EPG plans have a review period and are subject to continuous review from learning following incidents or exercises. NIEPG and each EPG have their own work programmes which are influenced by the work programme of the overarching governance structures including CCG(NI) priorities if a local aspect of delivery is required. There can be an overlap in the individuals and organisations participating in regional and local groups and workstreams. Prioritisation is reconsidered collectively and by individual organisations on a continuous basis. This includes refocussing emergency preparedness priorities on imminent issues of concern, for example, a local emergency response/recovery or wider preparation for issues which have been raised via horizon scanning which could pose a particular risk such as winter preparedness, EU Exit or a large-scale public event.

Exercising

36. At NIEPG and EPG level, the focus of exercises is on core competencies of individuals and organisations and addressing the consequences and/or impacts of emergencies rather than the cause.
37. Participation in national exercises and engagement with local situational awareness is on an organisational basis rather than by NIEPG or EPGs collectively. During the Relevant Period, partners were engaged in relation to H1N1 Swine Flu preparations in 2009/10 and situational awareness in relation to planning for Ebola in 2014. Involvement of CCG(NI) members, including PSNI at Assistant Chief Constable level, in Exercise Cygnus was facilitated by the then Department of Health, Social Service and Public Safety Northern Ireland.
38. In October 2019, NIEPG held an EU Exit focused meeting at which NIEPG and EPG partners were invited to participate in a range of familiarisation sessions, exercises and NICCMA training in 2019-2020 which helped to codify the co-ordination arrangements between the local and regional levels in Northern Ireland.

Protected characteristics and equality considerations

39. As set out at paragraph 104, the PSNI has specific duties under the Northern Ireland Act 1998 in relation to equality.
40. The 2016 CCG(NI) Vulnerable People Protocol was to be considered in all emergencies requiring a multi-agency response. Its purpose, set out at paragraph 2.1, was “to provide responding organisations in Northern Ireland with a checklist of steps or an aide memoire for use in helping to identify people who are, or might become, vulnerable as a result of an emergency”. This protocol has now been incorporated into the Framework, which contains a chapter concerning vulnerability.
41. In addition, there is multi-agency engagement with voluntary and community partners in relation to emergencies through various groups. This includes:
- (i) EPG Voluntary and Faith Working Group, which holds regular meetings with voluntary and faith representatives specifically in relation to emergency arrangements.
 - (ii) Regional Community Resilience Group, which is focussed on communities affected by severe weather. The group facilitates the development of community emergency plans and currently engages with approximately 30 community resilience groups.
 - (iii) EPG Humanitarian Assistance Working Group, which holds meetings attended by core voluntary organisations such as the British Red Cross.

Cross border engagement

42. Country to country engagement is ordinarily at national government level. Routine and emergency support arrangements exist between equivalent cross-border organisations, for example between PSNI and An Garda Síochána (**AGS**) and between border councils. Although there was no specific cross-border planning for a pandemic, there was regular cross-border planning for civil contingencies. As at the start of the Covid-19 pandemic, from January 2020, there was regular contact between PSNI HQEP and AGS.
43. Reciprocal arrangements are in place to enable support to be provided by agencies on both sides of the border in the event of an emergency in a border area. The Cross Border Emergency Management Group, which was set up by NIEPG, meets a

minimum of twice a year to enable civil contingencies counterparts along the border corridor to meet and deliver joint planning and exercising.

Funding

44. EPGs and NIEPG are funded by the Department of Communities. Partners do not contribute funding. Since 2017, funding is via the Civil Contingencies Grant which covers NIEPG and EPGs' secretariat and the multi-agency work which NIEPG and the EPGs wish to prioritise each year. Between 2009 and 2017, local government received funding via a similar mechanism but at differing amounts per annum.

Preparedness for the pandemic

45. EPGs and NIEPG did not have a decision-making role or responsibility in the context of the Covid-19 pandemic response. Decisions were made by the UK Government or the Northern Ireland Assembly and filtered down to the regional, sub-regional and local level.
46. During the period when there was no Assembly in place, NIEPG, EPGs and HQEP continued to function as normal. As at 21 January 2020, regular engagement and communication with government continued via TEO.
47. As at 21 January 2020, EPGs and NIEPG were funded by the Department for Communities. PSNI was not in receipt of specific funding to undertake emergency planning. Like partners, the allocation of funding and resources comes from existing PSNI budget rather than from a designated central fund. Allocation of funds for exercising, training and resources is therefore discretionary. The Department for Communities can provide local government with a scheme of emergency financial assistance to fund emergency response and recovery arrangements. Whilst historically such schemes related to flooding, there is the option to open a non-flooding scheme: this is what was put in place during the Covid-19 pandemic..
48. As stated at paragraph 112, the NPCC is not generally able to comment on whether the requirements in respect of business continuity, public awareness and information sharing had generally been met or whether this varied between EPGs in Northern Ireland as these were matters for individual organisations. At the outset of the pandemic, most organisations involved in the emergency planning structures in

Northern Ireland were represented on the EPG Public Information and Media Working Group. This group has an emergency distribution list to enable public messaging to be shared as quickly as possible in emergencies. The working group was first established by the Belfast Resilience Forum and known as the Public Information and Media Working Group prior to the regionalisation of structures.