

Sixteenth Report of the Independent Monitoring Commission

Presented to the Houses of Parliament by the Secretary
of State for Northern Ireland in accordance with the
Northern Ireland (Monitoring Commission etc) Act 2003

*Ordered by the House of Commons to be printed
November 2007*

SIXTEENTH REPORT OF THE INDEPENDENT MONITORING COMMISSION

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1. INTRODUCTION

- 1.1 We submit this report under Article 5(1) of the International Agreement establishing the Independent Monitoring Commission¹.
- 1.2 Article 5(1) came into force when the British Government published its two year programme of security normalisation on 1 August 2005. It obliges the IMC to monitor whether, in the light of its own assessment of the paramilitary threat and of the British Government's obligation to ensure community safety and security, the commitments the British Government made in the programme are being fulfilled to the agreed timescale, and it lists the things the Commission is obliged to monitor. The Commission is required to report its findings to the British and Irish Governments at six monthly intervals.
- 1.3 This is our fourth and final report under Article 5(1) and covers the period 1 February to 31 July 2007. Our first such report, covering 1 August 2005 to 31 January 2006, was published in March 2006; our second covering 1 February to 31 July 2006 was published in September 2006; and our third covering 1 August 2006 to 31 January 2007 was published in March 2007².
- 1.4 In preparing this report, as our other ones, we have been guided by two things:
- The objective of the Commission set out in Article 3 of the International Agreement

¹ The full text of Article 5 is in Annex I.

² Respectively the IMC Ninth Report, published March 2006, the IMC Eleventh Report, published September 2006 and the IMC Fourteenth Report published March 2007. We also presented a report under Article 5(2) which was published as our Second Report in July 2004. That report, which was made at the request of the British Government, reviewed the position on normalisation at that time although because there was then no published programme there were no specific measures to monitor.

The objective of the Commission is to carry out [its functions] with a view to promoting the transition to a peaceful society and stable and inclusive devolved Government in Northern Ireland.

- The principles about the rule of law and about democratic government which we enunciated in March 2004 and which are set out in full in Annex II.

2. THE SCOPE OF THIS REPORT AND THE SECURITY NORMALISATION PROGRAMME

The Scope of this report

2.1 Article 5(1) requires us to undertake our monitoring in the light of two considerations:

- Our own assessment of the paramilitary threat;
- The British Government's obligation to ensure the safety and security of the community as a whole.

These are crucial considerations. They mean that reports under Article 5(1) do not simply involve the monitoring of changes to security arrangements and law against a published programme, which would be a matter of reporting only on the facts, and on whether the commitments in the programme were being met. They require us to make our independent assessment of the circumstances and allow us to comment on progress in the light of that.

2.2 Article 5(1) also requires us to monitor the following:

- The demolition of towers and observation posts in Northern Ireland;
- The withdrawal of troops from police stations in Northern Ireland;
- The closure and dismantling of military bases and installations in Northern Ireland;
- Troop deployments and withdrawals from Northern Ireland and levels of British Army helicopter use;
- The repeal of counter-terrorist legislation particular to Northern Ireland.

It is our function to monitor the normalisation programme as a whole; these are simply the specific items we are formally obliged to include in our monitoring of the programme.

2.3 Because we think that our Article 5(1) reports should be documents of record which progressively cover the implementation of the whole normalisation programme we include in this report some factual data on the three earlier six month periods as well as on this final one presently under review.

2.4 In Section 3 below we set out our approach to this report and give our assessment of the threat. Sections 4, 5, 6 and 7 contain the information on the various parts of our remit. We then set out our conclusions in Section 8.

The Security Normalisation Programme

2.5 We set out the letter of notification of August 2005 from the Secretary of State in Annex III and the full security normalisation programme in Annex IV.

2.6 There are a number of points about the programme to which it is important to draw attention:

- Everything in the programme is subject to the overriding requirement that an “enabling environment” exists. This term is used in the Joint Declaration of April 2003 to describe the circumstances in which it would be possible to implement normalisation. It is related to the assessment we are required to make of the threat and to the British Government’s obligation to ensure public safety;
- The twenty-four month programme is divided into periods of 8, 12 and 4 months whereas we are required to report at six monthly intervals. This report covers the last two months of the second (12 month) period and the whole of the third and final (4 month) period;

- Some aspects of the programme do not specify the required action in detail. In the period covered in this report, for example, the programme refers to the “progressive development of and extension of” varying patterns of police patrolling and “further implementation of the police estate review, as determined by the Policing Board”;
- While the police estate and patterns of police patrolling are not specified in Article 5(1) as matters we are obliged to monitor, because they feature in the programme they are part of our monitoring;
- Article 5(1)(a) requires us to monitor the levels of British Army helicopter use. There is no specific reference to helicopters in the normalisation programme, although flying is influenced by important features of the programme such as the number of troops and of observation towers. We have followed the requirements of Article 5(1)(a)(iv) and cover British Army helicopter use in this Report.

3. OUR APPROACH TO THIS REPORT AND THREAT ASSESSMENT

Our Approach

- 3.1 On this as on other aspects of our remit we take account of as wide a range of opinions and information as possible. We continue to receive communications from members of the public, all of which we take into account, and we monitor media reporting and discussion. But throughout the security normalisation programme there has been a relatively low level of political and public interest in its implementation. This may be because its fulfilment is largely taken for granted and because the changed security profile seems sufficiently in tune with the circumstances for it no longer to be a matter of significant public concern.
- 3.2 We have made further visits to satisfy ourselves that the objectives of the programme are being met.

Threat Assessment

- 3.3 We have to take two things into account in this report: first, our own assessment of the paramilitary threat; and second, the obligations of the British Government to ensure the safety and security of the community as a whole.
- 3.4 There is one important point about our assessment of the paramilitary threat. We deal in this report with that threat only in so far as it bears directly on the implementation of the security normalisation programme. In broad terms, this means the actions of paramilitaries which require special security measures, for example military intervention or counter-terrorist legislation. It does not mean those activities of paramilitaries for which such measures are not necessary, even if those activities are serious. We believe that organised crime involving paramilitaries falls into this category. Such crime is different from terrorism or insurgency of the kind these special measures are designed to combat and is a matter for the PSNI, AGS and other law enforcement agencies North and South. Accordingly, the threat assessment

we make in the following paragraphs is necessarily narrower than it is in the reports we make on paramilitary activity as a whole under Article 4 of our remit. We will give a broader assessment of paramilitary activity in our next Article 4 report, which we are due to deliver to the two Governments in October 2007.

3.5 In the light of our present task as we describe it in the preceding paragraph, the following are the key points about the paramilitary threat which seem to us to apply to security normalisation at the present time:

- It remains our firm view that PIRA is committed to the political path and we have no grounds at all for thinking that it will be diverted from it. Following the establishment of devolved government in Northern Ireland in May 2007 the provisional republican movement as a whole is now more closely bound into the democratic process. Since the decision of Sinn Féin in January 2007 to support policing and the criminal justice system they have joined the Policing Board and there has been increasing co-operation with the PSNI on the ground. PIRA is not engaged in terrorist activity and we believe that it does not plan to return to it. It has issued clear instructions to its members to refrain from all forms of violence and it continues to encourage them to take part in political and other forms of community activity. Senior PIRA figures have engaged in public dialogue with loyalist groups. We therefore conclude, as we did in our previous report of this kind six months ago, that PIRA has abandoned terrorism and violence and that it does not pose any form of threat relevant to security normalisation;
- Dissident republicans continue to pose a threat to both the security forces and to the community at large. Although we do not think that any of the dissident republican organisations have the capacity to mount a sustained campaign, members remain committed to violence and have undertaken attacks in which the security forces were the main target. In April 2007 an improvised mortar was found in Lurgan for which we believe CIRA was responsible, and improvised explosive devices were

thrown at the homes of a police officer and two members of the local District Policing Partnership in Strabane; we think it likely that these latter attacks were undertaken by Óglaigh na hÉireann. However, there are indications of friction within dissident groups and the circumstances in which they operate have been changed by political developments and the decision of Sinn Féin in January 2007 to support policing and criminal justice. The law enforcement agencies have had a number of successes against them. We conclude that there remains a threat of attack by dissident republicans which is relevant to the process of security normalisation;

- We do not believe that the loyalist paramilitaries pose a terrorist-type risk to the security forces or that they plan to mount a terrorist campaign. We therefore conclude that they do not pose a threat which is significantly relevant to security normalisation. The position with the UVF and the UDA is not however the same. In the case of the UVF, since its “statement of intent” of May 2007 the organisation appears to have started to address the question of weapons, although not fulfilling the legal requirements of the decommissioning process. There also seems to have been a significant decrease in crime and in other paramilitary activity, and a reduction in membership. This seems to be part of a coherent strategy although the picture is by no means unblemished. The UDA has not matched this progress and we believe that a lack of internal organisational coherence will continue to inhibit progress. At the time of writing this report there seems to have been no progress on decommissioning. There has however been less criminal activity by members and the organisation has publicly discouraged them from engaging in crime, instead directing them towards community work. Much of the potential for trouble arises from tensions within the organisation’s own ranks; for example, internal rivalry led to a serious and disturbing incident at Carrickfergus on 21 July 2007 at which a PSNI officer was shot in the back.

3.6 As we say above, we are also obliged by Article 5 to undertake our monitoring “in the light of . . . the British Government’s obligation to ensure the safety and security of the community as a whole”, and we have accordingly considered its assessment of that obligation. In our Ninth, Eleventh and Fourteenth Reports we published letters from the Secretary of State for Northern Ireland in which he set out his views on this point. We again asked him for his views so that we could take them into account in this report³.

3.7 The Secretary of State refers to the “dramatic changes” to the security situation over the two years of the normalisation programme and to the fact that 12 July in 2006 and 2007 have both been “overwhelmingly peaceful”. He goes on however to sound a cautionary note in respect of the continuing threat from dissident republicans and the risk of public disorder and says that the security forces have to be able to deal with these residual issues. That is why the British Government has retained some special measures to deal with jury intimidation and why, in line with the Patten report, the police (and if necessary in very exceptional circumstances the Army) are equipped to deal with any future large-scale public disorder⁴. The Secretary of State concludes by saying that he believes the normalisation programme has been appropriate, that in his view the residual measures are at present necessary in the wider security context, and to express the hope that they can be removed as soon as the security situation permits, referring in that regard to the operation of devolved government and to the work underway to prepare for the devolution of justice and policing.

3 The full text of all four letters are in Annex V

4 We deal with the relevant legislative measures in Section 5 below.

4. SECURITY NORMALISATION: THE USE OF THE MILITARY IN SUPPORT OF THE POLICE SERVICE OF NORTHERN IRELAND

- 4.1 We set out here the factual position under the various heads of Article 5(1) dealing with military support to the police and on the disposal of vacated sites, to which the normalisation programme refers.
- 4.2 In respect of the heads of Article 5(1) we set out the position on 31 July 2005 (the day before the start of the normalisation programme), that on 31 January 2006, 31 July 2006 and 31 January 2007 (at the end of the first three six month periods of the programme) and that on 31 July 2007 (at the end of the final six months, and the period specifically under review in this report).
- 4.3 We necessarily use figures on the use of the military provided by the British Government.

The Demolition of Towers and Observation Posts in Northern Ireland – Article 5(1)(a)(i)

- 4.4 The International Agreement refers to “towers and observation posts”. As in our earlier reports, we have taken the term in its natural sense, namely sites used solely or primarily for observation, whether for the purposes of protection or to gather information. We have taken it to cover both ground level and elevated sites. Annex VI explains the types of military sites we have included.

- 4.5 The position is as follows:

– 31 July 2005	10 sites
– 31 January 2006	5 sites
– 31 July 2006	2 sites
– 31 January 2007	2 sites
– 31 July 2007	0 sites

The full details are in Annex VII.

4.6 The normalisation programme required the following work to have been completed by 31 January 2006:

- removal of Tower Romeo 12 in South Armagh;
- dismantling the “supersangar” in Newtownhamilton;
- removal of the observation post at Divis Tower in Belfast;
- the successive removal of two towers in South Armagh, G10 at Creevekeeran and G20 at Drummuckavall, with the sites returned to green field status as soon as possible.

The programme also required the removal of two observation towers at Masonic in Londonderry by 31 January 2006. These towers were part of a base which was to continue in operation for the time being (see paragraphs 4.13-4.16 below and Annex X).

4.7 All this work was completed on schedule, and neither the programme nor the structured plan for troop reduction made any other reference to the demolition of towers or observation posts during the rest of the first 8 month period (i.e. to 31 March 2006).

