

Developments in Police complaints – Ten years on

Overview of trends and patterns in police complaints, November 2000 – March 2010

November 2010



Former Police Ombudsman Baroness Nuala O'Loan hands over responsibilities to Mr. Al Hutchinson (6th November 2007)

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Foreword

Dr. Maurice Hayes released his pivotal review of Northern Ireland's police complaints system in January 1997. It marked the beginning of an important journey towards increasing trust in policing and police accountability. The concept of a Police Ombudsman was finally realised in November 2000 with the opening in Belfast of the Office of the Police Ombudsman for Northern Ireland, under the leadership of (now) Baroness Nuala O'Loan. While individuals within the Office have come and gone over time, the commitment to build a world class, independent police complaints system has never wavered, throughout some trying times.

It is a great pleasure, now a decade later, to introduce this report highlighting the results achieved by the Office over the past 10 years. The report illustrates the continuing growth of confidence, not only in this Office, but also in policing and in the Justice System. The devolution of policing and justice powers to the Assembly, along with the appointment of a Justice Minister, provides a new opportunity to have truly integrated justice for people in Northern Ireland. In line with that objective, the growing experience of this Office and increased confidence in

policing, I have slightly shifted the goals of this Office toward 1. *building confidence* 2. *contributing to improved policing for the community*, and 3. *dealing with the Past*. These goals are critical to the future of policing in Northern Ireland and this Office will play its part in ensuring that the police will be held to account, as appropriate, and in contributing to improving police practices.

As the Police Ombudsman I have two, often competing, business lines: the present and the past. *Dealing with the Past* is a particularly problematic area, one which threatens confidence in the current policing arrangements and indeed the confidence which this Office has established in itself. This Office has over 100 significant historic cases which are resource intensive and which involve deaths associated with policing actions. I have estimated that it will take over 50 years to complete these cases with our existing resources.

I have stated my belief that this Office and the Historic Enquires Team are blunt instruments when used to resolve societal issues from the Past. Nonetheless, we will continue to do what we can because an absolute line cannot be drawn under

the Past. Anyone who has listened to the genuine anguish of families affected by the Past and survivors of specific atrocities within it cannot help but be moved by the need for information and explanation. We often cannot provide these due to the loss of records and evidence; the death of witnesses; and the limited mandate of examining only police actions.

Despite the latter challenge, the three goals taken together will represent the efforts of this Office over the next decade. You will see in the following pages the increased levels of confidence across all communities, and the policy and practice areas where the Office contributes to improvements in policing for those communities. Academics and researchers will note the changing trends and patterns over the past decade and such provide rich data to examine societal, post-conflict change.

The Office of the Police Ombudsman has achieved a lot in the last 10 years, and should be proud of its accomplishments and the maintenance of its independence. This report demonstrates the professional accomplishments of the Office and its

value to policing improvement within Northern Ireland. The decade has not been without controversy and we are not immune from mistakes. Nonetheless, a strong foundation has been established and the next decade will continue the proud tradition of independent and impartial police complaints investigation.

A handwritten signature in dark ink, appearing to read 'Al Hutchinson', followed by a long, sweeping horizontal line that tapers to a point on the right.

Al Hutchinson
Police Ombudsman

November 2010

Introduction

The Office of the Police Ombudsman for Northern Ireland was established under part VII of the Police (NI) Act 1998. The primary statutory duty of the Police Ombudsman is to exercise his powers as appears to him best calculated to secure the efficiency, effectiveness and independence of the police complaints system and the confidence of the public and the police in that system.

The first Police Ombudsman, Baroness Nuala O'Loan, took office on the 6th November 2000 for a term of seven years. Baroness O'Loan was replaced as Police Ombudsman by Mr. Al Hutchinson on the 6th November 2007.

The purpose of this report is to detail patterns and trends in complaints and allegations during the past ten years and to highlight areas of research undertaken by the Office.

The report is intended to give the reader an overview of areas of work undertaken by the Office between 2000 – 2010, rather than a very detailed analysis.

Office Vision

Excellence in the independent and impartial investigation of police complaints.

Office Mission

Providing an effective, efficient and accountable police complaints system, which is independent, impartial and designed to secure the confidence of the public and police.

Office Goals

- Building confidence;
- Contributing to improving policing with the community;
- Dealing with the past.

Development of the Case Handling System (CHS)

The efficiency and effectiveness of any modern organisation rests with the underlying IS/IT capacity supporting the business.

The largest of the approximately 40 IS/IT projects was to replace the Case Management System (CMS), which supported the Investigations Directorate, with a CHS, which provided a more comprehensive complaints and investigation system. The CHS Project commenced in February 2006 and went live in December 2008.

The CHS has the ability to process complaints and investigations. It allows for the accurate capture of data and information obtained during the course of an investigation and provides a robust auditable system which brings integrity to the complaint and investigation process. The system is predicated on a "cradle to grave" approach in the recording and processing of

information. It provides a more comprehensive system for users compared to its predecessor.

The CHS is an allegation based system which provides a more accurate record of the nature of complaints. The ability to close each allegation separately at any stage of the investigation has the benefit of allowing complaints and investigations to be progressed in a timelier manner and to reduce some of the administration associated with complaints.

The system is more user-friendly than the CMS and allows ready access to information and documentation. The accessibility of the reports on the system allows managers to more effectively manage workloads and to assist in the supervision of investigations to ensure quality and efficiency. The structure of the CHS is inherently more flexible, empowering the Office

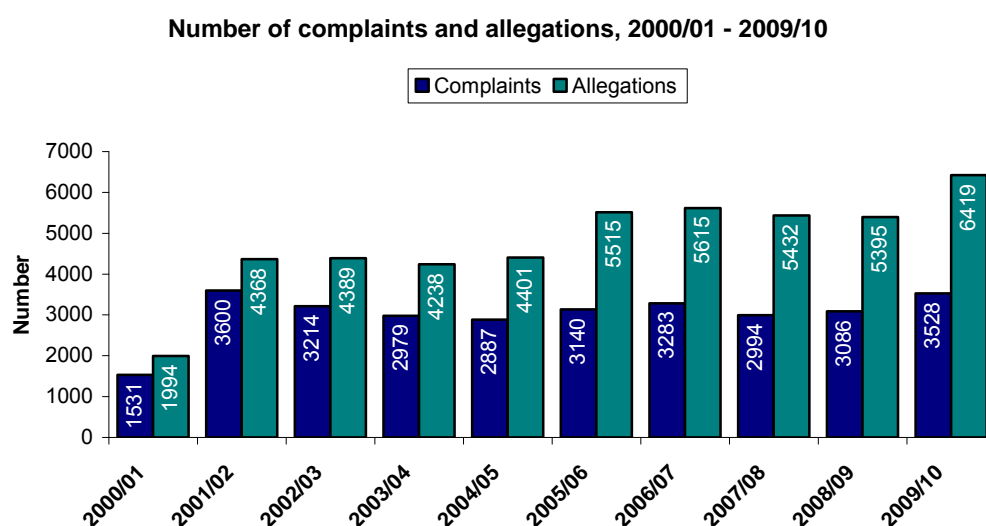
with rich administrative functionality and allowing business processes to be amended without reference to the provider.

