

HOUSE OF LORDS  
MINUTES OF EVIDENCE  
TAKEN BEFORE

THE SELECT COMMITTEE ON THE EUROPEAN UNION  
(SUB-COMMITTEE F)

**EUROPOL**

WEDNESDAY 2 JULY 2008

SIR RONNIE FLANAGAN, CHIEF CONSTABLE KEN JONES,  
CHIEF CONSTABLE IAN JOHNSTON and  
ASSISTANT CHIEF CONSTABLE NICK GARGAN

Evidence heard in Public

Questions 361- 409

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WEDNESDAY 2 JULY 2008

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Present

Dear, L  
Garden of Frogna, B  
Harrison, L (Chairman)  
Henig, B  
Marlesford, L  
Mawson, L  
Teverson, L  
Young of Norwood Green, L

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Witnesses: **Sir Ronnie Flanagan**, HM Chief Inspector of Constabulary, **Chief Constable Ken Jones**, President, Association of Chief Police Officers, **Chief Constable Ian Johnston**, Chief Constable of British Transport Police and **Assistant Chief Constable Nick Gargan**, Thames Valley Police, examined.

**Q361 Chairman:** Good morning gentlemen; I hope you are all sitting very comfortably on the bench there. My name is Harrison and it is my pleasure to chair the meeting this morning in the absence of Michael Jopling, our normal Chairman. We are extremely grateful to the four of you and colleagues for coming in today and we are extremely grateful for the written evidence that you provided; we look forward to the further written evidence from ACPO. As you may hear from my raised voice, the acoustics here in this room, as elsewhere in the Houses of Parliament, are notorious so I would be grateful if you could speak up. In the 19<sup>th</sup> century of course, politicians used to declaim and that is why they built them in this way, but we would be most grateful if you could speak up. We are actually being broadcast now, we are on the webcam and some day someone is going to explain that to me but I understand the importance of it. When you have given your evidence to us, we will be sending you a transcript and we would be very pleased if you would look at that transcript and if any corrections are needed or if you feel that you may have in some way misled the Committee or

that you want to correct a false impression, we would be very grateful if you would contact our Clerk, Michael Collon, and have that corrected. The essence of what we do is to end up with good clear evidence to help us in our thoughts. It would be very helpful if the four of you would perhaps introduce yourselves first of all, with the purpose of distinguishing your separate roles so that the Committee has a better idea of where the answers that you give come from, and then we go on to the first question. Perhaps I can ask Sir Ronnie first of all just to start and give a brief overview, but also say a little bit about his important role.

***Sir Ronnie Flanagan:*** I am Ronnie Flanagan, Her Majesty's Chief Inspector of Constabulary. That is a position that has been in existence for some 150 years and the legal responsibility of the inspectorate is to inspect police forces, at least originally to inspect police forces, to ensure and to satisfy Government that they are operating in an effective and an efficient manner. I said "initially" to inspect police forces because, for the purposes of what you are examining, we now inspect SOCA. I have to stress we have no remit whatsoever in inspecting Europol, but through inspection of SOCA we get at least a sense of what Europol is doing and the role that SOCA plays in respect of United Kingdom policing vis-à-vis Europol. So I am here this morning in that capacity.

***Chief Constable Johnston:*** I am Ian Johnston. I am the Chief Constable of the British Transport Police but my main reason for being here today is that I am the Chairman of the ACPO Crime Business Area. ACPO divides its national responsibilities out into a number of different groupings - crime, criminal justice, force modernisation and a number of different areas, and I deal with the crime side. In that respect, I have responsibilities around serious and organised crime, and the Crime Business Area is the main interface with the Serious and Organised Crime Agency, which obviously then takes us into Europol and the issues that you are talking about here today.

**Chief Constable Jones:** I am the President of ACPO and my job is to coordinate activities across the business areas, like the one that Ian runs, to give our best advice to the Government, but also to liaise and get the best out of our relationships with organisations like SOCA and, through SOCA, Europol. We like to think we are here in the public interest, we guard that very jealously and part of that responsibility I have is to give independent advice to Government on issues such as this.

**Assistant Chief Constable Gargan:** I am Assistant Chief Constable Nick Gargan with Thames Valley Police where I am responsible for crime and criminal justice. This gives me the operational oversight of the interface with SOCA and Europol from a force perspective. I am also here as the intelligence portfolio holder on Mr Johnston's behalf within ACPO Crime Business Area so I have a link into various of the connections, both with the Serious and Organised Crime Agency but also the Schengen information system too.

**Q362 Chairman:** That is very helpful. Before I ask the first question, it would be extremely helpful if you could identify those of you who you feel you would like to answer any particular question. The Committee does not want to hear the same answer four times, but obviously if any of you want to complement the answer of one of your colleagues, please do indicate and we can do it in that way.

**Chief Constable Jones:** We have been discussing this and we have decided who would lead off to each particular question.

**Q363 Chairman:** I am most grateful; thank you very much indeed. Could you give the Committee a brief overview of the UK arrangements for connecting ACPO to SOCA, to the UK Europol National Unit and to Europol, all of whom we visited last week? How would you assess these arrangements in terms of effective flow of information?

**Chief Constable Johnston:** SOCA is the gateway for ACPO into Europe and all ACPO forces connect to SOCA in terms of all of their international work at a variety of different levels through programmes of activity, through our international liaison officers who are attached to each force, through joint working with SOCA and others on projects and operations, and through the international gateway which is provided by SOCA in their multi-lateral department. The SOCA multilateral provides access to all of the international channels, not just for Europe; it obviously includes Europol and also provides a link to the large number of the UK's overseas liaison officers' network. They also provide the route through to Interpol and to policing cooperation under the Schengen Agreement. SOCA also provides for us a central bureau for the European arrest warrant. So broadly speaking the arrangement is that our link to Europe is in through SOCA. In terms of their general effectiveness, I guess the questions later on will take us into a more detailed response to that, but I would say that the arrangements are widely known but at varying levels across the Police Service. Those who are involved in drugs and human trafficking have a pretty good and sharp understanding of the relationship and the route ways and how to get the best out of the system. Others, who are perhaps investigating serious crimes with international connotations of a one-off nature around a murder inquiry, for example, will have less knowledge and therefore are less effective in their use of the system. However, in each force they do have their own international liaison officer and we can seek advice from SOCA multilateral on the best way to get help from Europe generally. I would describe the general arrangements as effective, but there are opportunities within them for improvement and no doubt we will get the opportunity to suggest a few of those improvements during the course of our discussion here.