4.8 The programme required the vacation and demolition of the remaining towers in South Armagh, and the return of sites to green field status as rapidly as possible thereafter, during the following 12 month period, that is to say by 31 March 2007. Neither the programme nor the structured plan for troop reductions⁵ specified a precise date within that period by which that had to be done but the three remaining hilltop sites in South Armagh were in fact closed in April 2006⁶.

5 See paragraphs 4.17-4.19 below.

6 Annex XIII gives further details on the disposal of the sites

- 4.9 This left two towers or observation posts – Rosemount in Derry and Musgrave Park Hospital. Both were scheduled for closure by 31 July 2007. Rosemount was closed and demolished and the site handed to PSNI in June 2007. Musgrave Park was closed and demolished in July 2007. There are therefore no remaining towers or observation posts.

The Withdrawal of Troops from Police Stations in Northern Ireland – Article 5(1)(a)(ii)

- 4.10 The Army was jointly based with the PSNI as follows:

- On 31 July 2005 at 10 police stations
- On 31 January 2006 at 5 police stations
- On 31 July 2006 at 3 police stations
- On 31 January 2007 at 1 police station
- On 31 July 2007 at 0 police stations

The full details are in Annex IX.

- 4.11 Although the normalisation programme made no specific reference to the withdrawal of troops from police stations during its first 8 month period we noted in our first report on normalisation that there was a reduction of 50% from 10 bases to 5 between 1 August 2005 and 31 January 2006 and Forkhill Base was closed as the programme required. The first specific reference in the programme to the withdrawal of troops was in the following 12 month period, namely from 1 April 2006 until 31 March 2007. Over these 12 months the military base at PSNI Maydown had to be removed and troops had to be withdrawn from the sites at which they were co-located with the police in Armagh (at Crossmaglen, Newtownhamilton and Middletown) and in Fermanagh and Tyrone. There were no specific dates in the programme for these withdrawals.

4.12 The closure at Maydown was made ahead of schedule, in December 2005⁷. Troops were withdrawn from PSNI Middletown and PSNI Newtownbutler in March and June 2006 respectively⁸. Troops were withdrawn from PSNI Keady and PSNI Newtownhamilton in September 2006 and from PSNI Crossmaglen in March 2007. All the joint bases have therefore been closed.

The Closure and dismantling of Military Bases and Installations in Northern Ireland – Article 5(1)(a)(iii)⁹.

4.13 The following was the number of military bases and installations:

–	31 July 2005	24 sites
–	31 January 2006	22 sites
–	31 July 2006	22 sites
–	31 January 2007	20 sites
–	31 July 2007	13 sites

The full details are in Annex X.

4.14 The normalisation programme envisages that there will be no more than 14 sites by the end of the programme in 2007. Two bases were closed in 2005 – Killymeal House, Dungannon, in October and Girdwood Park, Belfast in November. Mahon Barracks, Portadown, closed in October 2006 (3 months ahead of the date envisaged in the structured plan) and Grosvenor

⁷ A military bomb disposal team remains co-located with the police at PSNI Maydown.

⁸ The structured plan gives dates for a number of individual events. It makes clear that they are “current planning dates” (i.e. current when the plan was published in March 2006) and that there may be some variation on these dates within the timetable set in the full normalisation programme. In the event, the withdrawal at Middletown took place slightly ahead of the date indicated in the structured plan and that at Newtownbutler some 2 months later. In the case of Keady, the date for withdrawal in the structured plan was August 2006; in the event the troops withdrew in September 2006.

⁹ For the purposes of this report we have taken vacation and closure to mean that the Army have left the base and that it is closed for all purposes to do with military operations.

Barracks, Enniskillen, closed in December 2006 (the date envisaged in the plan).

4.15 The British Government subsequently announced that, in the light of further consideration of its overall defence commitments, 4 of the “no more than 14 locations” mentioned in the Joint Declaration were also not needed in the longer term. While not part of the security normalisation programme, one of these 4 sites was planned to close by 31 July 2007, one in August 2007, and two the following year. Of the 10 bases which would then remain, 2 are open training areas with accommodation only for troops whilst they are there on exercise. The details are also in Annex X. We note that at the height of the Troubles there were somewhat over 100 bases.

4.16 In the six months to 31 July 2007 the following 7 bases were closed: Bessbrook; Drumadd Barracks, Armagh; Harmony House, Lisburn; Laurel Hill House, Coleraine; Lisanelly Barracks, Omagh; Masonic, Derry; and St Lucia Barracks, Omagh. One other base which is scheduled for closure under the programme, Moscow Camp, Belfast, will close by the end of 2007, when there will therefore be 12 bases as against the 14 envisaged for the end of the normalisation programme.

Troop Deployments and Withdrawals from Northern Ireland – Article 5(1)(a)(iv)

4.17 The number of troops in Northern Ireland and rearbased¹⁰ but available to the GOC for deployment in Northern Ireland was as follows¹¹:

–	August 2005	10,028
–	January 2006	9,209

¹⁰ Rearbased means those troops normally based outside Northern Ireland but available to the GOC to deploy within Northern Ireland as he determines from time to time according to the level of support required by police.

¹¹ These figures and those given in the following paragraphs and associated annex, include members of all the regular armed services in Northern Ireland in support of the police or rearbased. They include full-time and part-time home service members of the Royal Irish Regiment; in the case of the part-time members, they are counted on a per capita base, not as full-time equivalents. They do not include members of the Territorial Army, who are not available for deployment in support of the police in Northern Ireland. (See paragraph 4.20 for further comment on the home service members of the Royal Irish Regiment.)

–	July 2006	8,300
–	January 2007	7,535
–	July 2007	4,275

The full details, set out month by month, are in Annex XI¹².

4.18 The normalisation programme required the publication of a structured plan for the phased reduction of troops to peacetime levels – namely a permanent garrison of no more than 5,000 – during the first 8 month period. It did not require any actual reduction in the number of troops during this period. The reductions have to be in line with the structured plan during the subsequent periods. This eventual number contrasts with that at the height of the Troubles – some 30,000.

4.19 The British Government published the structured plan on 28 March 2006, within the specified period. In addition to giving the planned number of troops on 31 March 2006, 31 March 2007 and 31 July 2007 (i.e. the end dates of the three periods in the programme) it specified which units were to be withdrawn, disbanded, reduced or re-organised during these three periods and it gave details of changes to be made to military sites.

4.20 The reduction in the number of troops has been consistently ahead of schedule. The number envisaged for March 2006 – 9,200 – was achieved two months earlier, in the preceding January. In March it had fallen to 9,086. In July 2006 there were already 200 fewer troops than planned for 8 months later in March 2007. And by January 2007 the number – at some 7,500 – was 1,000 ahead of target for that March and contained over 2,000 Home Service personnel of the Royal Irish Regiment who had by then been declared non-operational.

¹² The monthly figures in Annex XI, unless otherwise specified, represent a snapshot of manning levels on the last day of the month; they are not averages.

4.21 In the 6 months to 31 July 2007 there was a reduction in the number of troops of 3,260 leaving 4,275 at the end of July. This is 725 below the ceiling set in the programme.

Levels of British Army Helicopter Use – Article 5(1)(a)(iv)

4.22 We give details, including a breakdown between hours flown for operational, training and engineering purposes, in Annex XII. We record separately in Annex XII the additional flying necessitated by the implementation of the programme, mainly the demolition of hilltop sites and the removal of material. The same Annex gives a graph showing the hours flown for these various purposes.

4.23 It is difficult to draw solid conclusions from the figures on helicopter flying hours. First, neither the normalisation programme nor the structured plan for troop reductions make any reference to the use of helicopters, so we have no requirement against which we can make an assessment. Second, there are considerable seasonal fluctuations, with less flying in the winter than in the summer; this means that it is difficult to make useful comparisons between individual months in different seasons and between the six-month periods which we monitor. We believe however that the following points give a realistic picture of what has happened. We have said in previous reports that:

- Comparing the first six month period of the programme, August 2005 to January 2006, with the same six months in 2004-05, and not counting flying for the purpose of demolishing hilltop sites, there was a reduction of 3,479 in the hours flown, from 8,687 to 5,208, or 40%;
- Comparing the second six month period, February to July 2006 with the same period in 2005, and again not counting flying for the purposes of demolishing the hilltop sites, there was a reduction of 1,761 hours, from 7,462 to 5,701, or 24%.

- In the third six month period, August 2006 to January 2007, there were no flights for the purposes of demolishing hilltop sites. Comparing these six months with the same period in 2005-06 there was a reduction of 1,890 hours, from 5,208 to 3,318, or 36%. Compared with the same period two years before, in 2004-05, there was a reduction of 5,369 hours, from 8,687 to 3,318, or 62%.

- In the final six month period, under review in this report, there was a reduction of 1,783 hours, from 5,701 to 3,918, or 31%, compared with the same period in 2006. Compared with the same period in 2005 the reduction was of 3,544 hours, from 7,462 to 3,918, or 47%. These total hours disguise a rebalancing between the different activities, as the figures in Annex XII show. Operational flying was at its lowest level, even though it was normally higher in the summer. Flying for engineering purposes, to maintain the airworthiness of the helicopters, was broadly stable, and was only some 5% of the total. Overall, there was less flying for training purposes than in the same period in 2006, though it was higher in June and July than it had been that year. In addition to the usual seasonal factor this was in case the military had to be deployed in the parades season and because of the arrival of new crews requiring additional training to maintain standards.

4.24 We believe that these comparisons of six month periods in different years give the most realistic indication of the changing pattern of helicopter use because they compare the same seasons of the year. The previously reported reductions of 40%, 24% and 36% respectively were substantial, as is the most recent of 31%. From 1 August 2007 flying will be for the purposes of training and supporting the troops garrisoned in Northern Ireland.

Vacated Sites

4.25 The middle 12 month period of the programme requires “the return of private property on vacated sites”. The final period couched the requirement in

slightly different terms: "The vacation, closure and disposal of all military sites to leave no more than 14 core sites".

- 4.26 The arrangements for the disposal of vacated sites vary depending on whether they are owned by the British Government, are leased, or had been requisitioned under emergency powers. Annex XIII explains these arrangements and sets out the present position in respect of all sites due to be vacated under the programme.
- 4.27 All the sites which the programme requires should be vacated had been by 31 July 2007, with the exception of Moscow Camp, Belfast, which will be closed and vacated by the end of the year. In addition, 2 of the 4 extra sites referred to in paragraph 4.15 above had also been closed and vacated by that date.

Summary

- 4.28 In the first 6 months of the normalisation programme, 1 August 2005-31 January 2006 (covered in our first report of this kind):
- Five of the ten remaining towers and observation posts were demolished, including all those required by the programme;
 - The number of joint PSNI/Army bases was halved from 10 to 5, and Forkhill Base was closed as the programme required. The military base in PSNI Maydown was closed in December 2005, 4 months ahead of schedule;
 - The number of military bases and installations came down from 24 to 22;
 - The number of troops came down by nearly 900, some 8½%;
 - Helicopter flying hours were 40% less than in the same period in 2004-05.

4.29 In the second 6 months of the normalisation programme, 1 February-31 July 2006 (covered in our second report of this kind):

- The three remaining towers and observation posts in South Armagh were demolished;
- Troops were withdrawn from two PSNI stations;
- The number of military bases was unchanged;
- The number of troops was reduced by over 9% and in July 2006 was 200 less than the number specified for March 2007, 8 months later;
- Helicopter flying hours were 24% less than the same period in 2005.

4.30 In the third 6 months of the normalisation programme, 1 August 2006-31 January 2007 (covered in our previous report):

- No further towers or observation posts were demolished; leaving two to be removed during the final 6 months of the programme;
- Troops were withdrawn from 2 further PSNI stations, leaving one from which they had to be withdrawn in the final 6 months;
- 2 further bases were closed, and following further announcements the eventual number of bases was to be 10 as distinct from the 14 envisaged in the normalisation programme;
- The number of troops declined over the 6 month period by about 600 to just over 7,500. This was almost 1,000 less than the number envisaged for March 2007 and contained some 2,000 personnel who by then had been declared non-operational.
- Helicopter flying hours were 36% less than in the same period in 2005-06;

- 7 vacated sites had been disposed of, and a further 6 were in the process of disposal.

4.31 In the fourth and final 6 months of the normalisation programme, 1 February-31 July 2007 (under review in this report);

- Both the remaining towers and observation posts were demolished as required;
- Troops were withdrawn from the one remaining joint PSNI base and the remaining redundant military infrastructure was transferred to the PSNI;
- The number of military bases was reduced by 7 to 13, one below the number specified in the programme. One further base scheduled for closure in the programme will be closed by the end of 2007;
- The number of troops declined by 3,260, leaving 4,275 at the end of the programme, 725 below the specified ceiling;
- Helicopter flying hours were 31% less than in the same period in 2006 and 47% less than in the same period in 2005;
- 8 further sites were in the process of disposal.