The CHS produces a variety of high quality formatted reports on weekly, monthly, quarterly, six-monthly and annual basis. These reports are tailored to meet the stated requirements of both internal and external stakeholders. Statistical data extracted from the CHS enables

the Office to report in detail on trends and patterns in complaints and to track police officers with multiple complaints. The system also facilitates equality monitoring of complainants and complainant satisfaction levels. The statistical reports produced by the Office currently meet stakeholder needs and feedback has been positive.

Trends and Patterns in Complaints and Allegations¹

Between 6 November 2000 and 31 March 2010, the Police Ombudsman's Office received 30,242 complaints containing 47,766 allegations².

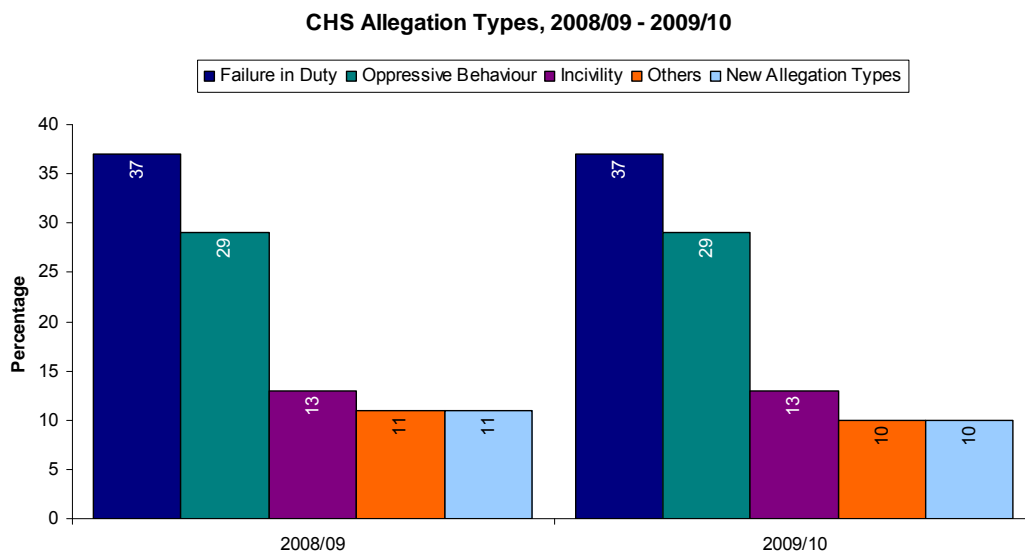
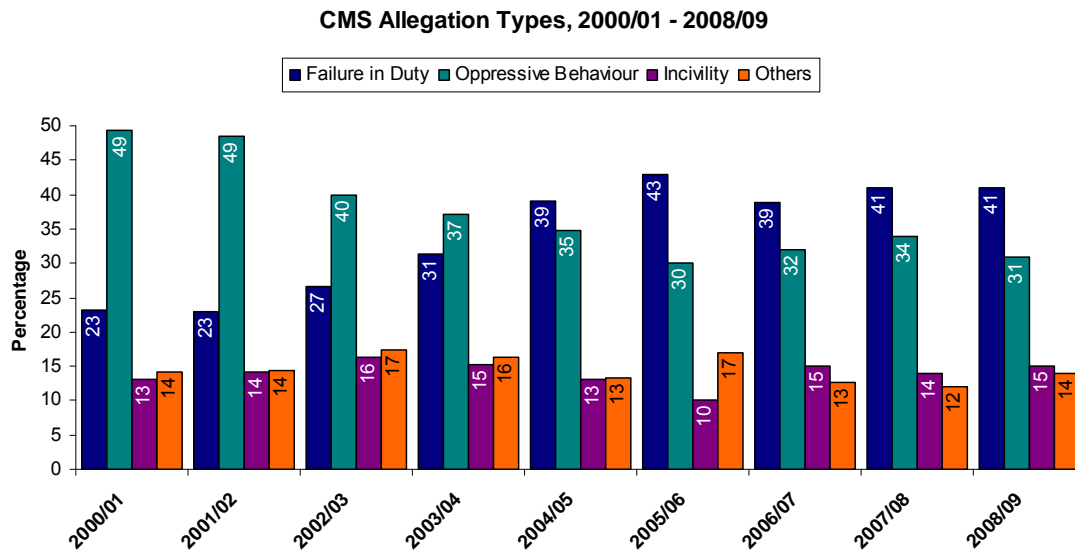


Oppressive Behaviour and Failure in Duty have been the primary allegation types over the past 10 years, with Oppressive Behaviour constituting almost 50% of allegations in the first two years of the Office's opening. Since 2004/05, Failure in Duty has been the dominant allegation type. A number of new allegations types were introduced in the new CHS allowing for more

detailed analysis. These new allegation types had previously been included within categories of Failure in Duty, Oppressive Behaviour and Incivility. The new types are Discriminatory Behaviour, Search, Mishandling of Property and Unlawful/Unnecessary Arrest or Detention.

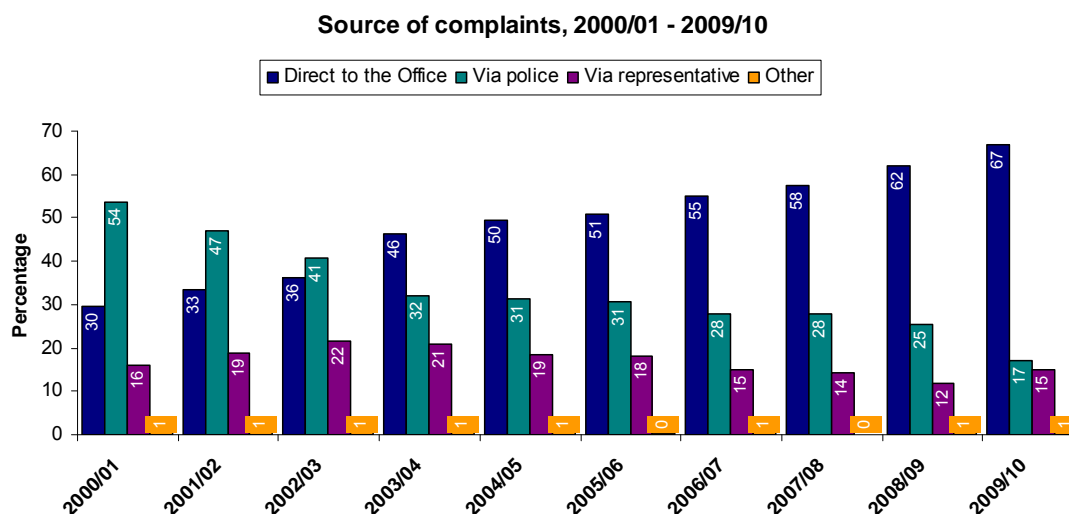
¹ Note that for 2000/01 data reported refers to the period November 2000 to March 2001. In addition, proportions may not always add to 100% due to the effects of rounding.

