



Department of
Justice

An Roinn Dlí agus Cirt

Mánnystrie O tha Laa

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**FROM THE PERMANENT SECRETARY
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By Email: [REDACTED]

Our Ref: SCORR-0043-2024
16 August 2024

Dear Jon,

In consultation with the Department of Finance (DoF), I am writing in relation to your recent correspondence to the Prime Minister with regard to funding for the Police Service of Northern Ireland (PSNI).

While I appreciate your commitment and determination in seeking to lobby at every level to make sure the PSNI is properly funded, there are certain protocols which must be followed when engaging with the UK Government on matters of funding in order to respect the constitutional arrangements in NI and, in particular, the authority of Ministers in a devolved government.

The Department of Finance has the responsibility of controlling public expenditure. This includes ensuring spending controls are adhered to, the requirements of regularity and propriety are met, and relevant guidance is applied. Any bid for additional funding should appropriately be made to HM Treasury from the Department of Finance, following engagement with the Department of Justice. Having considered the detail of your letter to the Prime Minister, it is my view that you have acted outside the well-established financial protocols that are in place for Accounting Officers in Northern Ireland.

You will recall that I wrote to you in June to remind you of your Accounting Officer responsibilities including the proper use of public money and due regard to affordability



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and sustainability of budgets. My predecessor, Richard Pengelly, also wrote to you along similar lines in December 2023 following your comments at a meeting of the Policing Board. I would take this opportunity – as a further reminder – to state that in accepting your role as Accounting Officer you are required to follow the principles, rules, guidance and advice as outlined in Managing Public Money Northern Ireland (MPMNI). These responsibilities include living within the budgetary control totals that have been set by the Assembly. As Principal Accounting Officer, it is my duty to intervene if these rules are not followed. I am aware that you responded to the Department on this point on 14 December 2023 to confirm that you are aware of your responsibilities, and I would ask you once again to make yourself aware of the requirements of this role and to reaffirm your commitment to act within them.

I fully acknowledge the challenges facing the PSNI and want to reassure you that the Justice Minister and indeed the NI Executive are committed to continuing to press the Treasury for a fair funding package to deliver public services in Northern Ireland. However, it is pertinent to remind you that any requests for additional funding will require a full robust business case and must follow the due process. As you know, the Finance Minister has strongly advocated for the need for proper funding to sustain public services across NI to the UK government. You should therefore note the requirement to provide evidence and analysis that can stand up to scrutiny at all levels. I understand this was raised in your meeting with the Minister on 13 August and that our respective teams will engage to consider how best to develop a proportionate business case – a meeting has been arranged for early next week to begin that work.

As Accounting Officer, you are required to live within budget and, if doing so would require you to take decisions that are so unpalatable that they would introduce very serious risks - to your organisation and to the public we serve, then I would encourage you to reflect upon the scale of decisions that would be required and the consequences and impact. That narrative can then helpfully inform future funding decisions and support Executive consideration if further money is made available during the year.



Finally, I note in your letter to the Prime Minister the reference to budget allocations for public services in Northern Ireland contained within the Leapwise report. However, it is important to highlight that the figures quoted for Justice reflect the Office of National Statistics (ONS) analysis of data for public spending on public order and safety which includes the Fire Service and Home Office costs. The ONS figures do not specifically relate to the actual budget or expenditure for the Department of Justice and are therefore not an appropriate basis to use for comparative purposes.

If you wish to discuss any aspect of this letter, please do not hesitate to contact me.

This letter has been copied to the Prime Minister, the Secretary of State for Northern Ireland, the Office of the First Minister and deputy First Minister of Northern Ireland, the Minister of Justice, the Justice Committee, the Minister of Finance and the Northern Ireland Policing Board.

Yours sincerely,

HUGH WIDDIS