4.32 The military operation under which the Army has supported the police in Northern Ireland since 1969 – Operation Banner – was ended on 31 July 2007. The number of troops in Northern Ireland in future will remain within the ceiling of 5,000 set out in the Joint Declaration of April 2003 and repeated in the normalisation programme. These troops are to be available for deployment worldwide and are in a similar position to troops garrisoned elsewhere in the UK.

5. SECURITY NORMALISATION: THE REPEAL OF COUNTER-TERRORIST LEGISLATION PARTICULAR TO NORTHERN IRELAND

- 5.1 Article 5(1)(a)(v) requires us to report on the repeal of counter-terrorist legislation particular to Northern Ireland.
- 5.2 Under the terms of the security normalisation programme “counter-terrorist legislation particular to Northern Ireland” has to be repealed by 31 July 2007. The legislation with application only to Northern Ireland was previously contained in Part VII of the Terrorism Act 2000, which was temporary and subject to both regular independent review and annual parliamentary renewal. These provisions were all repealed on 31 July 2007¹³. The formal requirement of the programme has therefore been met¹⁴.
- 5.3 There are however two aspects of what was previously in Part VII for which alternative provisions applying only to Northern Ireland have been introduced with effect from 1 August 2007. The first is to do with non-jury trials; the second gives certain powers to the British Army which it can exercise only in Northern Ireland and allows the Secretary of State to take possession of land or close roads if he needs to do so to preserve peace or maintain order. The legislation in which these alternative provisions are contained – the Justice and Security (Northern Ireland) Act 2007 – is not specifically directed to countering terrorism and covers a number of different aspects of the criminal justice system and the Northern Ireland Human Rights Commission. But we believe it is incumbent on us to say whether we

13 The repeal of Part VII was made through the Terrorism (Northern Ireland) Act 2006. This same legislation had also extended the life of Part VII without need for annual renewal until 31 July 2007; without this extension Part VII would have lapsed entirely in February 2006.

The statutory arrangements for the independent review of the counter-terrorist legislation have continued. First, the Independent Reviewer of the Terrorism Act 2000, Lord Carlile of Berriew QC, again examined the use of and need for the provision in Part VII. For 2006 Lord Carlile included his review of the operation of Part VII in his review of the Terrorism Act 2000 as a whole: Report on the Operations in 2006 of the Terrorism Act 2000, Lord Carlile of Berriew QC, Home Office, June 2007.

Second, the Independent Assessor of Military Complaints Procedures, Mr Jim McDonald CBE, continued to review the manner in which the British Army deals with complaints it receives. He delivered his report for 2006 in July 2007 (Independent Assessor of Military Complaints Procedures in Northern Ireland, Fourteenth Annual Report.) Mr McDonald's post lapsed with the repeal of Part VII. We understand that he will submit a final report covering the period to 31 July 2007 in the autumn of 2007.

14 There are extensive provisions in other counter-terrorist legislation which, because they are applicable throughout the UK, are unaffected by the normalisation programme and do not come within our remit.

think they are sufficiently distinct from those in Part VII for the requirement of the programme to have been met. If the substance of elements of Part VII had been simply re-enacted in a different guise in a way not justified by the circumstances, and if the prerequisite for normalisation of an “enabling environment” existed, we would not think that it had been.

5.4 Under the new system for non-jury courts all trials would be before a jury unless the Director of Public Prosecutions (DPP) suspects that one of a number of prescribed conditions is met and he is satisfied that in the light of this there is a risk to the administration of justice if the trial were to be held with a jury. The conditions relate to proscribed organisations and to offences involving religious or political hostility. These arrangements reflect the fact that in some circumstances jurors in Northern Ireland might be exposed to intimidation, and we note the view that they are designed for exceptional cases. Other parts of the legislation strengthen the protection offered to jurors and limit the right to challenge them.

5.5 In the consultation paper on the replacement arrangements for Diplock Courts in 2006 the Independent Reviewer of the Terrorism Act 2000, Lord Carlile of Berriew QC, said that he thought the risks of jury intimidation had reduced but still existed and were greater than elsewhere in the UK¹⁵. He concluded that there should be a presumption of jury trial, that exceptions should be very limited, but that some cases would still need to be heard without a jury, and he suggested that there should be no separate category of offences linked to terrorism. He pointed to the legislation in England and Wales which provides for a judge to determine whether the trial should be with or without a jury. In a letter to the Secretary of State for Northern Ireland dated 23 July 2007 and published on 2 August Lord Carlile expressed the view that the new powers in the 2007 Act were intended to ensure that non-jury trials were exceptional and that they should “provide the robust context to cope with the reduction in non-jury trials to the minimum”¹⁶.

¹⁵ Replacement Arrangements for the Diplock Court System, Northern Ireland Office, August 2006.

¹⁶ In the same letter Lord Carlile noted that the number of non-jury trials in Northern Ireland had continued to fall in the early part of 2007.

- 5.6 We accept the view that jury intimidation is a risk and that the risk is likely to be different, and perhaps greater, in Northern Ireland because of the continuing incidence of paramilitary-related crime. Jurisdictions other than England and Wales, including Ireland, have also enacted measures to counteract intimidation and to dispense with juries in certain cases. The new provisions in Northern Ireland are triggered by the prosecuting authorities rather than left to the discretion of the judiciary, and the conditions for their use are closely aligned to the activities of paramilitary organisations rather than just to the actual nature of the threat to jurors, from whomsoever it may come.
- 5.7 We are told that this approach is seen as necessary and proportionate at a time when paramilitary activity and crime has reduced but has by no means disappeared, and that it is compatible with the way in which the Northern Ireland courts operate¹⁷. We are also aware that some feel the similarity between these arrangements and those for the Diplock Courts is too close.
- 5.8 It is not for us to adjudicate on a debate about the criminal justice system. Our task is simply to say if the terms of the normalisation programme have been met. It seems to us that they have been, for these reasons: the Diplock Courts have been dispensed with; the new arrangements have a very different focus and are subject to quite different conditions; they are not specifically designed to deal with the terrorist threat as such; and they are shaped by a continuation of a level of paramilitary activity and a risk of juror intimidation in some individual cases. But we are nevertheless struck by the way in which, because of the nature of the conditions the DPP can apply, they are linked so closely to the past and so to a situation which we hope will continue to become less and less applicable. We note that the provisions will expire in two years unless renewed by the UK Parliament. We hope that they are fully reviewed before a decision is taken on renewal and

17 See also paragraph 3.7 above and Annex V.

that circumstances will then exist which would make it possible to align them more closely with the arrangements in other jurisdictions. If, as is envisaged, criminal justice is by then devolved to the Northern Ireland Executive and Assembly, then we hope that the review will involve close consultation between the Northern Ireland Minister for Justice and the UK Government.

5.9 The powers for the Army and the Secretary of State are designed, we understand, to provide for circumstances where there might either be violent public disorder or a resurgence of violent activity by paramilitaries which the PSNI were not able to deal with unaided. We recognise that this is likely to arise only if such disorder is very serious and sustained. In such circumstances, if certain conditions are fulfilled, soldiers would be able to search people, to detain them for up to four hours, and to enter or search premises or vehicles. The Secretary of State could, again in defined circumstances and in order to preserve peace or maintain order, take possession of land or property or intervene on it in other ways, and could order the closure of roads. There are safeguards in the form of record keeping, a code of practice and the appointment of a person to review the operation of these arrangements every year, the report of the review being published. The provisions can be repealed by Order without need for primary legislation.

5.10 We recognise that the situation in Northern Ireland has not evolved to the point where serious public disorder, perhaps of a sectarian nature, can be ruled out. It occurred in a serious manner in the autumn of 2005¹⁸. We note that the Patten Commission envisaged that the Army might have a continuing role in dealing with serious public disorder in Northern Ireland in reinforcement to the PSNI. This is despite the fact that such a role would be abnormal elsewhere in the UK. If there is the possibility of the Army having to act in this way in future it is necessary to ensure they have the powers available to them to do so effectively. They must be able to assist the police in bringing the serious disorders to an early end and so that the police can

18 We reported on the disorders in September 2005 in our Seventh Report in October 2005 – see paragraph 4.13.

again assume full responsibility for law enforcement. We also note that in the same letter to the Secretary of State as we refer to in paragraph 5.5 above, Lord Carlile said that provisions in the 2007 Act as a whole reflect the desire for normalisation. He went on to express the hope that people could look forward to a time when they could be seen as part of the conventional law rather than as a special subset of measures¹⁹.

5.11 It seems to us that the powers in the new legislation are reasonable for exercise in these circumstances. What is essential is that these powers should be used, if at all, only in appropriate circumstances within the prescribed statutory conditions. The safeguard of a published annual review of their operation is important. Bearing in mind the view of the Patten Commission, the inclusion of these provisions in the recent legislation is compatible with the requirement of the normalisation programme, especially given its reference to an enabling environment, the continuation of the dissident republican threat, and a risk, albeit reduced, of public disorder. But again, if the situation can be reached where the risk of disorder of the severity which would necessitate military reinforcement to the PSNI has sufficiently reduced, or if alternative arrangements can be made for the reinforcement of the PSNI - which we recognise is not straight forward, then we hope that they might cease to be necessary and we are glad to see that it will be possible to repeal them by Order. We think that it would be valuable in due course to re-examine this whole issue again.

¹⁹ In the same letter Lord Carlile gave figures on the use of these powers, which had declined in the early part of 2007 and in some cases had ceased entirely.

6. SECURITY NORMALISATION: THE POLICE ESTATE

6.1 The security normalisation programme makes two references to the police estate relevant to this report:

- In the 12 month period to March 2007 it specifies that there should be “further defortification of police stations”. (In the first 8 month period it had referred to “continuation of the review of the police estate with action taken as agreed with the Policing Board following consultation with District Commanders and local communities, including work to defortify some 24 police stations”.);
- In the final 4 month period April-July 2007 it says there must be “Further implementation of the police estate review, as determined by the Policing Board”.

6.2 Although these formulations are rather different (that for the final period being more akin to the one used for the first period running to March 2006) we do not think it is either realistic or helpful to draw a sharp line at the end of March 2007. All the action to defortify police stations falls within the strategy set by the Policing Board, and the implementation of the Board’s review of the police estate includes defortification. We have therefore approached our task in the round, bearing in mind the comments we have previously made on the police estate²⁰. Because the normalisation programme does not specify dates by when particular actions shall be completed we are again looking at a process rather than milestones.

6.3 In monitoring any aspect of the police estate we recognise that:

- Action is a matter for the Policing Board and the PSNI rather than directly for the British Government. Both have functions conferred on them in law which they are obliged to undertake. The police estate is vested in the Policing Board;

²⁰ IMC Ninth Report, March 2006, Section 6 and paragraphs 7.3 and 7.7; IMC Eleventh Report, September 2006, Section 6 and paragraph 8.7; IMC Fourteenth Report, March 2007, Section 6 and paragraph 8.7.

- Changes to the police estate are an important factor in the delivery of normal policing in Northern Ireland. We also recognise that a number of measures flow directly from the Patten Report²¹.

6.4 The Patten recommendations on the estate, as the other Patten recommendations, fell within the remit of the Oversight Commissioner. Accordingly, this aspect of the normalisation programme has, until the Commissioner's final report in May 2007, been under continuing separate detailed review in addition to the monitoring which it is our function to undertake²².

6.5 We have held discussions about the police estate and visited police stations.

6.6 In our three previous reports we concluded that the commitments in the security normalisation programme about the police estate had been met: the review of the estate had continued, including formally by the Policing Board; there had been consultations within the PSNI and with the community; and the plans included the specified number of defortifications. We said this recognising the complexity of the plans and the fact they were bound to evolve in the light of changing circumstances.

6.7 In our Eleventh Report we also said we had no reason to disagree with the comments of the Oversight Commissioner on the need to make more progress in improving the estate and on the delays in the building programme which would result from the review of public administration. The implementation of Patten-related building work is dependent on funding

21 In addition to the defortification of existing police buildings, other Patten recommendations on the estate were that new stations should as far as possible have the appearance of ordinary buildings, the installation of CCTV in custody suites, the building of a new Police College and the closure of the three holding centres at Castlereagh, Gough Barracks and Strand Road.

22 The Oversight Commissioner commented on the police estate in his 16th Report (June 2006) and we referred to his comments in our Eleventh Report. In his 18th Report (December 2006), which reviewed progress on all the Patten recommendations, he noted that (a) the recommendations on the appearance of new police stations had been implemented (b) there had been moderate progress on the renovation of police station reception areas. As regards the need which Patten had identified to make existing stations less forbidding in appearance, he did not add to his comments of June 2006.

made available for the purpose by the Northern Ireland Office and can proceed only at the pace which funding allows.

