

Federation leads the way in ground-breaking pay case

By Mark Lindsay

Chair, Police Federation for Northern Ireland (PFNI)

Last month, the Court of Appeal in Belfast delivered a Judgement on police holiday pay entitlement that made headline news and rocked the Public Sector.

In essence, more than 3,500 officers, supported by the PFNI, took a case on the basis that their holiday pay hadn't factored in the overtime they worked, which meant they were entitled to thousands of Pounds in backpay.

The original Industrial Tribunal found in our favour. The Chief Constable of the Police Service for Northern Ireland (PSNI) then went to the High Court and when that route failed to rule in his favour, he brought the case to the Court of Appeal.

Prior to the Court of Appeal Judgement, the PSNI announced to its officers and civilian staff that it would meet outstanding holiday pay sums going back to 2018. Our officers received a welcome boost in their May payslips.

This was a major, ground-breaking victory for my organisation, but more particularly for the men and women who have been short-changed for twenty years. The PSNI has a huge dependence on overtime – that's what happens when there are inadequate numbers to perform everyday policing and counter a murderous terrorist campaign.

The number-crunching is still going on, but the expectation is that officers will get backpay that could run into thousands of Pounds. One estimate puts the cost at between £30-40 million. Clearly, if that sum is taken out of the policing budget, it will have harmful knock-on consequences for policing on the ground.

That is why the PFNI has been making the strongest possible case to Government to shore up the PSNI finances and step in to meet the compensation bill without burdening the PSNI.

What should happen next?

We have moved to temper expectations, advising our people to keep the cork in the bottle, at least until we hear what the last line in this long-running saga actually is. If the legal option is exhausted, then the individual cases will return to the Industrial Tribunal for adjudication. However, if the Chief Constable opts to take this all the way to the Supreme Court in London, everything will have to be placed on 'hold'.

This is but one of a number of 'headaches' in the in-tray of the new Chief Constable, Simon Byrne, who started work on the 1st July. It will be his call but the clock is ticking and he will only have a week to decide which course of action to take.

The implications of this Judgement for other Public Sector workers in Northern Ireland is obvious to see. Employees in the Prison Service, Fire and Rescue Service, Ambulance

Service are but three overtime-dependent organisations all closely watching what happens next. They, too, stand to gain substantially, which is why an orderly queue has formed outside the doors of our legal representatives, Edwards & Co.

My own view is that the money is owed, therefore our people are entitled to have it paid. It's as simple as that!

That burgeoning in-tray in the new Chief Constable's office also has a report on the strength, intention and recent acts of terrorism by dissident republicans. At the beginning of June, they placed a lethal device under the car of an off-duty officer. The vehicle was parked at a golf club and, thankfully, was spotted before it could cause any damage.

This was a clear attempt to murder, and the people who fixed it to the underside of the car didn't have an ounce of concern for others who might have been killed or injured if the device had detonated.

This cowardly and outrageous act followed the murder of journalist Lyra McKee who was witnessing serious street disorder in Londonderry. A gunman emerged from the shadows and fired in the direction of PSNI vehicles. The killer wanted to murder one of our officers trying to restore order and protect property, but instead, Lyra became the latest victim.

These dissident republicans terrorise their communities, as loyalist paramilitary groupings do in the areas in which they operate, and it is a 'cancer' that is holding us back. As a society, we have made impressive strides forward with record tourism figures, investment and job creation. We are transformed, and all the better for it.

That said, we have a threat level that is officially rated 'severe' and it will remain at that worrying level until the people in balaclavas who plant bombs and use guns and want to do nothing more than kill police officers are put out of business. A few final pieces of the jigsaw remain to be put in place. The sooner we have real stability, the better.

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