² Note that a complaint may contain one or more allegations, pertaining to one or more police officers.



In 2000/01, 54% of complaints against the police were made to the Office via the police and 30% were made directly to the Police Ombudsman's Office. However, since 2003/04, there has been an evident reversal of this trend.

During 2009/10, 67% of complaints were made directly to the Police Ombudsman's Office, compared with 17% arising via the police. This continuing trend of direct contact is welcomed by the Office.



The Office records data identifying the nature of factors underlying complaints.

During the past ten years, the greatest proportions of complaints have related to arrest and criminal investigations. Between 2000/01 and 2009/10, the proportion of complaints received concerning arrest fell from 56% to 22%.

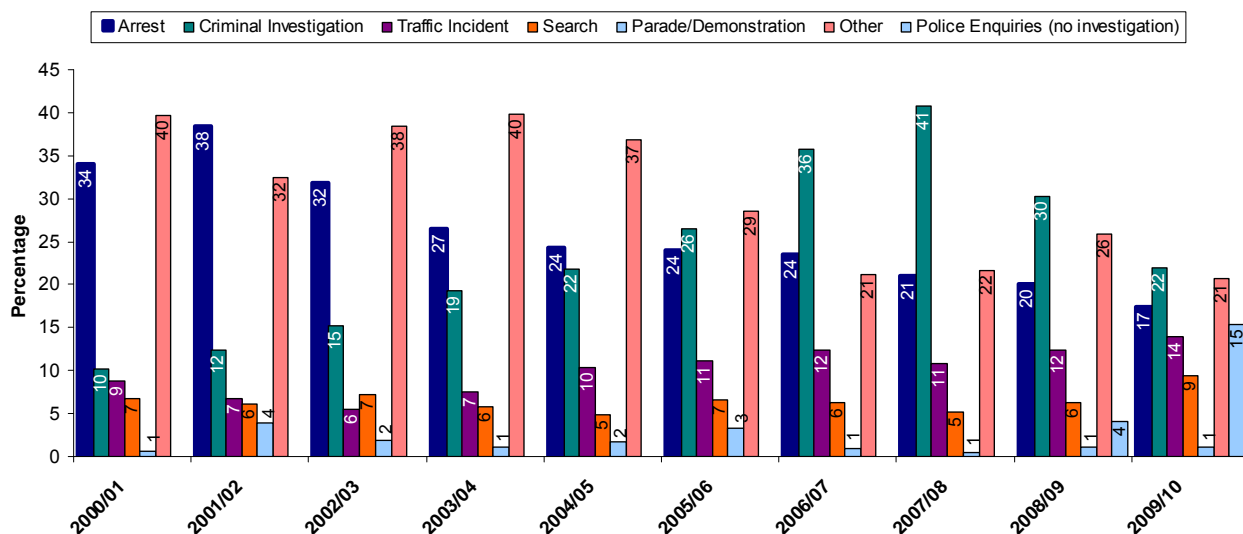
The manner in which police have conducted criminal investigations has given rise to the greatest percentage increase in factors underlying complaints; the percentage of complaints pertaining to police conduct in criminal investigation practices rose from 17% in 2000/01 to 52% in 2007/08.

There has been a reversal of this trend since 2008/09; however, PSNI conduct in connection with criminal investigations remains the dominant factor underlying complaints received by this Office.

Police Enquiries (not involving investigation) was added as a complaint factor upon creation of the CHS in 2008/09.³

³ In 2009/10, the first full operational year of CHS, 19% of complaints related to this complaint factor.

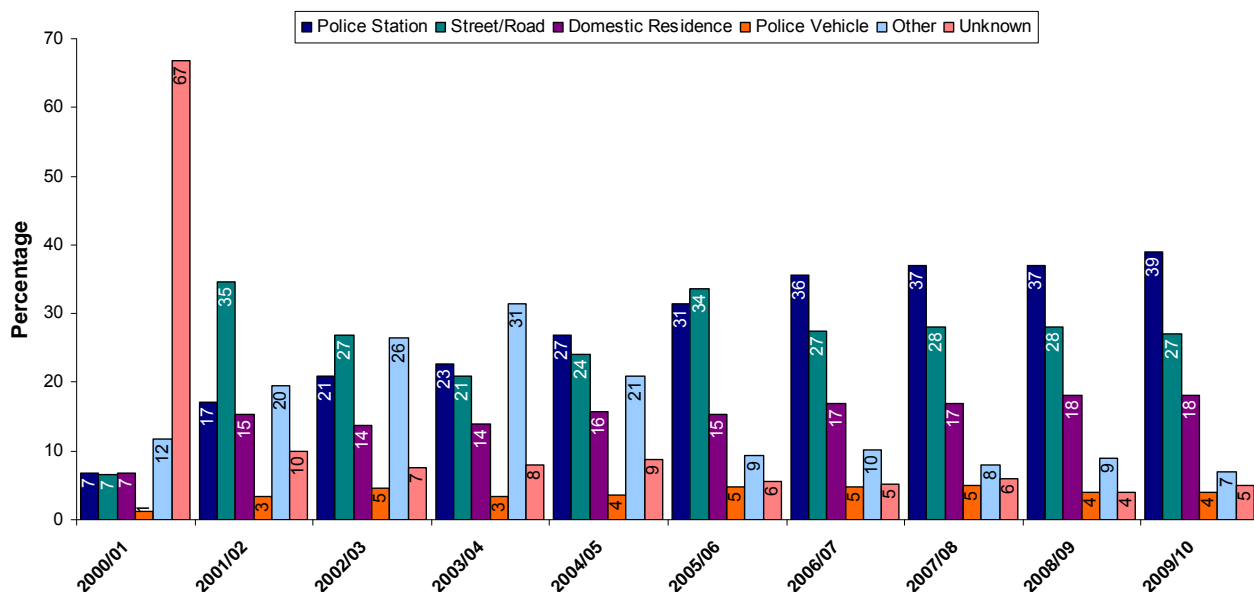
Factors underlying complaint, 2000/01 - 2009/10



Since 2000/01, the proportion of allegations arising from incidents occurring within police stations has continually risen; in the Office's first full year of operation, police stations formed the location of around 7% of allegations. Since 2006/07, the most frequently cited allegation location has involved