6.8 In our Fourteenth Report we drew attention to the report of the UK Comptroller and Auditor General on the estate strategy²³. Bearing in mind his comments we emphasised that the implementation of the review of the police estate required the maintenance of sufficient funding.

6.9 For the purposes of this report we have again examined the implementation of the changes to the police estate and the plans for defortification. We note that:

- In 2005-06 PSNI undertook an audit of the complete estate in which local police commanders were engaged. This identified potential defortification schemes. The work programmes for both 2006-07 and 2007-08 were developed in the light of the audit. A second audit of the estate is to be undertaken in the last quarter of 2007-08 which will reflect the restructuring of District Command Units (DCU) and further defortification schemes will be identified from it. (The proposals for the restructuring of local government which arose from the Review of Public Administration necessitated the replanning of DCUs, and so changes to the buildings required, for example as DCU headquarters. It also necessarily delayed work on defortifying some smaller police stations until it could be determined whether they would be needed under the new structure or could be closed. The DCU structure has now been established.)
- A second audit of the Patten recommendation that existing police stations should be made less forbidding in appearance, more accessible to the public and more congenial to those working in them will identify further defortification schemes to be taken forward in 2008-09 and subsequently;

²³ [The Estate Strategy of the Police Service of Northern Ireland](#), National Audit Office, HC 101 2006-2007, December 2006. See paragraph 6.8 of our Fourteenth Report.

- PSNI expedited and developed 35 defortification schemes at existing police stations during 2006-07 and plans to complete 28 such schemes during 2007-08;
- PSNI has acquired three mobile police stations for use in rural areas and is developing two police “surgeries” to be located on third party premises. It is also exploring possibilities for “surgeries” at a number of other locations;
- PSNI continues its programme of building new police stations in line with the Patten recommendation that they should as far as possible look like ordinary buildings, be clearly visible from the street and have low perimeter walls, although incorporating the necessary security features which can be activated or reinforced if necessary. The new DCU headquarters at Omagh is being built and preliminary works have started for a new DCU headquarters at Musgrave Street in central Belfast;
- PSNI has also completed substantial building works directly related to the Army’s security normalisation programme so that premises can meet future police requirements, for example where the Army was previously co-located at police stations. These locations include Mahon Road, Portadown, Crossmaglen and Newtownhamilton;
- The Northern Ireland Policing Board has kept the review of the police estate and its implementation under continuing formal and informal review.

6.10 We have also noted the comments of the Oversight Commissioner in his 19th and final report²⁴. He described the work to transform police stations from a fortified appearance to “ordinary stations appropriate to a peaceful and supportive society” as a “major task” and one which had been a “slow

24 Oversight Commissioner, Report 19, May 2007.

process with moderate accomplishment". We agree with this. He concluded that there had been moderate progress with the Patten recommendation on work at existing police stations (much of which goes beyond our remit) and that it had not yet been achieved, and he said there had been only limited results in removing fortifications at police stations. More generally, he referred to the strategy approved by the Police Board and the major programme of works which had flown from it, and he recognised that many projects depended on the implementation of the new structure of DCUs. He spoke approvingly of the estate planning strategy but said further work was needed to ensure the estate was of the right size and configuration.

7. SECURITY NORMALISATION: PATTERNS OF POLICE PATROLLING

- 7.1 In the second (12 month) period the normalisation programme refers to the “progressive development of and extension of varying patrol patterns: e.g. single beat officers, bicycle patrols and opening of police shops.” In the final (4 month) period it refers to “Additional opportunities for the police to patrol without the use of armoured vehicles.”
- 7.2 It is our task to monitor the implementation of both these rather different formulations. We have already looked at police patrolling twice²⁵ and, as with the police estate²⁶, do not think it is either realistic or helpful to draw a sharp line between the two at the end of March 2007. It is also the case that, in contrast to most of the rest of the programme, these requirements are fairly unspecific. There is no starting point against which to measure progress and there are neither targets nor timings. We have therefore taken our task to be the assessment of whether PSNI is continuing to introduce different patterns of police patrolling from those it had previously been mainly accustomed to and is reducing the use of armoured vehicles. We have taken the references to types of patrolling as examples rather than as being exclusive.
- 7.3 Police patrolling patterns are an important element of the Patten changes, in conjunction with other matters to do with police relations with the community, and have therefore been subject to the continuing scrutiny of the Oversight Commissioner. This means that, until his final report in May 2007, and in common with the police estate there has been a continuing and independent review quite separate from our periodic monitoring in relation to the security normalisation programme. We noted in our two previous reports that the Oversight Commissioner had recorded the Patten recommendation on foot patrolling as having been implemented, as he did in his recent final report. He has also said in that report that the

²⁵ IMC Eleventh Report, September 2006, Section 7; IMC Fourteenth Report, March 2007, Section 7.

²⁶ See Section 6 above.

recommendations on moving armoured Landrovers to depots and using normal liveried vehicles had been implemented²⁷.

7.4 It is important to repeat one point we made in our previous reports. Patrolling patterns are complex and various. Patrolling necessarily varies from place to place, according to the time of day, and to reflect particular circumstances. In no police service is there a single rigid pattern and we would not expect there to be one in the PSNI. This means that there are bound to be circumstances in which single officer patrolling, or the use of bicycles, is entirely unsuitable, both because it would expose officers to unacceptable risk and because it would fail to deliver to the public the service to which they are entitled. Moreover, because of the continuing threat from dissident republicans to which we refer above²⁸ we think it inevitable that there will continue to be differences in patrolling patterns from place to place. The question is whether, taken as a whole and in appropriate circumstances, the PSNI is making greater use of the patterns which are to be found in other services in the UK and in Ireland.

7.5 We note the following:

- The arrangements remain in place whereby all territorial Districts of the PSNI have a senior officer who is designated as the “champion” of single officer patrolling. It is this person’s responsibility to ensure the development of single officer patrolling in appropriate circumstances. The two Regional Assistant Chief Constables, to whom the District Commanders are accountable, examine progress on single officer patrolling during their regular structured accountability and performance meetings with those commanders;
- Guidelines on all aspects of single officer patrolling are being prepared and we understand that they will be promulgated to the Service shortly.

²⁷ Oversight Commissioner, Report 19, May 2007.

²⁸ Paragraphs 3.4-3.5 above.

- The overall trend in the use of single officer patrolling is upwards. In some PSNI Districts it is broadly as it was six months ago whilst in others it has increased. As was the case when we reported before, the level varies very considerably from place to place, both between and within Districts. In some places three quarters of foot patrols are undertaken by single officers, and in others (where for example there remains a threat from dissident republicans) there is none;
- Amongst the places in which the use of single officer patrolling has increased are Castlereagh (at 50% in the first half of 2007 it is 10% higher than in 2006 and double the level of 2005); South Belfast (at 40% in the first half of 2007, double the level in the same period in 2006); East Belfast (where in the first half of 2007 it was 50% compared with 20% during the same period in 2006); Cookstown (where all parts of the District have some single officer patrolling and the overall figure for the first half of 2007 was 75%, nearly four times greater than in the same period in 2006);
- There is growing use of police surgeries as a means of facilitating communication between the police and local communities. For example, there is a programme to roll out more in Strabane and premises have been identified in Beragh. Increased use is also being made of police shops and mobile police stations.
- It remains the plan to introduce Police Community Support Officers (PCSO) in the Spring of 2008. This will have a valuable impact on both patrolling patterns and resources.

8. CONCLUSIONS

8.1 Because this is our final report on the normalisation programme we set our conclusions out in a rather different way. First, we look at the 6 months immediately under review, February to July 2007. Second, we look at the programme as a whole.

8.2 Our task is to:

- Monitor whether the commitments in the security normalisation programme are being fully implemented, and
- To do so in the light of our own assessment of the paramilitary threat and of the British Government's obligation to ensure the safety and security of the community as a whole.

The Final Six Months of the Normalisation programme – February to July 2007

8.3 It is relevant to our work, and to public confidence in what is being done, that other independent bodies keep under review a number of matters which are included in the normalisation programme. All the counter-terrorist legislation particular to Northern Ireland has been reviewed on an annual basis by Lord Carlile; the police estate and patrolling patterns fell within the remit of the Oversight Commissioner until his final report in May 2007, and the estate was additionally examined by the UK Comptroller and Auditor General in December 2006²⁹. These other reviews examine the issues from different and generally wider perspectives than our focus on what is required by the normalisation programme.

8.4 We draw our conclusions on the 6 months February to July 2007 against the background of our remit (Section 2), our assessment of the threat (Section 3), and the material we have presented on the implementation of the security normalisation programme in Sections 4, 5, 6 and 7.

²⁹ We refer to these reviews in more detail, and to the latest reports, in Sections 5, 6 and 7 above.

- 8.5 We conclude that the provisions of the programme on military support to the police have been met. We recognise that one of the bases scheduled for closure will not in fact close until the end of 2007, but we do not think these few months are material, bearing in mind also that in key respects (the number of bases and of troops) the requirements have been exceeded. We also note that the military operation under which the Army has supported the PSNI was ended on 31 July 2007.
- 8.6 As regards action on counter-terrorist legislation particular to Northern Ireland, we believe the requirements of the programme have been met. We are aware of the debate around the alternative arrangements in the recent legislation and set out fully our reasons for reaching this conclusion in Section 5 above. We suggest that the provisions for non-jury trials are thoroughly reviewed before a decision is taken in two years time about their renewal. We also think it would be valuable in due course to re-examine the need for the continued Army powers.
- 8.7 We note the measures being taken on the police estate by PSNI and the Policing Board. Although the pace of work on some building developments has inevitably been adversely affected by the reorganisation of District Command Units (the future structure of which has now been determined), we believe that the schemes in hand, the recent audit of the police estate, and the forthcoming audit from which further defortification schemes are expected to emerge, together with the Policing Board's continuing oversight, show that the requirements of the normalisation programme have been met. However, in our view the pace of defortification needs to be increased.
- 8.8 On police patrolling patterns the PSNI has continued to make progress in the directions indicated by the normalisation programme and has put in place arrangements to ensure this continues to be the case. The Service is also introducing other measures to enhance communications with the community. We conclude that the requirements of the programme have been met.

8.9 We think it is also important to record in this context that for the second year running the parades on 12 July 2007 were policed without the need for military assistance.

The Normalisation Programme as a Whole – August 2005 to July 2007

8.10 In our three previous reports we concluded that the commitments in the first eighteen months of the programme had been met³⁰.

8.11 In the light of our previous conclusions and of what we say above in paragraphs 8.5-8.8, we conclude that the normalisation programme as a whole has been complied with.

³⁰ See IMC Ninth Report, March 2006, paragraphs 7.3-7.8; IMC Eleventh Report, September 2006, paragraphs 8.5-8.10; IMC Fourteenth Report, March 2007, paragraphs 8.5-8.8.

ANNEX I

ARTICLE 5 OF THE INTERNATIONAL AGREEMENT

- (1) In relation to a commitment by the British Government to a package of security normalisation measures, the Commission shall:
 - (a) monitor whether commitments made are being fully implemented within the agreed timescales, in the light of its assessment of the paramilitary threat and the British Government's obligation to ensure the safety and security of the community as a whole. The activities it shall monitor in this regard shall include:
 - i. demolition of towers and observation posts in Northern Ireland;
 - ii. withdrawal of troops from police stations in Northern Ireland;
 - iii. closure and dismantling of military bases and installations in Northern Ireland;
 - iv. troop deployments and withdrawals from Northern Ireland and levels of British Army helicopter use;
 - v. the repeal of counter-terrorist legislation particular to Northern Ireland;
 - (b) report its findings in respect of paragraph (a) of this Article to the two Governments at six-monthly intervals.
- (2) The Commission shall, at the request of the British Government, prepare a report giving an account of security normalisation activity undertaken by the British Government over a specified period. The period to be covered by such a report, and the activities it shall monitor in this regard, shall be notified to the Commission by the British Government.

ANNEX II

THE IMC'S GUIDING PRINCIPLES

These guiding principles were set out in the statement the IMC issued on 9 March 2004.

- The rule of law is fundamental in a democratic society.
- We understand that there are some strongly held views about certain aspects of the legal framework, for example the special provisions applying to terrorism, and that those holding these views will continue to seek changes. But obedience to the law is incumbent on every citizen.
- The law can be legitimately enforced only by duly appointed and accountable law enforcement officers or institutions. Any other forcible imposition of standards is unlawful and undemocratic.
- Violence and the threat of violence can have no part in democratic politics. A society in which they play some role in political or governmental affairs cannot – in the words of Article 3 – be considered either peaceful or stable.
- Political parties in a democratic and peaceful society, and all those working in them, must not in any way benefit from, or be associated with, illegal activity of any kind, whether involving violence or the threat of it, or crime of any kind, or the proceeds of crime. It is incumbent on all those engaged in democratic politics to ensure that their activities are untainted in any of these ways.
- It is not acceptable for any political party, and in particular for the leadership, to express commitment to democratic politics and the rule of law if they do not live up to those statements and do all in their power to ensure that those they are in a position to influence do the same.