**Chairman:** We would be very grateful if you could be sure to do that; it would be very helpful.

**Q364 Lord Young of Norwood Green:** I find myself educated just reading your evidence. I had a totally false perspective of ACPO. I had you down more as a trade union, but that is probably because of my background. I found the evidence very helpful. Could you tell us more about the different tools of information management, some of which you have described in your evidence: the organised crime threat assessment, the way that the UK one seems to interact with the European threat assessment, according to your evidence; situation reports; the criminal intelligence model? How far have they developed and what do you think they mean from the perspective of police governance?

**Sir Ronnie Flanagan:** What I want to do first is draw upon experience within the United Kingdom because one of the major tools is what we in the United Kingdom describe as the “National Intelligence Model” and which Europol has adopted as a European Intelligence Model. What I wanted to do was give the experience within the UK and then extrapolate that to where we see Europol and, having adopted the tools, how far they have developed, as you have asked, and perhaps what more might yet be done. The story starts in terms of adoption of the National Intelligence Model in around 2001 and very quickly and very encouragingly it was adopted as a model by all 43 forces in England and Wales, by all eight forces in Scotland and indeed by the Police Service in Northern Ireland; so that was a very encouraging development. The model itself starts with what we call strategic assessments, including assessments of all the threats to be faced, all the operational activity in which we are to engage and then, building upon those strategic assessments, the development of what we call a control strategy. Then, through intelligence assessments and through what we describe as tasking and coordinating arrangements, how do we allocate all of the resources that are available in the most effective and efficient way to deal with those threats that have been identified in the original strategic assessment? In the United Kingdom experience I said that it was very encouraging that all 52 forces throughout the United Kingdom adopted the model.

That is not to say that it was not without teething problems and certainly so far as the inspectorate were concerned, what we had to create at the centre was an assisted implementation team. Quite apart from adoption of the model, we wanted to ensure through inspection and offering assistance that each of those forces knew exactly what the model was, were operating it to comparable standards and we in the Inspectorate continue to inspect today and make judgments on how far individual forces within the United Kingdom are actually applying and putting to use the National Intelligence Model. It is fair to say that, if we do not keep that continuing spotlight that we have identified a real risk, impetus is lost and there is a risk of dropping back. Why do I spend so much time outlining the UK experience? It is true to say that during the previous UK presidency, our representatives were critical in having basically exactly the same model that I have described adopted by Europol. Of course, when you are talking about 43 forces operating to a national standard in England and Wales and similarly our colleagues in Scotland and Northern Ireland and you realise there are difficulties in that structure, you can imagine there are many, many more challenges in dealing with 27 Member States with different forms of criminal justice. In terms of how they have developed, we are very conscious of previous evidence given by our colleagues from the Serious and Organised Crime Agency. There are very encouraging examples and you were given an example relating to Croatia, where adoption of the model worked very well. It is true to say that we would have concerns, if we did not keep up that unrelenting focus to ensure that 27 different Member States adopt the model and apply it and through that, indeed engaging in the organised crime threat assessment and the other tools that they engage in, the analytical work files that Europol so effectively provides. In answering that element of the question that asks how mature these tools are, very encouraging but very much still a work in progress. I suggested at the outset that we, the inspectorate for policing in the United Kingdom, have no remit in inspecting Europol, but we would be encouraging them to place a very intense focus

upon the development of the tools and the application of the tools through their own inspection procedures.

**Q365 Lord Young of Norwood Green:** You mention in your evidence that the UK's threat assessment is informed by the Europol organised crime threat assessment.

**Sir Ronnie Flanagan:** We will address that specifically in relation to a question that is still to be asked, but it is fair to say at this stage that our threat assessment is very much informed by the organised crime threat assessment provided by Europol. In terms of overall policing governance, which is the last element of your question, we collectively and certainly I individually would say that there are very positive signs that the application of these tools, while still to be developed and worked upon, as I indicated, do very much provide a positive element to police governance and do very much feed in to what we do in the UK and the conclusions that we come to in terms of our threat assessment.

**Q366 Lord Young of Norwood Green:** Just one final point, as you mentioned the analytical work files, you seemed to mention them in a positive way. Do you think they are developing well as a useful means of exchanging information?

**Sir Ronnie Flanagan:** Yes indeed and you can see that in the structure: there is a different analytical work file for extremist Islamist terrorism, the drugs problem, human trafficking. There are different files for those different areas of work and we would pronounce positively on those.

**Q367 Chairman:** Sir Ronnie, just for interest, do you have a continental equivalent to you as Chief HMI and are they too limited to just looking at their own police forces and the equivalent of SOCA?

**Sir Ronnie Flanagan:** I cannot speak for every one of the 27 Member States and indeed some other European countries that are not yet within the EU, but I have not yet discovered one. In fact we have been in communication with colleagues in France and colleagues in many countries and in Europe and indeed far beyond Europe in terms of their development of what might be described generally as civilian oversight of policing. I say “civilian oversight” because I would very strongly stress the independence of the inspectorate, independent of both Government and indeed independent of the Police Service.

**Q368 Lord Mawson:** I was interested to hear you describe your organisations as “businesses” and I am interested in who the customers are and what the market is that you are actually operating in, but also how that actually relates to this whole question of Europol. My experience of quite experienced business people is that sometimes you can have all the structure and all the speak in place in the middle, but to really know what is going on in your business, you have to go right to the front edge in one place and spend some time there and really understand in one place what is actually happening, what is actually getting delivered for customers. I would just be interested to hear a bit about what your experience has been when you have gone to that front edge of Europol and looked at what is actually happening and just a brief description of what you saw.

**Chief Constable Jones:** Nick is here from Thames Valley Police as well, he has two hats on today, and he has some statistics and experience of using these services directly and also in a bilateral sense. I could make a broader point about the Association of Chief Police Officers’ description of its work as divided into business areas, if that is where you wanted some elaboration.

**Q369 Chairman:** Yes; please do continue.

**Chief Constable Jones:** I will ask Nick to pick up the Europol issue, but in terms of the way we divide our policy development work, we call them business areas precisely for the reason that we want people to have a sense of what we do on behalf of the public. If it is not influencing delivery to the public, our standards, our ethos, influencing Government, then we should not be doing it. It is our attempt to move away from a purist policy development machine, which we are not, and to be one which actually puts the public first. Ian leads the biggest area that we have and the Crime Business Area covers things like homicide investigation, has a direct impact on communities in the neighbourhood and we work back from there. We have used the language of business for that reason, we have a view of who our customers and clients are and it is definitely the public.