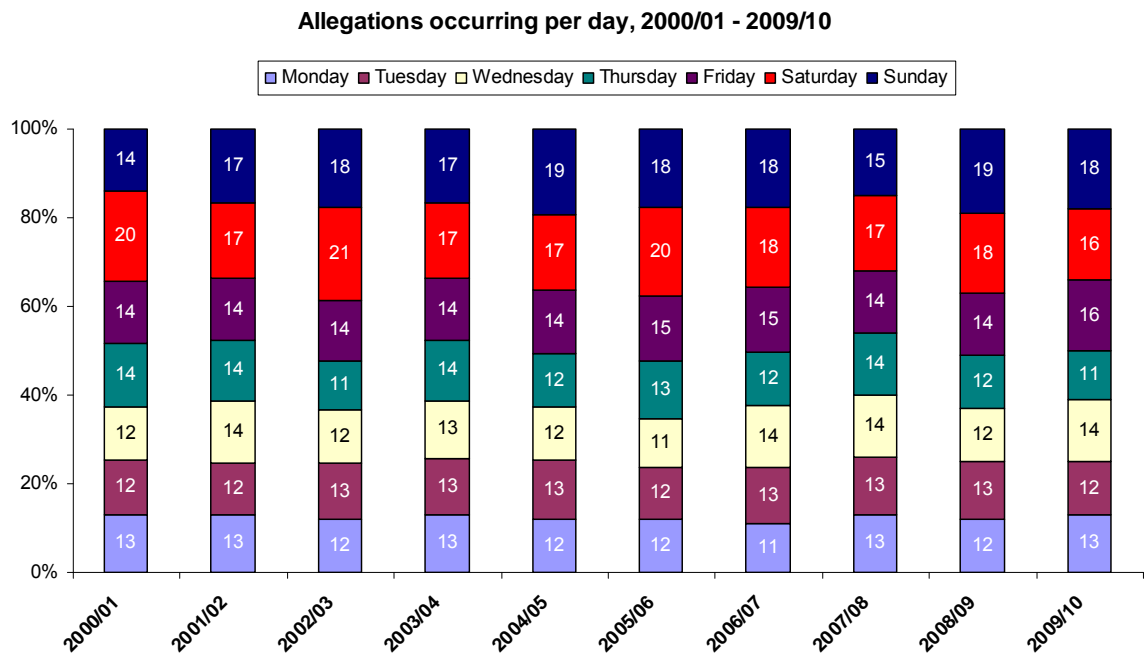
incidents occurring within a police station, and almost two fifths of allegations now stem from this location. In the past four years, incidents occurring on a street/road have persistently given rise to the second highest proportion of allegations received by the Office.

Allegation location, 2000/01 - 2009/10



Over the last ten years, a substantial proportion of complaints against the police have arisen from allegations occurring at some time during the weekend, Friday to Sunday; 49% of

all allegations received by the Office, where an incident date was known, evolved from incidents occurring at the weekend.



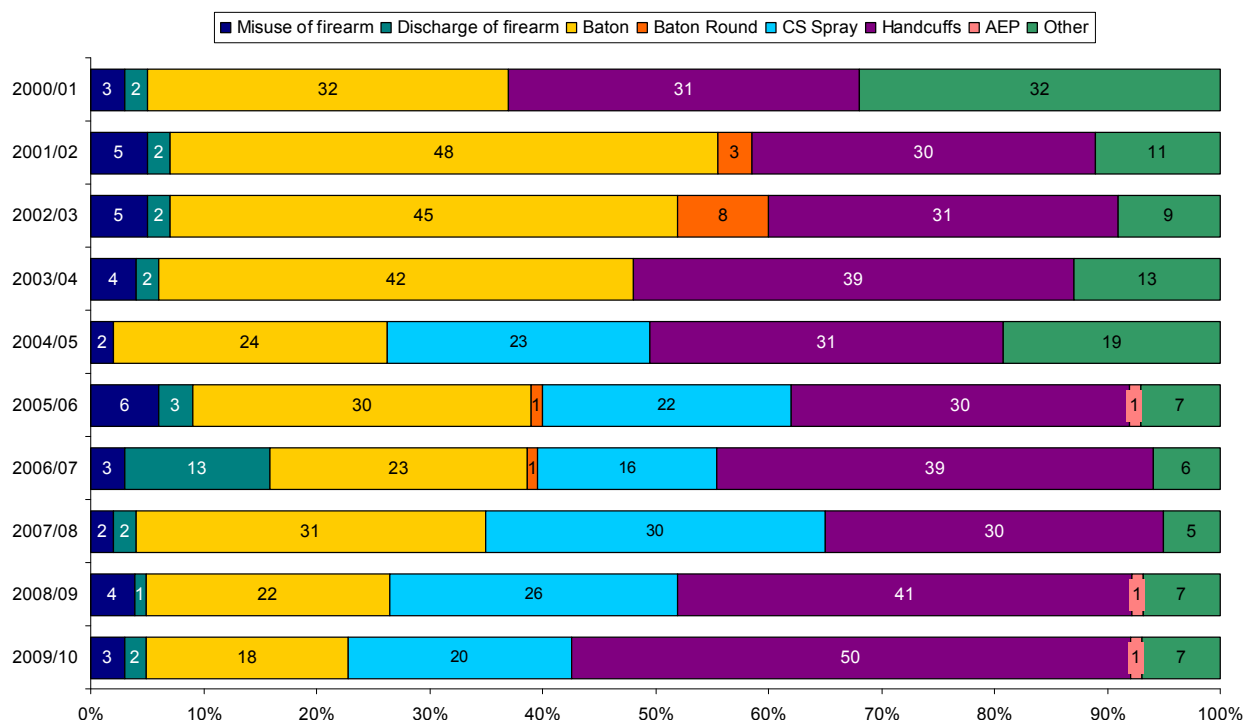
Handcuffs and batons comprised the greatest percentage of weapons or equipment complained about between 2000/01 and 2007/08. However, since 2008/09, CS Spray⁴ has attracted proportionately more complaints than batons, and has made up at least one fifth of all complaints alleging the use of a weapon or other equipment during the last three years.

Since 2004/05, handcuffs persistently attracted the most allegations with associated weapon use, and this proportion has risen from 31% in 2000/01 to 50% in 2009/10.

Tasers currently comprise less than 1% of allegations involving the use of a weapon or other equipment, and are therefore not included as a separate category in the chart to follow.