ANNEX III

LETTER OF NOTIFICATION FROM THE BRITISH GOVERNMENT

Independent Monitoring Commission

PO Box 709

BELFAST

BT2 8YB

2 August 2005

Dear Sirs

IMC NORMALISATION REMIT

Under Article 5(1) of the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland establishing the Independent Monitoring Commission (IMC) signed at Dublin on 25 November 2003 and which entered into force on 7 January 2004, the IMC shall monitor and report on a programme of security normalisation measures undertaken by the British Government. Under Article 15(2), this obligation shall commence from the date on which the British Government formally notifies the Government of Ireland and the IMC of the commencement of such a programme. This notification can only be given once the British Government has consulted with the Irish Government and is satisfied with the commitments that have been given on the end to paramilitary activity.

I have consulted with the Irish Government and we are satisfied with the commitments given on the end to paramilitary activity, contained in the statement issued by the IRA on 28 July 2005. Accordingly, the British Government's normalisation programme has been triggered. I am therefore writing to ask you to formally commence your obligations under Article 5(1) of the Agreement to monitor and report on the programme of security normalisation. I have enclosed a copy of this programme. This obligation shall take effect from today. I am also writing to the Irish Minister for Justice, Equality and Law Reform to notify him of this.

RT HON PETER HAIN MP
Secretary of State for Northern Ireland

ANNEX IV

SECURITY NORMALISATION PROGRAMME

PUBLISHED BY THE BRITISH GOVERNMENT, 1 AUGUST 2005

The steps which will be undertaken in a normalisation programme assuming an enabling environment is created and maintained will be as follows:

Within the first 8 months, in an enabling environment, we would have achieved:

- The vacation and closure of Forkhill Base; the removal of Tower Romeo 12 in South Armagh; and dismantling of the super sanger in Newtownhamilton. Work has already started and will be completed within a 6-month period.
- The removal of the observation post at Divis Tower in Belfast and the two observation towers at Masonic in Londonderry. Work is beginning this week and will be completed within a 6-month period.
- The successive removal of two towers in South Armagh G10 (Creevekeeran); G20 (Drummuckavall). Work will start within a few weeks and be completed within a 6-month period; with the sites restored to Greenfield status as soon as possible.
- The publication of a structured plan for phased reduction in troops to peacetime levels.
- The continuation of the review of the police estate with action taken as agreed with the Policing Board following consultation with District Commanders and local communities, including work to defortify some 24 police stations.

Within the next 12 months, in an enabling environment, we would have achieved:

- Further defortification of police stations. Progressive development of and extension of varying patrol patterns: eg single beat officers, bicycle patrols and opening of police shops.
- The vacation and demolition of the remaining South Armagh towers. These sites, with the exception of a Blue Light communications site at Crosleive, would be returned to green field status as rapidly as possible thereafter.
- Progressive withdrawal of soldiers from sites where co-located with police in Armagh (Crossmaglen, Newtownhamilton, Middletown) and in Fermanagh and Tyrone.
- The removal of the military base within Maydown police station.
- A reduction in troop numbers in line with the published plan.
- The return of private property on vacated sites.

Within the final 4 months, in an enabling environment, we would have achieved:

- Further implementation of the police estate review, as determined by the Policing Board.
- Additional opportunities for the police to patrol without the use of armoured vehicles.
- The vacation and demolition of the observation post at Rosemount in Derry.
- The vacation, closure and disposal of all military sites to leave no more than 14 core sites.
- The further reduction in Army and other service levels, including the disbandment of the operational brigade headquarters, to a permanent military garrison of no more than 5,000. The size of the longer-term garrison

is likely to fluctuate in response to global demands on the army and its overall complement.

- Repeal of counter-terrorist legislation particular to Northern Ireland.

ANNEX V

VIEWS OF THE BRITISH GOVERNMENT ON THE THREAT AND ITS OBLIGATION TO ENSURE THE SAFETY AND SECURITY OF THE COMMUNITY AS A WHOLE

The Secretary of State for Northern Ireland has written to us on three occasions to set out the views of the British Government on the threat and its obligation to ensure the safety and security of the community as a whole. His letters were in connection with each of our three Article 5(1) reports. We print all three letters in full below:

- A. Letter of 6 February 2006 for our Ninth Report (March 2006);
- B. Letter of 2 August 2006 for our Eleventh Report (September 2006);
- C. Letter of 21 February 2007 for our Fourteenth Report (March 2007);
- D. Letter of 2 August 2007 for this present report.

A. *Letter from the Secretary of State for Northern Ireland sent in connection with the IMC 9th Report*

Independent Monitoring Commission
PO Box 709
BELFAST
BT2 8YB

6 February 2006

Dear Sirs

Under Article 5(1) of the International Agreement establishing the IMC, the Commission is required to monitor whether a commitment to a package of security normalisation measures is being fully implemented within the agreed timescales, in the light of its assessment of the paramilitary threat and the British Government's obligation to ensure the safety and security of the community as a whole. This statement represents the British Government's own assessment of its obligation to ensure the safety and security of the community as a whole.

The Government's first and over-riding priority is the safety and security of the people of Northern Ireland. The Government's principal adviser is the Chief Constable who assesses the threat from paramilitary groups, in terms of their intent, capacity and capability, from a wide range of intelligence. The security measures put in or retained in place reflect that assessment. The threat assessment is kept under constant review, and Government Ministers discuss it regularly with the Chief Constable and other security advisers, for example at the monthly Security Policy Meeting.

Since the paramilitary ceasefires in 1994 a process of steady normalisation has been underway, with each step being taken on the basis of security advice. The IMC's Second Report summarised the progress made on normalisation between December 1999 and May 2004. Further normalisation steps were taken between May 2004 and July 2005, again based on security advice. On 28 July last year the Provisional IRA issued its statement recording that *"All IRA units have been ordered to dump their arms. All volunteers have been instructed to assist the development of purely political and democratic programmes through exclusively peaceful means. Volunteers must not engage in any other activities whatsoever."* This was followed in September by the decommissioning of IRA weapons confirmed by the Independent International Commission on Decommissioning (IICD), which stated *"We have determined that the IRA has met its commitment to put all arms beyond use in a manner required by the legislation."*

Following the July statement the Government announced its intention to complete the process of normalisation over a two year period, in line with undertakings made in the Joint Declaration. The Government made clear that that decision reflected the security advice of the Chief Constable and General Officer Commanding, and that the continuation of the normalisation programme, and its pace, was dependent on the enabling environment continuing.

The assessment process and the speed of normalisation takes full account of events on the ground and residual threats (many of them identified by the IMC in their 8th Report), such as the violence following the Whiterock parade in September, much of it by the UVF and UDA; the LVF's announcement in October that its 'military units' had been ordered to stand down; the continuing threat posed by dissident republican groupings; and the welcome indications that PIRA's leadership has taken the strategic decision to end their armed campaign and that the organisation as a whole is being turned so that it is not directed for terrorist purposes. The policing response to these developments is augmented by other initiatives aimed at reducing community tensions and interface violence, resolving contentious parades and achieving wider community engagement with the police, particularly in disadvantaged areas. The Government is also, in conjunction with the Irish Government, in dialogue with the Northern Ireland parties, making a concerted effort to re-establish the devolved institutions as soon as possible. All of these initiatives will, Government hopes, help contribute to and embed a reduction in the level of threat. These efforts in turn are supported by the wider political dialogue aimed at restoring the devolved institutions as soon as possible.

The Government's assessment, based on the advice of its security advisers and its own assessment of the political environment, is that the current normalisation programme remains appropriate and manageable, and is in itself an important contribution to a more normal and therefore more stable society. If at any point the Government concludes that the necessary enabling environment no longer exists, it will not hesitate to halt that programme and, if necessary, reinstate particular measures if the security situation requires it.

RT HON PETER HAIN MP
Secretary of State for Northern Ireland

B. Letter from the Secretary of State for Northern Ireland sent in connection with the IMC 11th Report

Independent Monitoring Commission
PO Box 709
BELFAST
BT2 8YB

2 August 2006

Dear Sirs

On 6 February 2006 I wrote to the Commission setting out the British Government's own assessment of its obligation to ensure the safety and security of the community as a whole. That letter was published as part of your 9th report, which was the first to deal with the programme of security normalisation I launched on 1 August 2005.

I have examined that letter in the light of your forthcoming report on security normalisation. I am satisfied that the assessment it makes of the Government's obligation still stands and that the current normalisation programme remains appropriate and manageable.

In my February letter I referred to initiatives aimed at reducing community tensions and interface violence; and resolving contentious parades which, Government hopes, will help contribute to and embed a reduction in the level of threat. Positive engagement from all stakeholders has led to an overwhelmingly peaceful June and July. For example, this was the first time for over 30 years that the military were not deployed on the streets of Belfast on 12 July. There were isolated acts of disorder and there are many more parades to come, but this positive progress can be built upon and it should not be underestimated.

There are no further issues relating to the Government's obligation that I wish to bring to the attention of the Commission.

RT HON PETER HAIN MP
Secretary of State for Northern Ireland

C. *Letter from the Secretary of State for Northern Ireland sent in connection with our 14th Report*

Independent Monitoring Commission
PO Box 709
BELFAST
BT2 8YB

21 February 2007

Dear Commissioners

I have previously written to the Commission setting out the British Government's own assessment of its obligation to ensure the safety and security of the community as a whole. Letters were published as part of your 9th and 11th reports, which dealt with the programme of security normalisation I launched on 1 August 2005.

I have examined those letters in the light of your forthcoming report on security normalisation. I am satisfied that the assessment it makes of the Government's obligation still stands and that the current normalisation programme remains appropriate and manageable.

In making that assessment I have taken account of the developments at the Sinn Féin Ard Fheis on 28 January 2007. The decision to support policing and the criminal justice system was a very major development and it demonstrates Sinn Féin's substantial commitment to the democratic process. Already there have been practical signs of delivery by republicans on the ground, for example in Armagh where the Police Commander praised their co-operation over a murder. I anticipate further positive changes in the security context in Northern Ireland resulting from this decision.

Set against that, I must also be aware of the continuing threat from dissident republicans. Their activities have increased from later summer, including a firebombing campaign that resulted in £25m of damage to property. These actions must be deplored. I am also conscious that loyalists still have some way to go before they are fully turned towards community development and democratic politics and away from criminality.

There are no further issues relating to the Government's obligation that I wish to bring to the attention of the Commission.

RT HON PETER HAIN MP
Secretary of State for Northern Ireland

D. Letter from the Secretary of State for Northern Ireland sent in connection with the present report

Independent Monitoring Commission
PO Box 709
BELFAST
BT2 8YB

2 August 2007

Dear Commissioners

My predecessor wrote to the Commission setting out the British Government's own assessment of its obligation to ensure the safety and security of the community as a whole. Letters were published as part of your 9th, 11th and 14th reports, which dealt with the programme of security normalisation launched on 1 August 2005.

I have witnessed tremendous changes in the security situation in Northern Ireland over the last two years. In July 2005 the Provisional IRA made its historic statement announcing an end to the armed campaign. In response to that, my predecessor was able to launch a programme of security normalisation, subject to an enabling environment. This is the programme on which the IMC have been reporting.

Over the last two years there have been dramatic changes in the security situation. 12 July 2006 and 12 July 2007 have both been overwhelmingly peaceful. Neither of them have required the deployment of the military on the streets. The IICD have reported that the Provisional IRA have decommissioned all the arms under their control and each of the IMC's reports on paramilitary activity has been more positive than the last.

In light of this, troop levels have reduced to garrison levels; towers and observation posts have been dismantled; and some physical security measures around police stations have been removed.

However, there are still some factors in the security situation that require caution from Government. We still face a significant threat from dissident republicans and some fringe loyalists. In particular, we must not forget the dissident firebombing campaign of autumn 2006, which resulted in significant damage to property. The serious and sustained violence surrounding the Whiterock parade in September 2005 was orchestrated by loyalists and of a type and scale not seen elsewhere in the UK. Barriers are still required to protect communities from interface violence.