**Assistant Chief Constable Gargan:** In terms of going to the front line, I would make three points. The first is that I have not actually visited Europol itself for several years but I had a sense, on visiting repeatedly, that it felt like quite a bureaucratic organisation and an organisation that was finding its feet and an organisation of staff who were nervous of the constraints on their ability to grow in terms of operational delivery. In terms of the UK front line, I have had several contacts with detectives from my own force and colleagues from SOCA in the last couple of weeks with an eye on this session and have had some very mixed reviews. There are clearly some excellent examples of Europol adding value to operations, making links, particularly where those operations relate to three or more states; that is where the value of Europol comes in, rather than in terms of bilateral inquiries where we already have a very generous and high quality set of arrangements in terms of SOCA liaison officers.

**Q370 Lord Mawson:** What are they telling you about what is not working?

**Assistant Chief Constable Gargan:** The difficulty of getting work adopted because, of necessity, Europol must be quite discriminating in terms of the amount of work it will take on, with a database with a relatively small number of entries and a relatively small staff for a

huge population in the EU. At Thames Valley Police our experience is that if you add together both incoming and outgoing inquiries to Interpol, Europol and the UK central authority for mutual legal assistance, combined, in both directions, that amounts to fewer than 500 inquiries per year which, for a population of 2.1 million people, feels rather low. Now that might change when the Schengen information system comes on-line and when every police national computer check then becomes an international check those volumes may go up but our experience is that when colleagues do ask for an international service, they invariably get a good and appropriate service and, on occasions, that really is excellent.

**Q371 Lord Mawson:** Is Europol sufficiently included in the implementation of the UK's strategy to combat organised crime and terrorism?

**Chief Constable Jones:** That is a difficult one. Building on some of the points which have been made, it is critical that Europol continues to focus on those areas presenting the most serious threat and risk to communities, so there is a danger of mission creep and as they expand they are spreading their jam far too thin. We have to keep them focused on the critical areas, so in that respect we support the 18 areas they concentrate on through the analytical work files. The other issue that is critical is the issue around intelligence. We will get the maximum benefit from the European Criminal Intelligence Model, ECIM, provided that continues to align with our intelligence model, and we think that is the best way for them to work. Obviously we were very influential during our presidency in landing that, but there are signs that that perhaps is perhaps losing some momentum and impetus. Provided the ECIM continues to develop, then we will continue to feed off it. That then directly informs our organised crime threat assessment, which in turn influences our control strategy - sorry for all this jargon - and that does feed through ultimately to things like the national community safety plan and to police authorities and chiefs' local force plan. However, there needs to be this alignment around a common purpose and approach so we do need to continue to keep

pushing very hard on that and we do through SOCA and through other partners and players. Is it sufficient? I would say at the moment, probably not. I could not say “Yes it is sufficient” because I would never be satisfied. Could it be sufficient? Yes, provided we continue to resource, provided we continue to focus on the more serious issues and provided we all operate to a common script; that is pretty critical.

**Q372 Lord Mawson:** Are the EU Justice and Home Affairs Council conclusions on organised crime routinely entered into the national policing strategies of the UK?

**Chief Constable Johnston:** The short answer is: yes. The conclusions from the Council are fed into the Serious and Organised Crime Agency and they do feature in the UK threat assessment which is the bit of machinery within the National Intelligence Model that SOCA use to disseminate their assessment of threat more broadly from serious and organised crime across the UK and into the UK; they do feature as part of that. That clearly is an annual publication but they also feature in their more routine month-by-month assessments of priority, so they are embraced, they are included in our assessments.

**Q373 Lord Teverson:** Outside the Council obviously the Commission gets involved in certain matters, and I know about the difference between First Pillar and Third Pillar, but do police forces ever deal directly with the Commission or lobbying or consultation? Is there a communication at that level without going through the UKRep or purely government political connections?

**Chief Constable Johnston:** Not that I am aware of. Our route in to all those negotiations is through SOCA, which has its value because a single route gives a very clear and common, shared sense of direction; I am not aware of any other route in.

**Chief Constable Jones:** We do get approached by various EU bodies for advice or for a view on and we tend to channel that through the regular channels that go through SOCA. Regular

approaches are made but we try, by and large, to discipline that so that we present a united front.

**Q374 Baroness Garden of Frognal:** Are the UK's chief police officers satisfied that the mechanisms for improving law enforcement information exchange within the EU are coordinated and adequate for their purpose for the years to come?

*Assistant Chief Constable Gargan:* There are four elements to that question. Overwhelmingly we talk here about operational information exchange and that is a multi-stranded activity. We have the SOCA liaison officers, we have Interpol, we have Europol, we have the Schengen information system on the horizon and then specific initiatives, the Prüm initiative around finger prints, DNA and vehicle driver details, the Swedish initiative, indeed we also have our own ACPO Criminals Records Office. We have this very complex multi-stranded set of arrangements. On occasion, it looks from our perspective that they are driven by individual Member States' initiatives but our stance over the years has been, rather like making a mobile telephone call, we do not really mind whether it is routed bounced off a satellite, sent down a fibre-optic cable or sent through a telegraph wire provided we get what we need from the other end. That tends to be the ACPO approach and we rely on SOCA to provide that coordination on our behalf and we believe it is largely effective. The second area of information exchange is that there is some rogue bilateral contact, either unit-to-unit or the guy you met in a camp site in Spain two years ago and you ring with an enquiry of your French police colleague, but that is very low. The number of inquiries that take place of that sort are very low; they used to be higher and they are reducing as people become aware of data protection legislation. The third and incredibly valuable level of information exchange is for a very specific operation and this is where you cannot actually beat getting detectives from the British Police Force together with their overseas counterparts. Whether that is pursuing a murder, a missing person investigation, an abduction or an offence of drug trafficking, that

face-to-face contact between the investigators themselves is incredibly valuable, but of course we rely on SOCA to broker that and to make sure there is a central oversight. Then the final tier of exchange relates to the exchange of know-how and support from one force to another. There is a proposal for an international police assistance board to ensure that there is some kind of central oversight and coordination of that which has traditionally been something that the Foreign and Commonwealth Office has had sight of. So across those four elements, given that the second element, the sort of rogue contact, is one that is low and diminishing in its level, we can be broadly satisfied.

**Q375 Baroness Garden of Frognal:** Chief Constable Jones mentioned a common script and in fact in your answers about communication I wonder whether you find any hurdles in a mutual understanding of terminology or indeed language within EU members.

**Assistant Chief Constable Gargan:** There are clearly issues around language, although the UK is fortunate in that people from third party states are as likely to speak English as a second language as any other. There are equally difficulties around respecting judicial systems; the role of police, the role of magistrates and state prosecutors can create confusion and difficulties in progressing cases. I have personal experience of working with the French and when British investigators make a request the language of the British investigator is not understood by the French examining magistrate, not because of an Anglo-French linguistic difficulty, but rather because of very different operating systems in the two countries.