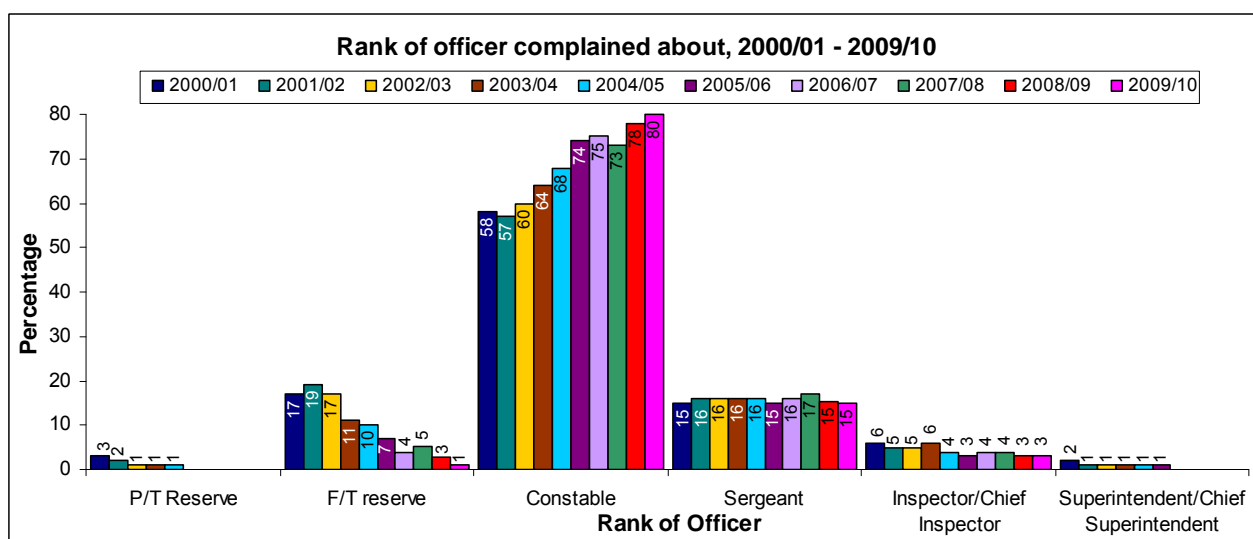
⁴ The use of CS Incapacitant Spray by PSNI began on 1st July 2004.

Weapons or other equipment used, 2000/01 - 2009/10



Constables continue to attract the majority of complaints every year; the proportion of complaints made against officers at constable rank has increased from 58% in 2000/01 to 80% in 2009/10.

The number of complaints directed towards police reserves⁵ has been falling consistently since 2000/01 and now comprises 1% of all complaints, compared with 21% in 2001/02.



⁵ The Police Service of Northern Ireland (Part Time) Reserves Regulations (2004) came into effect on 8 February 2004. During 2005 and 2006, all PT Reserves officers were re-designated Police officers Part Time.

The Office provides PSNI with reports detailing the number and nature of complaints within each Area Command Unit (ACU).⁶ This is based on the location of the incident and not on the attachment of the officers involved.

This information assists local police as well as District Commanders and District Policing Partnerships to profile the nature and level of complaints against officers within each Area.

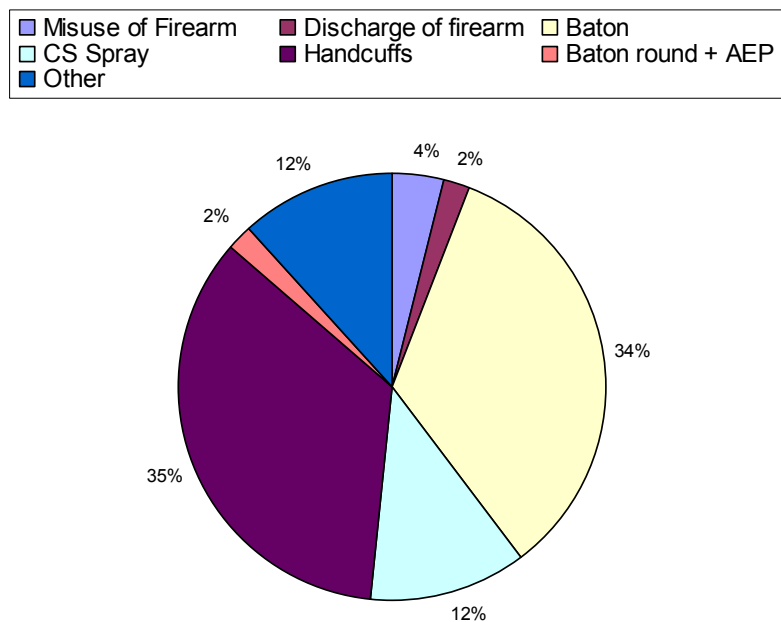
Complaints arising from each ACU (Nov 2000/01 - 2009/10)										
ACU	00-01	01-02	02-03	03-04	04-05	05-06	06-07	07-08	08-09	09-10
Antrim	16	100	87	143	113	142	136	108	116	112
Ards	29	113	133	113	110	119	119	92	96	104
Armagh	16	82	73	78	79	87	93	76	77	84
Ballymena	18	137	125	135	136	133	133	99	141	164
Ballymoney	2	12	10	21	17	34	21	32	20	16
Banbridge	2	88	59	63	57	47	51	64	55	74
Belfast East	19	114	227	147	170	163	169	146	122	158
Belfast North	50	560	355	193	204	358	282	261	223	265
Belfast South	42	239	270	250	182	227	225	231	216	258
Belfast West	33	212	181	107	136	184	162	122	186	167
Carrickfergus	9	67	54	32	44	67	82	97	72	48
Castlereagh	9	53	63	87	91	67	59	81	90	95
Coleraine	14	105	96	120	134	171	231	190	176	202
Cookstown	10	76	33	42	47	50	52	41	54	51
Craigavon	20	152	125	135	167	116	111	123	104	155
Down	16	143	140	118	99	95	70	88	91	101
Dungannon & South Tyrone	10	69	42	70	67	74	63	44	78	72
Fermanagh	17	78	75	87	83	61	81	56	59	91
Foyle	51	198	179	114	143	131	132	156	151	164
Larne	7	50	60	44	58	46	58	46	51	56
Limavady	7	42	58	43	59	43	44	51	67	73
Lisburn	15	106	149	163	131	152	152	127	158	223
Magherafelt	8	30	35	45	48	48	48	38	56	55
Moyle	2	9	11	21	19	33	27	16	14	9
Newry & Mourne	7	95	85	112	93	116	110	119	109	107
Newtownabbey	14	85	79	84	82	78	104	84	82	130
North Down	11	93	126	147	101	123	123	143	121	111
Omagh	16	84	50	64	55	59	67	62	46	102
Strabane	12	87	43	52	74	56	85	58	49	43
Other & Unknown	1065	345	286	242	165	210	256	230	233	238
TOTAL	1547	3624	3309	3072	2964	3290	3346	3081	3113	3528

⁶ There may be double counting of complaints by ACU until 2008/09 as a complaint may have had allegations occurring in more than one DCU. Furthermore, the CMS recorded complaints at station level and could therefore contain organisations other than PSNI. However, this number of 'other' organisations is very small from 2006/07 - 2008/09 (approximately 8 complaints). The development of the CHS allowed for complaint recording at area level and for specific organisations, thus the 2009/10 total equals the total number of complaints received against PSNI only within the year.

Use of Force

In the past ten years, 9% (4089) of all allegations received by the Office have alleged the use of weapons. Handcuffs and baton use have accounted for the greatest proportion of these complaints since the Office's inception.