Despite the improvements in the security situation, the security forces must remain able to deal with these residual threats. This is why it has been necessary to retain some measures to deal with remaining issues. Despite a programme of juror reforms, a continuing threat of paramilitary and community based pressures on jurors makes it necessary to have some special measures in place. However, in light of the reductions in risk we have been able to shift the presumption in favour of jury trial in all cases. We must also make sure that, in line with the Patten Report, the police and military are equipped with the necessary tools to enable them to protect the public by dealing effectively with any future large-scale public disorder. These tools have been developed by looking at the real operational challenges that are faced by the security forces in such situations.

I am satisfied that the normalisation programme has been appropriate. Government has sought to reduce the security measures in place in Northern Ireland in a responsible way. There has been tremendous progress in scaling down the security response and returning Northern Ireland to normality. However, these steps must be taken against the backdrop of the wider security context. Regretfully, some measures remain necessary to ensure that the Government's primary duty to protect the safety and security of the public can be fulfilled. However with devolved government now

working again in Northern Ireland, and work underway to prepare for the devolution of policing and justice matters in Northern Ireland, I hope these measures will not be needed, and can be removed as soon as the security situation permits.

RT HON SHAUN WOODWARD MP
Secretary of State for Northern Ireland

ANNEX VI

TOWERS AND OBSERVATION POSTS: DEFINITIONS

1. As outlined in paragraph 4.4 we have taken the term “towers and observation posts” to encompass all military sites used solely or primarily for observations, whether for the purposes of protection or to gather information. We also make clear that we take the term to cover ground level and elevated sites.

2. The British Army use other terms to classify their sites covered by our definition. For the avoidance of any doubt we set out below the military terms we have deemed to be included in this part of the report.

Sangar: A sangar is a protected sentry post, normally located around the perimeter of a base. Its main function is to provide early warning of enemy/terrorist activity/attack in order to protect forces both within the base and those deployed within sight of the sangar.

Supersangar: A supersangar is an elevated sangar and may be indistinguishable from what is commonly termed a tower.

Observation Post: An observation post is an installation whose primary role is to collect information, as directed by and in support of the PSNI.

3. Sites are described by their primary purpose – sangar or supersangar if it is to protect, observation post if it is to collect information. In practice there may be considerable overlap between the roles. A site designed mainly to protect may play an important role in gathering information, and vice versa.

4. It will be seen from this that:

- in common usage “observation post” may mean a sangar, a supersangar or an observation post as defined above;
- in common usage “tower” may mean a supersangar, or an elevated observation post.

ANNEX VII

TOWERS AND OBSERVATION POSTS IN USE ON 31 JULY 2005,

31 JANUARY 2006, 31 JULY 2006, 31 JANUARY 2007 AND 31 JULY 2007

The first column lists the sites in use at 31 July 2005. In the middle columns “open” indicates the site was still in use and “closed” that it was shut on those dates. The right hand column indicates the position on 31 July 2007.

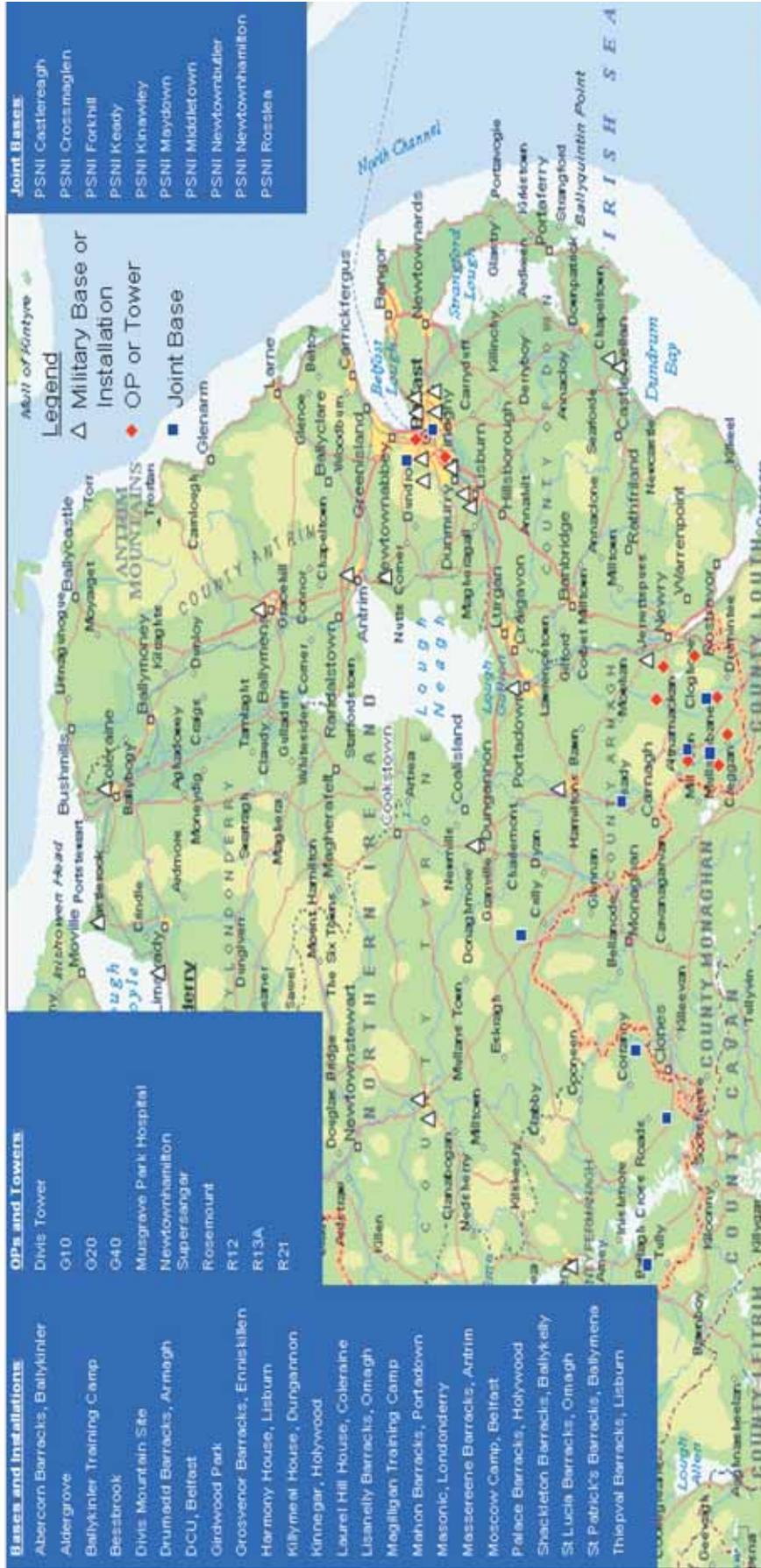
SITES AT 31 JULY 2005	POSITION AT 31 JANUARY 2006	POSITION AT 31 JULY 2006	POSITION AT 31 JANUARY 2007	POSITION AT 31 JULY 2007
Divis Tower (Belfast)	Closed (Aug 2005)	Closed	Closed	Closed
G10 (Creevekeeran)	Closed (Aug 2005)	Closed	Closed	Closed
G20 (Drummuckavall)	Closed (Aug 2005)	Closed	Closed	Closed
G40 (Croslieve)	Open	Closed (April 2006) ³¹	Closed	Closed
Musgrave Park Hospital	Open	Open	Open	Closed (July 2007)
Newtownhamilton Supersangar	Closed (Aug 2005)	Closed	Closed	Closed
Rosemount	Open	Open	Open	Closed (June 2007)
R12 (Sugarloaf Hill)	Closed (Aug 2005)	Closed	Closed	Closed
R13A (Camlough Mountain)	Open	Closed (April 2006) ³²	Closed	Closed
R21 (Jonesborough Hill)	Open	Closed (April 2006) ³³	Closed	Closed

31 Following the end of military use in April 2006 the site was converted to a communications site for the emergency services. It was transferred to the Policing Board for Northern Ireland in July 2006.

32 Operational use ceased on 1 April 2006. The site was handed to Defence Estates in May 2006.

33 Operational use ceased on 1 April 2006. The site was handed to Defence Estates in May 2006.

ANNEX VIII MAPS SHOWING THE LOCATION OF MILITARY BASES IN NORTHERN IRELAND AUGUST 2005



ANNEX IX

JOINT PSNI/MILITARY BASES IN USE ON 31 JULY 2005, 31 JANUARY 2006, 31 JULY 2006, 31 JANUARY 2007 AND 31 JULY 2007

The left hand column lists those places where the military were jointly based with the police on 31 July 2005. In the middle columns “open” indicates that the military remained there, and “closed” that they had withdrawn and PSNI were solely responsible for the site, by those dates. The right hand column indicates the position on 31 July 2007.

POSITION AT 31 JULY 2005 ³⁴	POSITION AT 31 JANUARY 2006 ³⁵	POSITION AT 31 JULY 2006 ³⁶	POSITION AT 31 JANUARY 2007 ³⁷	POSITION AT 31 JULY 2007 ³⁸
PSNI CASTLEREAGH	Closed (Aug 05)	Closed	Closed	Closed
PSNI CROSSMAGLEN	Open	Open	Open	Closed (March 2007)
PSNI FORKHILL	Closed (Dec 05)	Closed	Closed	Closed
PSNI KEADY	Open	Open	Closed (Sept 06)	Closed
PSNI KINAWLEY	Closed (Nov 05)	Closed	Closed	Closed
PSNI MAYDOWN	Closed (Dec 05)	Closed	Closed	Closed
PSNI MIDDLETOWN	Open	Closed (March 06)	Closed	Closed
PSNI NEWTOWNBUTLER	Open	Closed (June 06)	Closed	Closed
PSNI NEWTOWNHAMILTON	Open	Open	Closed (Sept 06)	Closed
PSNI ROSSLEA	Closed (Nov 05)	Closed	Closed	Closed

34 As at 31 July 2005, redundant military infrastructure remained at PSNI Belcoo, Grosvenor Road, Kesh, Lisnaskea, New Barnsley, Old Park, Warrenpoint, Castlederg and Woodbourne. Soldiers were not present at any of these sites. PSNI Castlereagh was still in use as a Joint Base.

35 As at 31 January 2006, redundant military infrastructure remained at PSNI Belcoo, Castlereagh, Grosvenor Road, Kesh, New Barnsley, Old Park, Warrenpoint, Castlederg and Woodbourne. Soldiers were not present at any of these sites. Military infrastructure at PSNI Lisnaskea was disposed of in December 2005. Work to remove the military infrastructure at PSNI Woodbourne started in January 2006. The military base within PSNI Maydown had closed. (A military bomb disposal team remained co-located with the police in PSNI Maydown.)

36 The redundant military infrastructure at PSNI Woodbourne referred to in the immediately preceding footnote was removed or transferred to PSNI in February 2006. As at 31 July 2006 redundant military infrastructure remained at PSNI Belcoo, Castlereagh, Grosvenor Road, Kesh, New Barnsley, Old Park, Warrenpoint and Castlederg. (A military bomb disposal team remained co-located with the police at PSNI Maydown.)

37 As at 31 January 2007 redundant military infrastructure remained at PSNI Belcoo, Castlereagh, Grosvenor Road, Kesh, New Barnsley, Old Park, Warrenpoint and Castlederg. (A military bomb disposal team remained co-located with the police at PSNI Maydown.)

38 All remaining redundant military infrastructure was transferred to the PSNI in June 2007. A military bomb disposal team remains co-located with the police at PSNI Maydown.

ANNEX X

MILITARY BASES AND INSTALLATIONS IN USE ON 31 JULY 2005,

31 JANUARY 2006, 31 JULY 2006, 31 JANUARY 2007 AND 31 JULY 2007

The sites marked with an asterisk are those referred to in the Joint Declaration as where “the regular garrison would be based in no more than 14 locations.”

The sites marked □† are those which in light of further consideration of its overall defence commitments, the British Government announced on 10 May and 12 October 2006 would also be closed, because they were not required to meet the needs of the peacetime garrison, although each was included in the list of 14 core sites in the Joint Declaration. Laurel Hill House, Coleraine, is now scheduled to close in August 2007, Shackleton Barracks, Ballykelly, “in April 2008”; St Lucia Barracks, Omagh “by 31 July 2007”; and St Patrick’s Barracks, Ballymena “by no later than 31 March 2008”. Thus, in the longer term, it is now planned that there should be 10 military bases, of which 2 are military training areas.

The left hand column lists the military bases and installations in use on 31 July 2005. In the middle columns “open” indicates it was still in use, and “closed” that it had shut, by those dates. The right hand column shows the position on 31 July 2007.