**Q376 Lord Dear:** The thing about terminology, and this cropped up when we were in The Hague and Brussels last week, and pretty well everyone was saying there was a difficulty, not in understanding the language, because by and large English is the *lingua franca* but in the way in which a word or a phrase can have totally different connotations depending on the accusatorial or inquisitorial system. The easy answer is that we should have

a common dictionary, a common lexicon and that is a long way off I guess. I wonder if you saw it as a real problem, which they perceived to be a problem across in The Hague and in Brussels, or whether it is something we just wait to resolve itself?

**Assistant Chief Constable Gargan:** My personal view is that the only pragmatic way around that is through goodwill and better understanding of one another's systems. That is where the SOCA liaison officer network really comes into its own, when you are operating with a country and you actually have people embedded there who have worked with the police and judiciary there, worked with examining magistrates and have developed fixes to work round specific problems that exist and commonly crop up in operations.

**Q377 Lord Dear:** To explain the correct terminology. One of the things we could consider doing is to put a helpful recommendation into the report. I cannot speak for my colleagues here but it is one of the things clearly that we could consider. Since they are in a perceived area, would it help you to have some sort of extra clarity injected into that issue? I am not sure, sitting here, how you would do it.

**Chief Constable Jones:** Absolutely, particularly words like "intelligence" and "information" and there are significant misunderstandings there which inhibit the momentum which Sir Ronnie and I have already talked about. At the risk of being controversial, the recent discussion around pre-charge detention amplified quite well the differences of appreciation of each other's processes and systems from very learned judges and lawyers on either side of the debate. It is a big issue and for the public it is a big issue.

**Q378 Lord Mawson:** A lot of my life has been spent in trying to bring together quite complex partnerships to make things work out of silo, but it seems to me a lot of this area is about human relationships, not only in this country but in 27 countries. Do you think enough is being invested in the whole of that, in people and relationships? When you actually start to

get those things in place, all sorts of things get dealt with quite quickly, whereas the systems and the processes are not actually dealing with them. Do you think the investment is right for the whole of that area?

**Chief Constable Jones:** It is not sufficient, and one of the issues for Europol is that their visibility is not high enough in the human sense at a senior professional level in the way that some other European bodies are, and we do need to invest in development on either side; I am not pointing a finger at Europol. It is absolutely critical, but once you have the key players, you overcome issues around threats of compromising information and what have you. In my opinion it is not routinely invested in sufficiently and it is the word “routine”, it is looking at cross-training or at regular fora for people at the right level in different organisations. There is a risk that SOCA, although it does not want to be a choke point, could become a choke point. You have hit on a very important issue there.

**Q379 Chairman:** Whilst it is clearly desirable to use SOCA as a filter, it could be that what get obscured are Europol’s relations with the UK forces, and perhaps they do not know and understand that.

**Chief Constable Jones:** That is absolutely right, and in some of the reforms to our training and development, as we are revisiting this now through green papers and what have you, we ought to look to create the space for more of internationalism to come back in to our agenda because clearly we are up against a global ideological terrorism threat but we are also seeing the emergence of new forms of organised criminality as well which are global in their reach and not just one country or even two or three countries and we need to take those on.

**Sir Ronnie Flanagan:** Mr Gargan referred to the establishment of an international police assistance board. This deals with all sorts of international police assistance that we in the UK would offer in areas outside Europol’s remit. The reason it is important to mention it is as I was leading on this to advise in a cross-departmental Whitehall way, involving of course the

Home Office but also the Foreign Office, DfID, the Ministry of Defence, Secretary of State for Scotland and Northern Ireland. What we identified as absolutely critical was this concept of having a one-stop shop. Relating that back to Europol, it is absolutely crucial that we in the UK have a one-stop shop. I cannot think of a better body or a more appropriate body than SOCA in that national sense. Undoubtedly, it does have shortcomings. SOCA, for example, has no remit in relation to counter-terrorism, so suddenly you find our Met colleagues, who have very much an international remit in that regard, deploy representatives to Europol quite outside SOCA. So there are shortcomings with SOCA but the advantages, in my view, very much outweigh the shortcomings. The trick is, and we will be dealing with this in subsequent questions, how to allow fully effective bilateral communication, force to force, but in a way that is complementary and feeds into the central mechanism. From my point of view, I would like to stress the absolutely crucial nature of having this one-stop shop.

**Chairman:** You have posed the question very well; it is the answers which are perhaps more difficult.

**Q380 Lord Young of Norwood Green:** I just want to explore the point that was made by Assistant Chief Constable Gargan about the way that the embedded SOCA liaison officers do start to cross those cultural and judicial differences. It seemed to me, when we walked along that corridor where they were all stationed, that that really did make a difference. It seems to me that if the Met have a role in relation to counter-terrorism, well why do they not embed a liaison officer, or do they?

**Sir Ronnie Flanagan:** Yes, that was the point I was making, they do exactly that. They have one and have imminent plans for a second one to be embedded.

**Q381 Lord Teverson:** Let us move on to the European Parliament which will have to satisfy itself that Europol has a positive impact on UK forces in terms of “competent law

enforcement authorities” for the purposes of the Europol Convention and Council Decision. Will SOCA be best placed to provide this information? I would be interested, within that context, to understand really how you would see the European Parliament oversight work.

**Chief Constable Jones:** The bold answer is yes, SOCA are best placed, the mechanisms they use are transparent, they are open, we feel we have good access to them and there is a good two-way flow of information. The challenge will come as Europol, hopefully, increases its capacity and leverage over some of the critical threat and risk areas I mentioned earlier and whether that will be sufficient, but we currently feel absolutely it is. One of the problems of course is that, in terms of competent authorities, some agencies which are important to us, and Sir Ronnie has mentioned one of the issues is terrorism, are not regarded as competent. For example, some of our security agencies in the UK are not part of that group and that does need some thinking frankly. That was more critical a few years ago of course because MI5 had a remit around organised crime which it no longer has and they had an oddity where they were not a competent authority, but we managed around that. As terrorism becomes, and I agree with some of the recent assessment that it is, enduring and is probably going to be around for a generation then, the view of what is and what is not a competent authority will need to be looked at afresh.

**Q382 Lord Teverson:** That sounds like that could be quite a critical area in a way in how this is structurally laid out.

**Chief Constable Jones:** Yes, it is. It is one-way and when we get back to this visibility and the value-added of Europol more needs to be done to raise that and that will result in more challenge, more critical challenge and hopefully constructive and more improvement. Ultimately we are here to try to make neighbourhoods safer and if we are not, we are wasting our time and your money. There is this feeling that it does tend to be a bit one-way at times.

**Q383 Baroness Henig:** What is your view of the added value of Europol's work in the area of counter-terrorism, and what value do you attribute to the Europol Terrorism Situation and Trend Report?