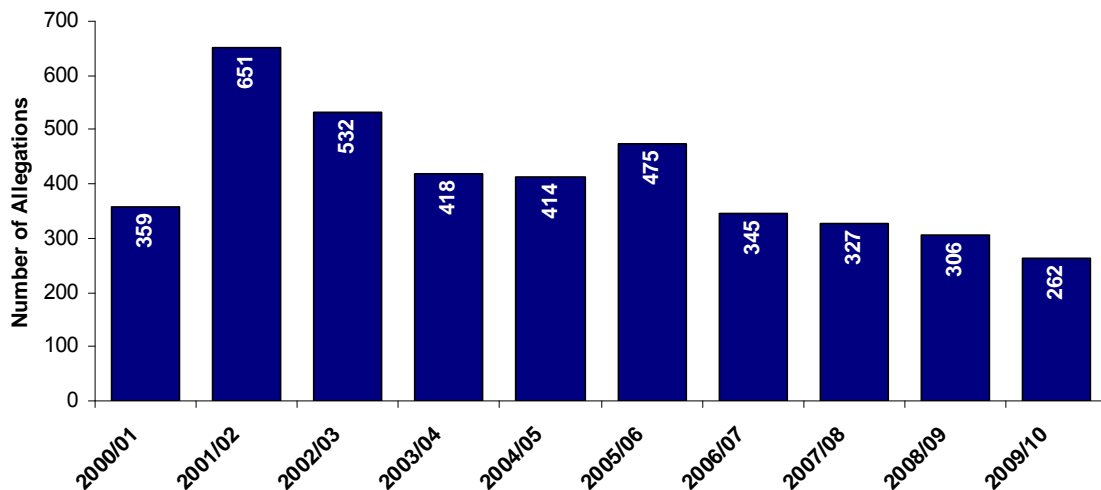
All allegations involving the use of weapons, 2000/01 – 2009/10



Since 2001/02, there has been an overall decreasing trend in the number of allegations involving the use of any form of weapon, with the exception of 2005/06 during which a number of public disorder situations arose.

Since the Office began operating in 2000/01, the number of allegations involving weapon use fell to an all time low of around 4% of allegations received during 2009/10, compared with 18% in 2000/01.

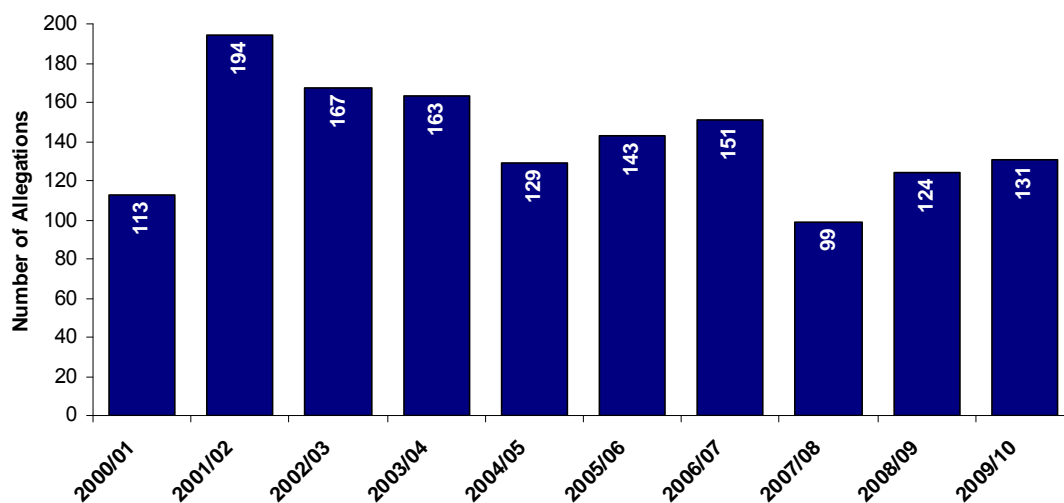
Allegations involving the use of weapons, 2000/01 - 2009/10



Between 2001/02 and 2004/05, the number of allegations involving the use of handcuffs by police officers decreased. However, in 2005/06 and 2006/07, the number rose again before reaching a low of 99 allegations in 2007/08.

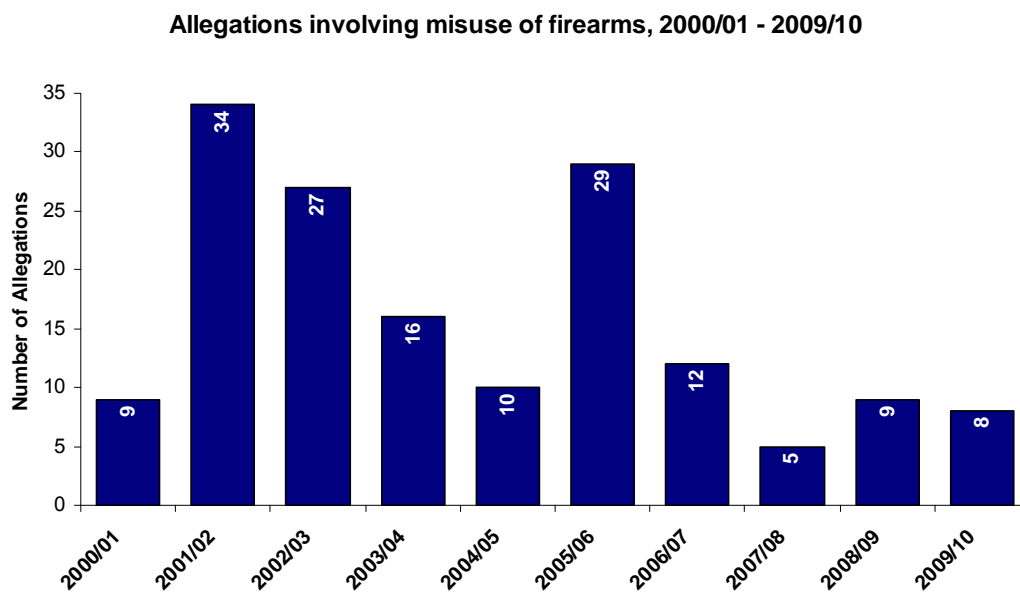
In the past two years, the use of handcuffs has been reported in a rising number of allegations.

Allegations involving handcuff use, 2000/01 - 2009/10



Since 2001/02, the number of allegations involving the misuse of a firearm by police officers has decreased. In 2005/06, however, the number of allegations increased almost three-fold on the previous year. This was due to a number of public disorder situations that occurred during that year.