BASES AT 31 JULY 2005³⁹	POSITION AT 31 JANUARY 2006⁴⁰	POSITION AT 31 JULY 2006	POSITION AT 31 JANUARY 2007	POSITION AT 31 JULY 2007
Abercorn Barracks, Ballykinler*	Open	Open	Open	Open
Aldergrove*	Open	Open	Open	Open
Ballykinler Training Camp*	Open	Open	Open	Open
Bessbrook	Open	Open	Open	Closed (June 2007)
Divis Key Point* (on Divis Mountain)	Open	Open	Open	Open
Drumadd Barracks, Armagh	Open	Open	Open	Closed (July 2007)
Duke of Connaught's Unit, Belfast*	Open	Open	Open	Open
Girdwood Park	Closed (Nov 05)	Closed	Closed	Closed
Grosvenor Barracks, Enniskillen	Open	Open	Closed (Dec 06)	Closed
Harmony House, Lisburn	Open	Open	Open	Closed (July 2007)
Killymeal House, Dungannon	Closed (Oct 05)	Closed	Closed	Closed
Kinnegar, Holywood*	Open	Open	Open	Open
Laurel Hill House, Coleraine*†	Open	Open	Open	Closed (July 2007)
Lisanelly Barracks, Omagh	Open	Open	Open	Closed (July 2007)
Magilligan Training Camp*	Open	Open	Open	Open
Mahon Barracks, Portadown	Open	Open	Closed (Oct 06)	Closed
Masonic, Londonderry	Open	Open ⁴¹	Open	Closed (June 07)
Massereene Barracks, Antrim*	Open	Open	Open	Open
Moscow Camp, Belfast	Open	Open	Open	Open (to be closed at the end of 2007)
Palace Barracks, Holywood*	Open	Open	Open	Open
Shackleton Barracks, Ballykelly*†	Open	Open	Open	Open
St Lucia Barracks, Omagh*†	Open	Open	Open	Closed (July 2007)
St Patrick's Barracks, Ballymena*†	Open	Open	Open	Open
Thiepval Barracks, Lisburn*	Open	Open	Open	Open

39 On 31 July 2005 at Girdwood Park in Belfast only a military guard force remained while contractors demolished the base, prior to its closure. On 31 July 2005 at Killymeal House in Dungannon no troops were present and contractors were demolishing the base prior to its closure.

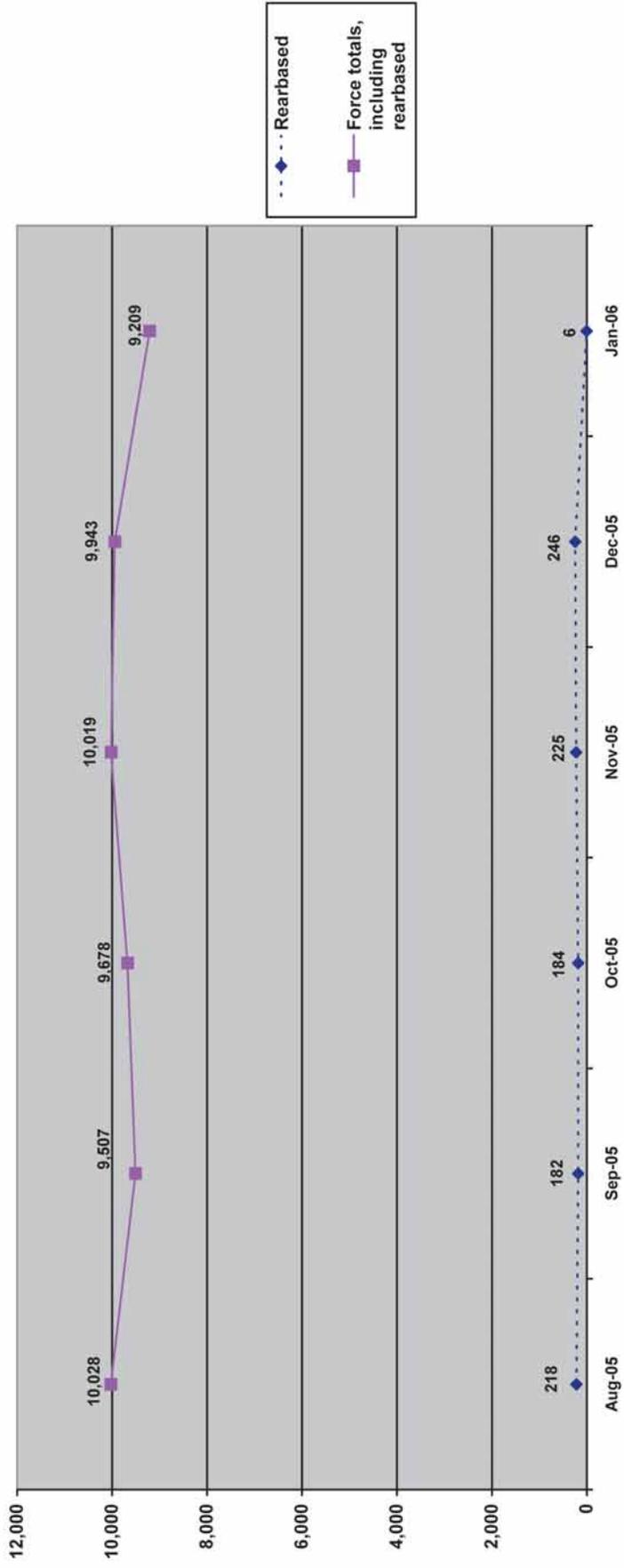
40 Two observation towers at Masonic were closed in November 2005 in accordance with the normalisation programme; see paragraph 4.6 above.

41 Please see immediately preceding footnote.

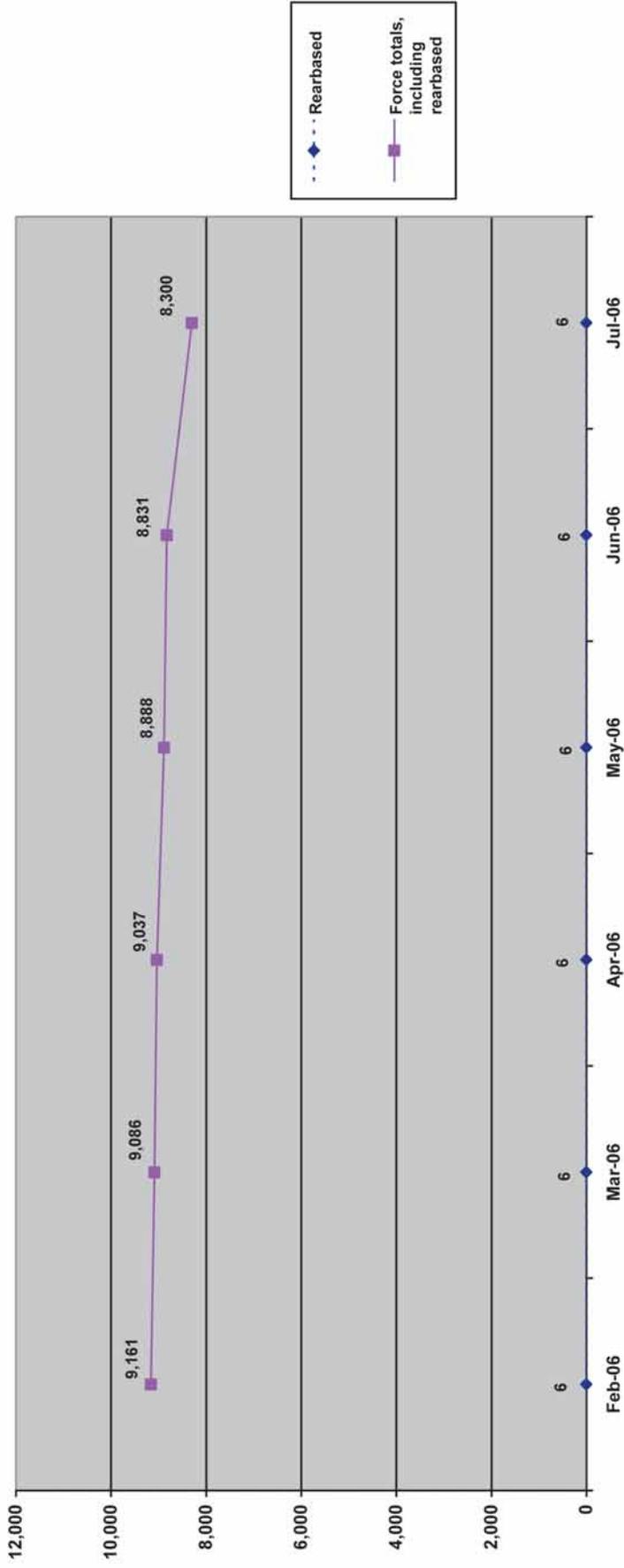
ANNEX XI

NORMALISATION PROGRAMME

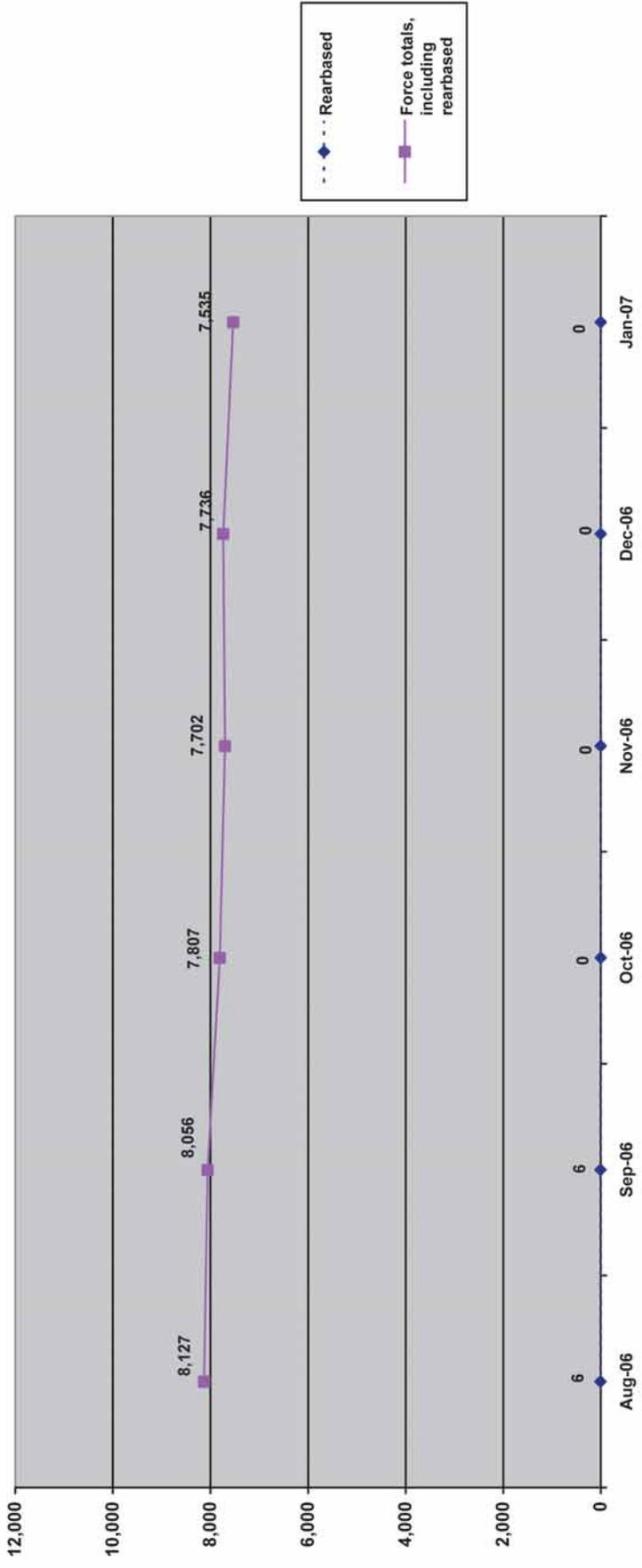
MONTHLY TROOP LEVELS – AUGUST 2005 TO JANUARY 2006