*Chief Constable Jones:* There is a tremendous amount of value-added in our liaison, not just with Europol but through Europol to other agencies around Europe and it is particularly at the operative level. Sir Ronnie has already mentioned that the NPS have placed an individual at the heart of that and it is actually becoming more and more important now that we continue to improve and develop those links. In terms of TE-SAT, I have the report hot off the press. Although it is constructed from open source, it does give a very useful overview to the less well-informed about terrorism across the EU; it is a useful document but it does not really go into the detail which might be of value to operational people. However, it is very influential in terms of political oversight and certainly I have used it when I was chairman of the terrorism committee to influence people in that particular area, particularly a committee such as this. There is some very useful information in it, but it is open source at a very, very high level. It is a developing field and I return to my point about competent authorities: we cannot just exclude certain agencies because they do not fit the definition of what is or not a competent authority.

**Q384 Baroness Henig:** I assume that a number of bodies deal with issues relating to counter-terrorism of which Europol is one, so it is quite a crowded field.

*Chief Constable Jones:* It is.

**Q385 Baroness Henig:** I am not quite clear how they all mesh together or how the liaison works. I was not in The Hague last week when there was a visit there and I get the impression that Europol is very much information exchange and bureaucratic centre, and I just wonder therefore how it ties in with presumably more active players in the terrorism area.

**Chief Constable Jones:** Through one of the work files, one of the 18, it is becoming more of a node, more of a centre, more active but it has come to the party a little bit later than some of the other agencies. Then we get into this other issue about nervousness around compromising information and intelligence. I have to tell you that on some of the investigations that I am aware of, the liaison agency to agency that goes through Europol is incredibly effective but Europol's role in this is to facilitate and they need to be an authoritative source of who is talking to whom, which country is talking to which country. They do not need to know the content of that from our perspective, but an agency in this country is dealing with an investigation and I have seen them take in Holland, France and Spain and then an investigator in Spain needs to know from somebody where these investigative links are and then discussions around sharing the content of those enquiries can take place at the operational level. Europol needs to locate itself securely as that central flagging point in the way that we used to have the crime squad and now we have SOCA doing that for inquiries within the UK.

**Q386 Baroness Henig:** Is there anything that needs to be done to enhance its role? From where you are sitting, is there anything that we perhaps might need to consider that could make that rather more effective?

**Chief Constable Jones:** We do need to raise that issue up. It is done, but I am not able to say whether it is done effectively or ineffectively. My sense is that it is not visible and that is a challenge that needs to be made. I could not say with confidence this morning that it is working well or not working well but it is critical and those at the operational investigative leading edge in any country can go to a central point. It avoids what we call blue-on-blue, where investigations might cross one another. There are real concerns around the compromise of information because ultimately lives are at risk.

**Q387 Lord Teverson:** In terms of trust levels, obviously there is even an issue between SOCA and the other organisations, which we presume is good, but given that a lot of very sensitive information could be disappearing in all sorts of areas, is there enough trust there or does one pull back to a certain degree on certain issues?

*Chief Constable Jones:* It is a case-by-case basis really but we are getting smarter and quicker at dealing with other jurisdictions and overcoming those issues quicker. Certainly there are some people that maybe think that all information needs to be put in one database centrally somewhere and everything will be all right, but actually therein lie some real problems for us. It goes back to the human relationship issue, but we are getting much swifter at doing that. These jurisdictional barriers are real and they do take time to overcome.

**Q388 Lord Marlesford:** I got the impression, visiting Europol last week, that the national liaison offices are very important for many reasons and it seems to me that one of the reasons is that it is possible, where there is suspicion or worry about the security of information, for the national liaison office to have things which agencies in the UK would not necessarily want Europol to have. I was rather struck because there did not appear to be any direct linkage between our security service and the national liaison office. I would have thought that would have been quite a good way of getting the right relationship in and of course various countries have different systems of policing whereby the security service, the analogues of MI5, are, to a greater or lesser extent, embedded in police forces whereas here it is pretty separate really. Certainly the French reorganisation which we heard about this week was an interesting one which seems to be a very big effort to integrate much more on the counter-terrorism front. Do you think, just purely in rather simple organisation terms, if the national liaison office, particularly the UK one, were to be strengthened with a pretty senior level of linkage with our security service with their own people in the liaison office, this would help?

**Chief Constable Jones:** That is a question for the agency but certainly we see the liaison activity as critical and becoming more critical. I would agree with your broad point but perhaps I am not best placed to answer the question.

**Assistant Chief Constable Gargan:** We could usefully make the point there that the DST and the RG in France are both part of the police so that is an internal reorganisation; that is not our way of working traditionally in the UK so it would be an altogether different question and a broader constitutional question.

**Q389 Lord Marlesford:** I do not see a constitutional problem in the sense that one is not suggesting a change in the arrangements between the UK agencies inside the UK, one is merely trying to get a better relationship and flow of information without the inhibitions about security with Europol.

**Assistant Chief Constable Gargan:** I guess the issues would be around what is an intelligence agency not an evidence agency, that is the security service operating with Europol, with judicial police forces that are evidential agencies.

**Chief Constable Jones:** Our security agencies quite properly make great play of the distinction between intelligence and secret intelligence and they would see the need for a completely different structure to be place around secret intelligence rather than organised crime intelligence, for example. I agree with you that there is an overlap there and there is a linkage there that needs to be explored and that is becoming more and more critical.

**Q390 Lord Dear:** An observation rather than a question and I would value your response to it. It goes back to the question asked about trust and in The Hague last week, if I understood the position correctly, on the counter-terrorist side the only information which is exchanged amongst the Member States is at restricted level, which is very low of course and is largely *ex post facto* anyway.

**Chief Constable Jones:** Yes.

**Q391 Lord Dear:** I can see enormous difficulties in trading high value, highly ranked intelligence on an ongoing inquiry, for all the obvious reasons about not knowing where it is going to go and who is going to use it or misuse it. It was nevertheless *ex post facto* and a very low level and I wondered whether you had an observation on that.

**Chief Constable Jones:** At the investigative level the liaison is good because it depends entirely on the links that people have made and are already making around the current and old investigation. Above the level where you are going to start circulating and sharing secret intelligence, it is necessarily very, very difficult, hence your remark about restricted intelligence. I would not be surprised if there were greater interchange of higher grade material between the actual agencies concerned.