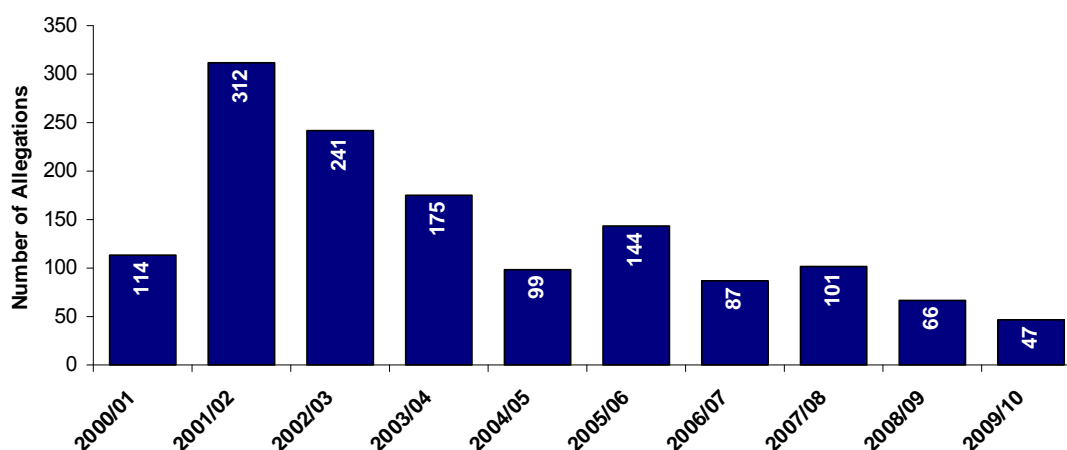
Following the lowest levels of such allegations recorded in 2007/08, the numbers increased slightly again in recent years. In 2009/10, however, misuse of firearms was cited in the second lowest number of allegations since the Office's inception.



The number of allegations involving the use of a baton decreased by almost 85% between 2001/02 and 2009/10, yet remained the second highest weapon complained about in 2009/10.

In 2005/06 and 2007/08 the number of such allegations increased slightly due to a number of public disorder situations but has, in general, continued to fall over time.

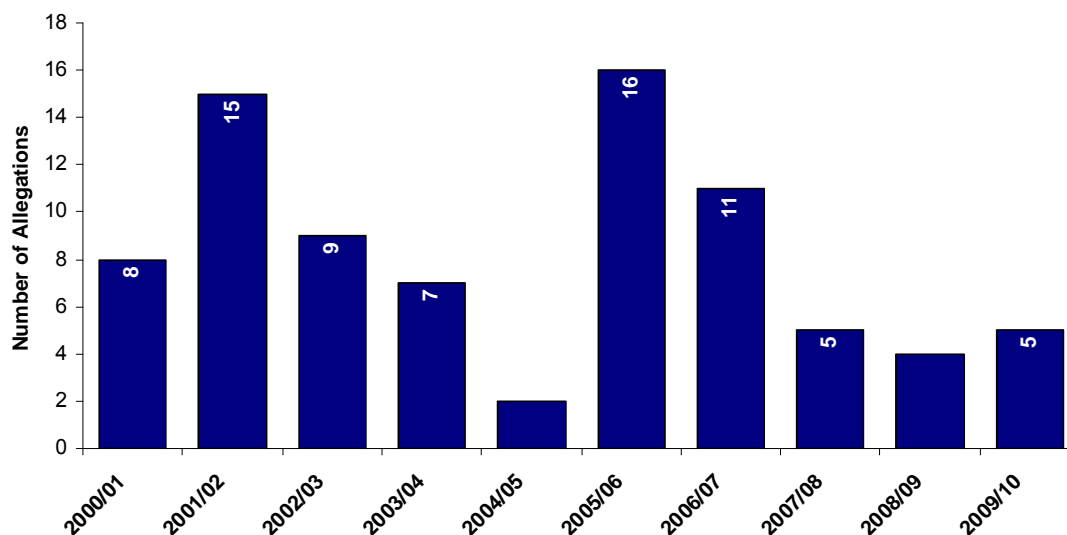
Allegations involving baton use, 2000/01 - 2009/10



The number of allegations involving the discharge of firearms has been relatively variable, yet overall decreasing, during the past ten years. In 2005/06 and 2006/07, the number of allegations involving the use of firearms increased

substantially due to a number of referrals by the PSNI Historical Enquiries Team (HET) that related to discharges of firearms by police officers before 1998.

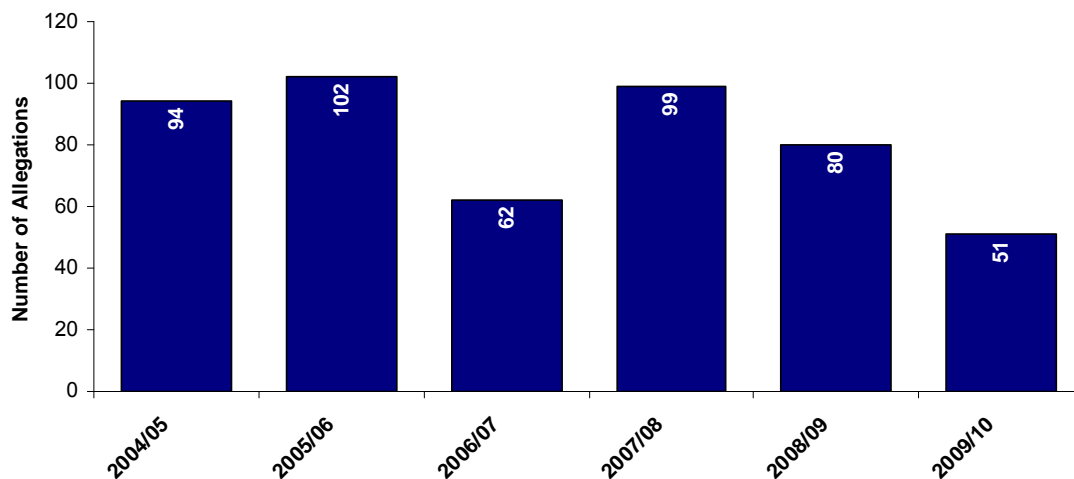
Allegations involving discharge of firearms, 2000/01 - 2009/10



The PSNI began using CS Spray on 1st July 2004; between July and December of that year all occurrences of CS Spray use by police officers were automatically referred to the Police Ombudsman's Office.

The third highest number of allegations involving weapon use since 2004/05 involved the use of CS Spray; 23% of all allegations involving weapons or equipment received between 2004/05 and 2009/10 involved the use of CS Spray.