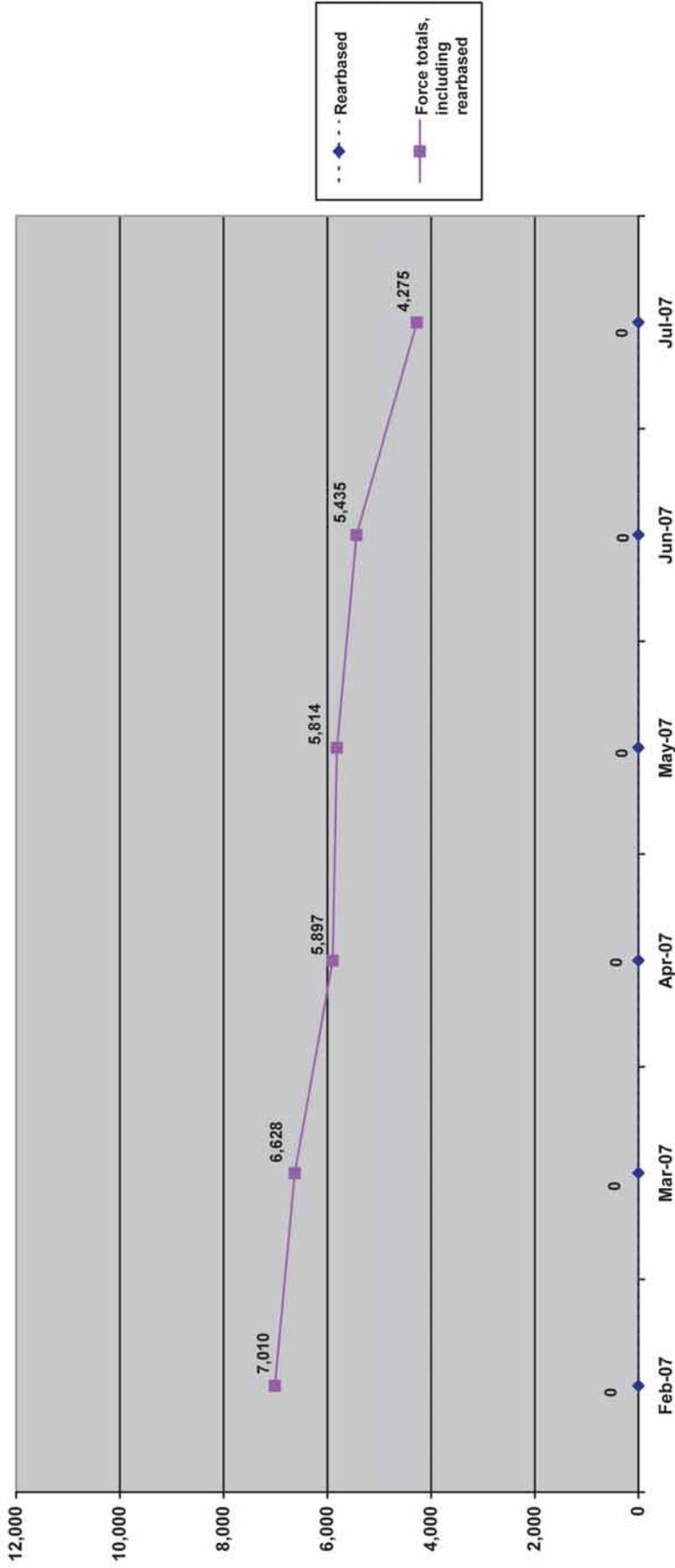
MONTHLY TROOP LEVELS – FEBRUARY 2006 – JULY 2006



MONTHLY TROOP LEVELS – AUGUST 2006 – JANUARY 2007



MONTHLY TROOP LEVELS – FEBRUARY 2007 – JULY 2007



ANNEX XII

MILITARY HELICOPTER USE – JULY 2005 TO JULY 2007

The following definitions have been used in this table:

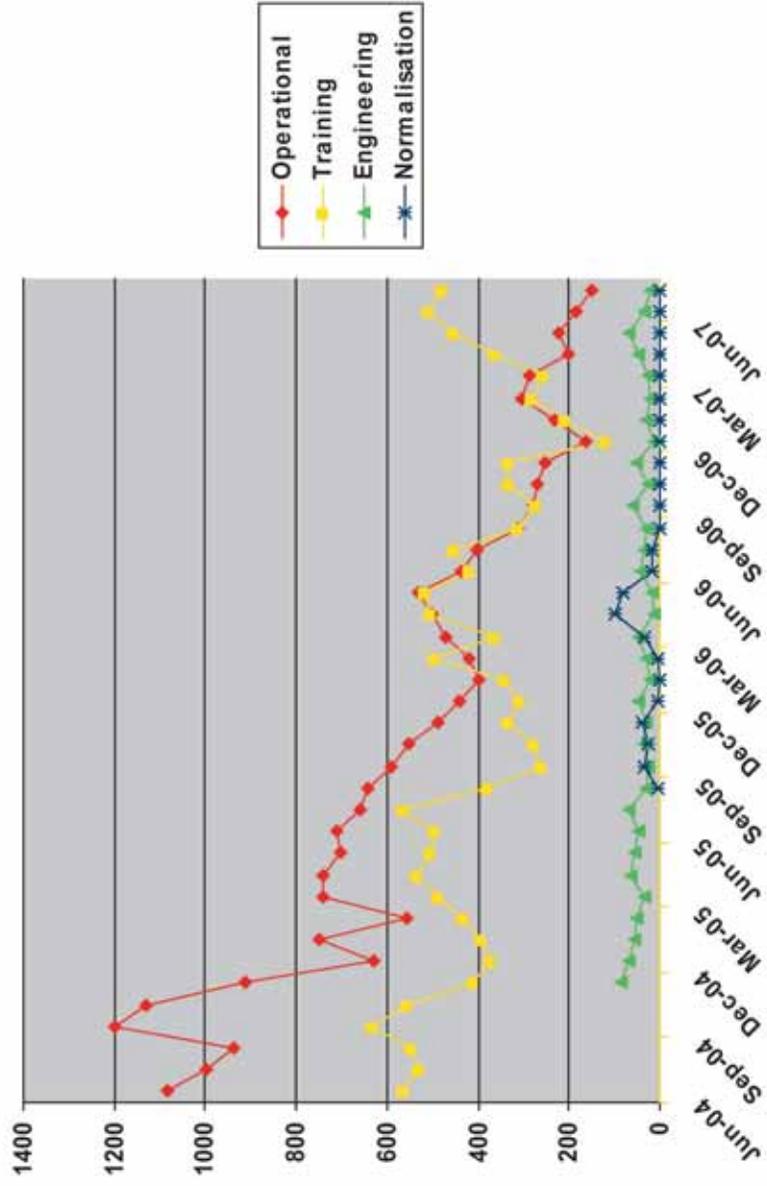
- Operational flights are those flown in support of PSNI.
- Training flights are those flown to maintain pilot competency standards.
- Engineering flights are flying safety tests of aircraft after engineering work.

Month	Operational	Training	Engineering	Total
July 2005	659:20	566:18	69:25	1295:03
Aug 2005	649:21	380:24	31:39	1061:24
Sept 2005	622:56	260:09	26:20	909:25
Oct 2005	578:02	277:04	34:21	889:27
Nov 2005	525:18	335:38	31:02	891:58
Dec 2005	445:02	307:32	45:10	797:44
Jan 2006	397:30	344:42	23:55	766:07
Feb 2006	425:01	495:33	31:30	952:04
March 2006	506:31	364:26	46:18	917:15
April 2006	599:02	507:44	11:20	1118:06
May 2006	612:01	519:49	16:05	1147:55
June 2006	453:20	418:19	44:05	915:44
July 2006	418:14	452:19	34:30	905:03
Aug 2006	313:55	312:10	32:10	658:15
Sept 2006	279:45	275:23	59:27	614:35
Oct 2006	271:52	336:17	24:44	632:53
Nov 2006	254:42	335:14	51:24	641:20
Dec 2006	162:35	122:00	14:40	299:15
Jan 2007	231:52	211:29	28:05	471:26
Feb 2007	303:11	284:50	22:10	610:11
March 2007	285:35	259:45	24:15	569:35
April 2007	203:35	364:17	45:30	613:22
May 2007	222:10	455:14	69:05	746:29
June 2007	182:31	509:57	33:40	726:08
July 2007	150:50	481:33	20:45	653:08

Included in the hours flown for operational purposes in the above table are hours flown to give effect to the normalisation programme, mainly for the demolition of hill-top sites and the removal of material. The figures for this activity are as follows:

MONTH	NORMALISATION HOURS
Aug 2005	6:50
Sept 2005	33:40
Oct 2005	26:45
Nov 2005	38:15
Dec 2005	4:00
Jan 2006	0:00
Feb 2006	5:30
March 2006	35:35
April 2006	97:55
May 2006	81:45
June 2006	18:00
July 2006	15:40
Aug 2006	0:00
Sept 2006	0:00
Oct 2006	0:00
Nov 2006	0:00
Dec 2006	0:00
Jan 2007	0:00
Feb 2007	0:00
March 2007	0:00
April 2007	0:00
May 2007	0:00
June 2007	0:00
July 2007	0:00

MILITARY HELICOPTER USE -- JUNE 2004 - JULY 2007



ANNEX XIII

ARMY AND JOINT ARMY/PSNI SITES VACATED OR TO BE VACATED UNDER THE NORMALISATION PROGRAMME

1. The normalisation programme requires:
 - “The return of private property on vacated sites” in the 12 month period, 1 April 2006 – 31 March 2007;
 - “The vacation, closure and disposal of all military sites to leave no more than 14 core sites” in the final (4 month) period, namely 1 April – 31 July 2007;
2. We explain below the different terms on which the Army occupies the sites and the arrangements for their disposal.
3. We then set out in the table details on all the sites which have been vacated since the start of the programme on 1 August 2005.

Ownership and Disposal of Sites

4. Army sites to be vacated under the normalisation programme fall into three categories: those requisitioned for Army use under the powers contained in counter-terrorist legislation; those leased from the owner; and those owned by the Ministry of Defence (MOD).
5. In the case of requisitioned sites, the MOD is obliged to return the property to the owner in its original condition. The MOD continues to pay rent after it has vacated the site until reinstatement work is completed.
6. In the case of leased sites, the MOD fulfils its obligations under the lease. This normally involves its surrender to the owner.
7. In the case of sites in government ownership the MOD follows the normal UK practice and first offers them for sale to other government departments. If no department wants the site the MOD then offers the site for sale on the open market.
8. In all cases when the Army ceases to use the site for operational purposes it is passed to Defence Estates, the part of MOD which deals with property matters and estate disposals. In the following tables this is recorded as “passed to DE”.
9. All the joint Army/PSNI bases have been closed. In those joint bases with military accommodation inside the PSNI station, it has either been demolished or transferred to PSNI for its use; redundant military infrastructure was all transferred to the PSNI in June 2007.

MILITARY SITES CLOSED AND DISPOSED OF SINCE AUGUST 2005

Site and Location	Ownership	Nature of Use	Comment
R12, Sugarloaf Hill, South Armagh	Leasehold	Observation Post	Passed to DE Aug 2005: returned to owner Oct 2006
R13A, Camlough Mountain, South Armagh	Leasehold	Observation Post	Passed to DE May 2006: returned to owner Oct 2006
R21, Jonesborough Hill, South Armagh	Leasehold	Observation Post	Passed to DE May 2006: returned to owner Oct 2006
G40, Croslieve	Leasehold	Observation Post	Passed to DE July 2006 and directly to Policing Board for use as a communications site for the emergency services
Divis Tower, Belfast	Leasehold	Observation Post	Passed to DE Aug 2005 and directly to NI Housing Executive
Killymeal House, Dungannon	MOD	Military Base	Passed to DE Oct 2005: sold Nov 06
Girdwood Park, Belfast	Leasehold	Military Base	Passed to DE Nov 2005: sold March 2006

CLOSURE AND DISPOSAL OF OTHER MILITARY SITES UNDER THE NORMALISATION PROGRAMME

Site and Location	Ownership	Nature of Use	Comment
G10, Creevekeeran	Leasehold	Observation Post	Passed to DE Sep 2006 ⁴²
G20, Drummuckavall	Leasehold	Observation Post	Passed to DE Sep 2006 ⁴³
PSNI Forkhill	MOD	Joint Base	Passed to DE Dec 2005 for disposal
PSNI Newtownhamilton	Requisitioned	Joint Base	Passed to DE Mar 2007 for return to landlord
PSNI Crossmaglen	Requisitioned	Joint Base	Passed to DE Mar 2007 for return to landlord
Musgrave Park Hospital OP	Leasehold	Observation Post	Passed to DE July 2007 for disposal
Grosvenor Barracks, Enniskillen	MOD	Military Base	Passed to DE Dec 2006 for disposal
Mahon Barracks, Portadown	MOD	Military Base	Passed to DE Oct 2006 for disposal
Harmony House, Lisburn	MOD	Training Centre	Passed to DE July 2007 for disposal
Lisanelly Barracks, Omagh	MOD	Military Base	Passed to DE July 2007 for disposal
Masonic, Londonderry	Leasehold	Military Base	Passed to DE Jun 2007 for disposal
Drumadd Barracks, Armagh	MOD	Military Base	Passed to DE July 2007 for disposal
Bessbrook	Leasehold	Military Base	Passed to DE July 2007 for disposal
Moscow Camp, Belfast	Leasehold	Military Base	To be closed at the end of 2007

⁴² Not yet returned to landowner pending resolution of boundary issues.

⁴³ As immediately preceding footnote.



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