**Q392 Lord Dear:** On a bilateral basis.

**Chief Constable Jones:** Yes, on a bilateral basis.

**Sir Ronnie Flanagan:** I just want to point out that there are other mechanisms for the exchange of much more highly sensitive material and when we talk about trust, it is not any lack of trust in the individuals or the individual Member States, it is rather a need to make sure that highly sensitive material is protected so that prosecution cases are not jeopardised, so that lives are not put at risk, so that methodology is not put at risk. The sort of mechanisms we are describing are not appropriate mechanisms for the exchange of information intelligence of that level of sensitivity.

**Q393 Chairman:** Does that mean that we need other mechanisms or there are other places?

**Sir Ronnie Flanagan:** No, you can be assured that other mechanisms are in place.

**Q394 Baroness Henig:** We have heard that the current system places significant emphasis on bilateral communication. What are the obstacles from your point of view to the better use of the Europol Information System?

*Assistant Chief Constable Gargan:* To the first part of that, yes, the current set of arrangements does indeed place a significant emphasis on bilateral communication. The Serious Organised Crime Agency send out about 5,500 requests per annum of which around 10 per cent are routed through Europol, so there is that emphasis. In terms of the better use of the Europol Information System, I suppose a start would be to get properly connected to it, which we are not. The second thing is, if there are 62,000 entries on the system, we need to be confident that they are the right 62,000 entries and this is where the strategic intelligence assessment and the cyclical process of making an assessment, putting in place a control strategy, setting out in a concerted way to gather intelligence to fill your gaps and tasking and coordinating your effort to make sure you are doing the things that matter and that your chosen interventions are the right interventions, that is where that cyclical process really comes into its own. If Europol seeks to position itself, as it does, at the low volume high end of the criminal investigative market, it is critically important that those 62,000 entries are the right people. At the minute I guess there is obviously the scope for that database to become much larger; that is inhibited by the limited access that I have described, by a lack of confidence which is a discussion we have just had about respective doubts about security and a broad lack of awareness; again a theme of our earlier discussion, and that leads to a low level of contribution to the database.

**Q395 Baroness Garden of Frognal:** We have already touched on some of the issues in my next question. Europol may be moving away from its task of facilitating information exchange in favour of providing analytical services. What is your view of the effectiveness of

crime analysis carried out in the absence of a European intelligence cycle or other coordinating framework?

**Chief Constable Johnston:** First of all, we do not sense that Europol is actually moving away from its task of facilitating information exchange and we do in fact welcome the growth in their approach around analytical services, which are extremely important in the future going forward. The work of the analysts on the Europol analytical work files is based on the NIM. During our presidency of the EU, we did manage to get lodged within something called the European Criminal Intelligence Model the principles of NIM which we regard obviously favourably as they are the principles that we have adopted in the UK and they are now generally accepted. The issue is the extent to which they are generally applied. Because of a whole range of cultural issues, and Sir Ronnie alluded to the difficulties in getting the model implemented across the UK, we have exactly the same problems getting that model implemented across all 27 countries in Europe who want to comply. We would say that there is a model, the model is giving us an effective product but it could be a lot more effective if it were applied more universally throughout the whole of Europe. I guess that is what we would be hoping others would do for us in the future. We are aware that there are improved mechanisms for feedback on the quality of the product being developed within Europol at the moment and we very much welcome those developments because it will give us the opportunity to apply pressure for a more common approach to NIM throughout Europe.

**Q396 Chairman:** When we were in Brussels last week, we asked the Commission about the whole aspect of intelligence-led policing and they told us that an expected report was premature, which caused us to raise eyebrows. In the light of what you have just said, do you find that surprising?

**Chief Constable Johnston:** Yes. We know from our experience within the UK that getting a shift in approach to issues both in a sort of procedural and cultural sense does take time so we

are realists around it. We are encouraged that the model is there in principle, but we do recognise that in practice there is some way to go yet. This is hardly surprising and it will be a continuing problem as new countries join the arrangements.

**Q397 Lord Dear:** Just for the record, I ought to declare the fact that I do have a previous interest in policing. As you all know, I served in the Police Service for a long time until 12 years ago and indeed had a very small part in the setting up of Europol back in the mid 1990s. I put that on the record. The ACPO written evidence, which was very helpful, said at one stage, Europol “aims to facilitate information exchange and provide high quality analysis ... ACPO sees more evidence of success in the former aspiration” that is the information exchange side rather than the analysis. That leads me directly into my question which is: do you see any gaps in the current information exchange mechanisms within the EU justice and law-enforcement communities? If there are any, what would you do or hope to see to address that?

**Sir Ronnie Flanagan:** We see a number of gaps and they arise as a result of a number of different causes and those causes do need to be addressed. First of all, not surprisingly there is the whole question of application of appropriate IT systems and the truth is there are only some five or six countries which input data automatically to the central base. Until we address that, that is a potential for a real gap that exists at the centre. Of course it is work in progress and by something like April 2010, hopefully there will be very significant improvement in that whole question of automatically inputted data. Secondly, there is an irony in the very success of bilateral contacts and they work extremely effectively and are not, in my view, in any sense to be discouraged but there has to be a complementary inputting to the central database as well. Where Europol is particularly effective is where there are more than two Member States involved, where there is a plurality and it just could not work on a bilateral basis. However, the very success of bilateral approaches sometimes leaves Member

States being quite happy on either side of that dialogue and communication but without the centre necessarily knowing what is going on and bringing therefore again a risk of a gap when others come in and have missed, because the opportunity to draw on the experience that has been successful bilaterally it is not centrally routine. The absence of some inputs does need some analysis of its own and we have certainly encouraged Europol and undoubtedly they will have plans for that analysis. My question is, when Ken talks about visibility, I just wonder how many chief constables would be familiar with the document that Ken has. We could not say with 100 per cent certainty that 100 per cent chief constables would be familiar with that assessment document. There is something in terms of from the centre, from Europol, asking Member States for their experience, seeking feedback. There is something for Member States to be more alert and more aware of the need, constantly be giving feedback to the centre and the absence of that brings about again a potential gap. Those are several examples of gaps that do exist and gaps that need to be identified and need to be addressed.

**Q398 Lord Marlesford:** On the purely practical side of that, when there is a bilateral exchange between a UK police force and another country, is there, for information as it were, a note of that bilateral sent at least to the UK liaison office?

*Sir Ronnie Flanagan:* Undoubtedly there should be. My fear is that there is not always.

**Q399 Lord Marlesford:** When I was in Whitehall, I always thought the system of copying Foreign Office telegrams was extremely efficient. Even though it was not obvious that particular posts were interested, it did ensure that no balls were dropped, or helped to ensure.

*Sir Ronnie Flanagan:* To go back to the first point, the absence of automated data input systems tends to work against it happening automatically. Mr Gargan earlier referred in a benign way to rogue bilateral interchanges which are not through the liaison structures. There is a whole range of other networks, for example there is the European chapter of FBI

graduates, and that means that officers of pretty high levels in the police forces right throughout Europe have contacts and sometimes use those contacts and often to good effect. However, if it is not channelled through the centre, if it is not channelled through the mechanisms and structures we have created, there is a great risk that those gaps result in a less than efficient ability on the part of others, not originally engaged in a particular bilateral.

**Chief Constable Jones:** We also need to make sure the liaison bureaux are actively sharing the contacts they have with us with Europol and I would hope that they are so we are getting the maximum benefit from the work files, for example. That is a question I cannot answer but I would anticipate and expect that that link was very strong and routine and we are getting the benefit at least from our liaison bureaux of bilateral contacts.

**Assistant Chief Constable Gargan:** Perhaps I might just offer a word of reassurance about the contacts that take place involving SOCA liaison officers: that is centrally held and recorded at SOCA in London so there is no chance of the British representation in Europol not knowing what the liaison officers in France or Madrid or any other places do.

**Q400 Lord Mawson:** Lots of us over the years have watched lots of television about serious crime and detectives, so we feel very informed about how it really works. Most of you have to deal with the reality at the moment. It seems to me that there are two different things in play here: one of them is the whole question about how we get secure data and information systems which actually work and are competent. In terms of a business thing, it seems to me that one bit of a business is to make that work like a bank, so that when you press the button, the stuff comes out and it actually works and is very useful at the time and it is accurate, and that has a particular culture necessary to it. However, there is another bit of the business which is absolutely critical because just to rely on systems and processes et cetera might not actually do the very thing you need to do. There is the front end which seems to me to be quite entrepreneurial, quite inventive: the ability to build relationships across all sorts of

things very quickly to intervene; very different culture, very different way of working to do with instinct, a whole range of other things that might not sit easily with this other culture. Is that true? How do you encourage both those cultures – because it seems to me you do need both - and what are we doing to develop those sorts of entrepreneurial people who have instinct, gut reaction and all that stuff that is necessary to join the dots and make everything work?

**Assistant Chief Constable Gargan:** I have some personal experience of that because I spent two years in France as our liaison officer in Paris and you are exactly right: there is not a database in the world that can persuade a French surveillance team to turn out for you at 11am on a Saturday when they have cutting the lawn and a barbecue planned for later that day. It is the real strength of the SOCA network and the precursor national criminal service network and customs networks that they were capable of doing exactly that. It is something that works very well in the UK. On the data side of your question and your point, it is not simply about effective data, it is also about mindset and about willingness to share and we talked about some of the constraints around security. I represent the Crime Business Area on the board that is developing the new Police National Database, the Impact Programme, which arose from one of the Bichard recommendations. If the programme director were with us this morning, one of the key points he would make about the police national database would be that it represents the need to move our collective thinking on from need-to-know towards need-to-share and indeed dare-to-share, as he would put it. The same mindset is very relevant here, but of course you would only dare to share if you were confident in the data that underpins it. Success lies in the blend of those two things: the personal relationships and the effective data supporting that mindset.

**Lord Mawson:** My concern when I listened to the Commission last week and others was that they could cope a bit with the whole idea of the information and that sort of mechanism.

When you get into the rather more daring stuff, which is absolutely necessary, I can imagine those sorts of cultures are all very difficult to get behind because they are absolutely critical to the front face of engaging with customers or whatever the phrase might be.

**Chairman:** You were getting nods there.

**Q401 Lord Dear:** I suppose that the \$64,000 question is how to make Europol better both for the European Union as a whole and for us specifically. The question that you have already had notice of is a very short one: more broadly, how can Europol make a more positive impact on policing within the EU framework? This is your chance to write a chunk of our report.

**Chief Constable Johnston:** Thank you very much. I will kick this off and I am sure colleagues will want to chip in and we have touched upon most of the things during our discussions here this morning. The first point to make is that the system does work at the moment, it is not falling apart and it is producing a very helpful product for us. My shopping list would begin with a more comprehensive adoption of the National Intelligence Model as defined in the UK and as agreed during our European presidency; that would be extremely helpful. Improvements around the analytical component of their work would be extremely welcome. We have already alluded to the IT issues in terms of the capacity to input bulk data. There is something about the whole organisation marketing its value, so becoming better known across the Police Service, better respected across the Police Service which will attract better people to it which will get this spiral of improvement in it. There is something about alignment of European priorities that is a fairly difficult challenge, but getting out priorities narrowed down. You have to remember that this is very much a low volume high value area and we are not going to be able to do everything and we are only going to be effective if we really do focus in on the things that are really important to us. There are things around continuity in terms of staff and the human relationship bit has been played out very strongly

here and I would very much endorse that. It is good to see that there are going to be changes in the period of tenure of the chair of the Europol management board from six months to 18 months. It is that sort of thing, although 18 months is still pretty short really in terms of developing long and trusting relationships. On the whole thing of culture, a shared culture within the setup and the routine approach to where there has been a bilateral, we do get the feedback loop going into the centre so information is not missed out.

**Q402 Chairman:** That is a comprehensive summary. Are there other contributions?

**Sir Ronnie Flanagan:** I would just say, and I am not going to say that Europol is overly bureaucratic because I do not personally have the evidence to say that that is the case, but my experience of other bodies is such that there is a real risk that there can be too great a level of bureaucracy at play and certainly if Europol can examine itself and the management board and how it works and be satisfied that it takes a sufficiently strategic view rather than getting into the wheels of the work of the organisation, if it does by that self-inspection, if you like, come to a conclusion that there is too great a level of bureaucracy and if that is the case, acts to reduce that level of bureaucracy, that would bring about improvement. However, I stress that I do not have any personal evidence to say that it is too bureaucratic.

**Chief Constable Jones:** I would just like to reinforce a couple of points. Where Europol goes next is very important so it is identification of common purpose and common causes which bind Member States together and they are the critical low volume but high impact areas around counter-terrorism and organised crime. There would be common agreement then and from that would flow common cause and more impact and effect. There have been occasions in the last ten years when it has lost some focus but that is not the case currently. The more we keep it focused, the more impact and the more effective it will be. The other point I would just reinforce is about visibility and while I was listening I did think about Eurojust, for example, whose profile is much higher and they make much more effort to communicate with

criminal justice professionals across the EU. Maybe Eurojust could offer us something in terms of raising the value-added of Europol. They are the two points I would like to make.

**Q403 Lord Dear:** Every now and again, we hear almost *sotto voce* the suggestion that there might be an operational role for Europol, and then immediately we back off because I can see enormous difficulties with that. I wondered whether you had a view on it. It has never been expressed to us as a firm recommendation; it has just been mentioned in passing by people so far.

**Chief Constable Jones:** I will offer a view. Its key value-added is in facilitation of Member States' law enforcement activities and if it ever got into the position of initiating investigation, it would probably unravel. That is my view. I do not think the European Community is yet ready for a federal enforcement approach that is led in that way and it would cut across so many accountabilities, not least of which our cherished local accountabilities in the UK. However, I do think its future lies in facilitation not in investigation, but that is just my personal view.

**Sir Ronnie Flanagan:** It is a view I would share, for what it is worth.

**Q404 Lord Teverson:** During this inquiry the one group of people we have not been able to interview are the villains to a degree because they are your customers from the other side of the counter in a certain way. What do you think, not in the terrorism area but the organised crime area more, that community would fear most about Europol or changes in Europol or is it completely outside of Europol? Would Europol not affect them at all?

**Chief Constable Jones:** If they were to band and brigade their focus around common purpose, that would be a strong signal to criminality and terrorism that Member States are determined to get their act together and actually focus on a few areas and actually do something with it. We have some positive experiences which are not well advertised where

that is delivered. Currently, if you were to go out and ask organised criminality, or the man or woman in the street, it would not mean much to them. They would probably want to talk to you more about Interpol, because Interpol has a higher profile, but not Europol. There is an issue in that because we in law enforcement do know that if we project confidence and common purpose, it does deter the opposition and ultimately that is what we are here to do. If I am honest, as we sit here today, you would probably find that they are not aware of it or certainly not intimidated by it, which they should be.

**Q405 Lord Marlesford:** When we had SOCA give us evidence, they talked a certain amount about the suspicious incident reports or something like that which are fed in to them and they claimed that every report is carefully filed and they have got over one million files. This strikes me as not very practical in terms of police work because one has heard an awful lot of press reports of very foolish reports being made. Do you feel that your use of such reports would be better if it were fined down to things which actually might matter?

**Chief Constable Johnston:** If you are referring to the SARs report, which is a suspicious activity report, which is the banking role feeding information into us, SOCA do endeavour to prioritise the release of information to forces, so we are not deluged by it at the front end. I have to say the volume is enormous and, I am being brutally honest, to manage all of that effectively is a pretty tough old job and it is probably beyond us.

**Assistant Chief Constable Gargan:** It bears on the previous question about what a criminal fears as well and what we need to move towards with SARs is to take the suspicious activity reports and to take our own organised crime mapping and to take the various other databases and sources of information that are available to us and, to use the words of colleagues in SOCA, to develop almost industrialised processes for working that information so that investigative leads arise from it because it is vast. If we can develop those industrialised processes, we can actually create the means of providing a sustained attack. It is the sustained

attack that the criminal fears and if they cannot see the joins between Europol, SOCA and police forces so that they are conscious that they are being attacked on many fronts and their assets are being taken from them and their financial movements are being noted and their vehicle movements are being noted, then that could put us on the front foot. The suspicious activity reports in bulk provide us with a substantial investigative opportunity but we need to continue to refine the way that we take advantage of that opportunity.

**Sir Ronnie Flanagan:** I should like to say that we must not in any sense ever discourage adherence to the legislation because I remember, not that long ago, being involved in a chase of a money trail right across the world when a Metropolitan officer had lost his life in the course of an operation and, because we in the United Kingdom had no such mechanisms, there were opportunities for laundering of money within our jurisdiction which did not then exist even in the United States, so it is a very positive development. Yes, there is such a volume that there are difficulties in managing it, but the solution does not lie anywhere in trying to reduce the volume.

**Q406 Chairman:** May I just ask a domestic question about the role of SOCA? Given the importance of SOCA as that conduit, how important do you think the two-way relationship is between SOCA and the 52 police forces in the United Kingdom? Do we also forward information, data, do we load data into the Europol Information System in an automatic way? Is that what we do?

**Chief Constable Jones:** There are some real difficulties around the relationship between SOCA and the 52 forces. They largely flow from the fact that SOCA is not the national crime squad with a different label on it. We created an organisation to do a fundamentally different task. That left a gap between force activities and their activities which was once filled by the crime squad. There was a commitment back then by Government that they were going to resource that gap, so we were going to create more operational capability to take on organised

crime. In a sense SOCA have become the sort of whipping post for that and that is quite unfair. I should like to make that point this morning. What are we doing about that? We looked, through HMI, around merging forces; we thought we could create new capability that way. That did not happen. Now Government are supporting and assisting the Service to build new capability to fill the gap. The gap is the issue really. SOCA is not the crime squad and it is a fundamentally different organisation. We currently have a number of pilots running around the country where forces are collaborating to fill the gap. We have a superb, probably one of the best in the world, counter-terror network now which is across England, Wales, Northern Ireland and Scotland so the gap between forces and supranational agencies has been filled in that way. We are starting to create one around organised crime. We now have a network of intelligence nodes around the UK which sit above forces and fit the gap. Bit by bit we are shoring it up, but the real issue is this capability gap which was left with the creation of SOCA. It has affected relationships, sometimes unfairly.

**Q407 Chairman:** That is very helpful. What about loading the data into the Europol system?

**Chief Constable Johnston:** We are not one of the five countries which have the mass download capability and therefore we do have difficulties loading all the information onto the system in a timely way.

**Q408 Chairman:** We come to the very last question, to which I think I partly know the answer. You have given us a wonderful opportunity to understand the system better but you may have thought, coming into the room, that there were things you wanted to impart to us which were important to the story you wanted to tell in the report. So when I ask you whether you think it is value for money for the €9.6 million, could you also just add if there is

anything you feel we should know about which our forensic questions have somehow overlooked?

**Sir Ronnie Flanagan:** I think I speak for all of us in saying that we have concluded that at the level of expenditure at €9.6 million it definitely does represent value for money so far as the United Kingdom is concerned. From my point of view, nothing to add, except I would like to say, in relation to the inspection of SOCA, that it is very important that we in the Inspectorate do inspect SOCA. They have to be given tremendous credit for doing a remarkable job in a relatively short time in bringing together a number of precursor organisations with very different cultures and blending them into the organisation which is now SOCA. If anyone thought they were going to produce very publicly demonstrable startling results overnight, that was never going to be the case. They are certainly fit for purpose and there will be a pattern of increasingly very public successful results to be produced.

**Q409 Chairman:** Any other additional contributions?

**Chief Constable Johnston:** No, I had my opportunity earlier when answering Lord Dear's question thank you very much.

**Chairman:** May I say to you gentlemen that this has been an excellent witness session. The Committee are extremely grateful to you for organising yourselves before you came in the room. The quality and clarity of the answers really will form a very important part of our final report. We are most grateful to you for finding time this morning to come to see us. Many thanks indeed.