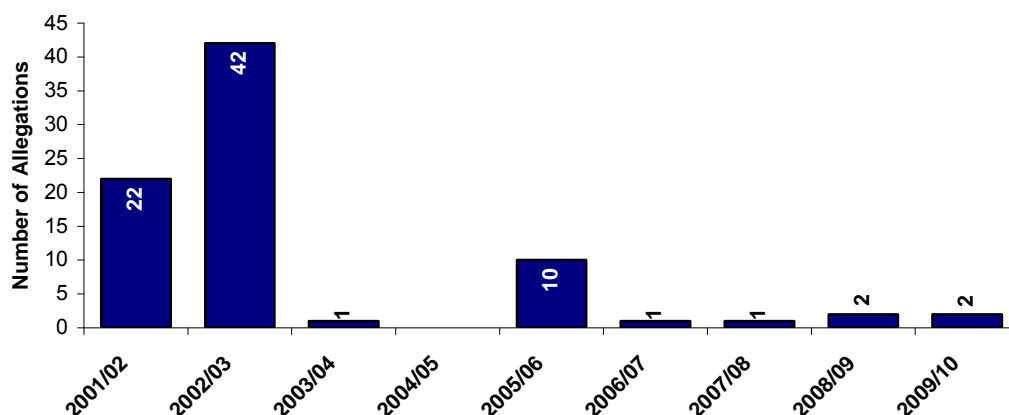
Allegations involving CS Spray use, 2004/05 - 2009/10



The number of allegations involving the use of baton rounds and AEPs has decreased considerably since 2002/03. However, a number of public disorder situations in 2005/06 gave rise to their increased use resulting in an increased

number of allegations involving these weapons. Overall, less than 1% of allegations, which involved the use of a weapon in the past 10 years related to the discharge of AEPs.

Allegations involving Baton Round + AEP, 2001/02 - 2009/10



Informal Resolution

Section 53 of the Police (NI) Act 1998 provides for a flexible and simple procedure in dealing with complaints of a less serious nature, which would otherwise attract the rigorous process of formal investigation. The Informal Resolution process allows the opportunity for detailed discussion and explanation of views and actions between the police and the complainant. There is a strong commitment to reach

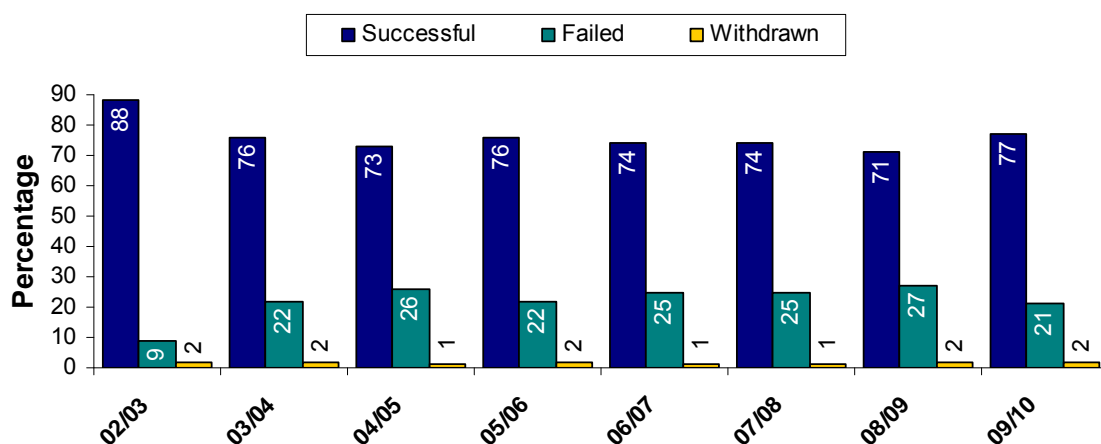
an outcome that is acceptable to the complainant, who ultimately has the right to request a full, formal investigation if a satisfactory outcome is not reached.

Since 6 November 2000, around 9% of all complaints received have been successfully resolved using the process of Informal Resolution.

<i>Profile of Informal Resolution, by received date per year</i>										
	00/01	01/02	02/03	03/04	04/05	05/06	06/07	07/08	08/09	09/10
Successful	93	301	281	312	278	353	405	326	362	398

At least 70% of complaints deemed suitable for informal resolution, and where complainant consent was given when offered informal resolution, have been successfully closed through this process during the past 10 years.

Outcome of Informal Resolution where consent was given, by closure date 2003/04 - 2009/10



From 2003/04, more detailed information on the profile of informal resolution has been recorded by the Office. Since then, the majority of successful informal resolutions arose from complaints being brought to the

attention of the officer(s) in question, a senior officer or the DCU commander of the area in which the incident occurred.

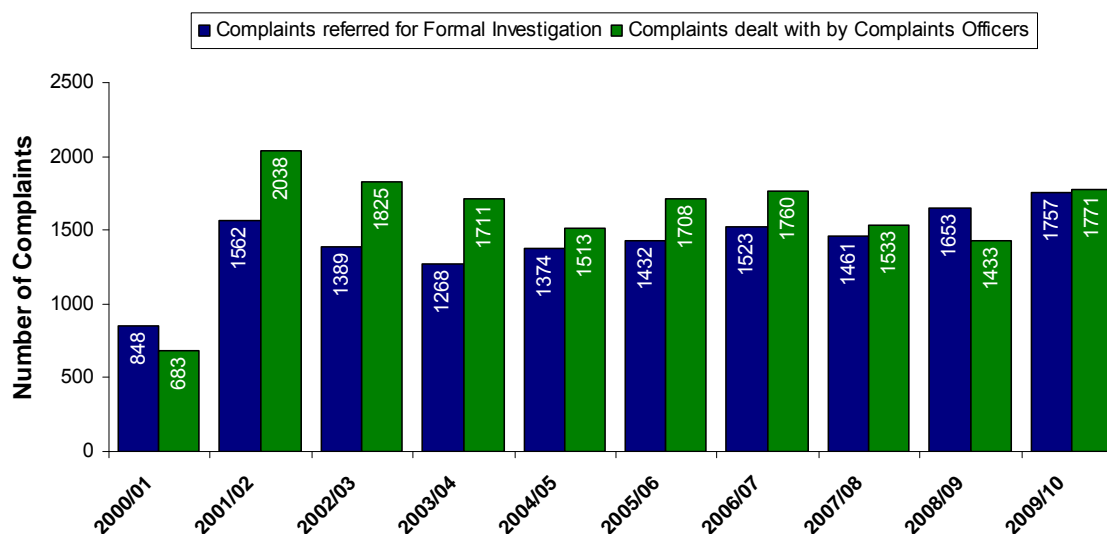
<i>Outcomes of Successful Informal Resolution closed by PSNI (%)</i>							
	03/04	04/05	05/06	06/07	07/08	08/09	09/10
Accept nothing further could be done	2	4	3	3	2	1	2
Action taken accepted	24	28	25	27	23	27	25
Apology from officer	9	9	13	9	11	10	11
Apology on behalf of PSNI	5	4	5	5	5	7	7
Brought to attention of officer(s) / senior officer or DCU Commander	32	29	22	26	26	27	24
Constructive advice	9	15	18	16	19	20	23
Explanation accepted	11	6	6	5	9	4	6
Expression of regret	4	2	3	4	2	1	1
Face to face meeting with officer	1	3	4	3	2	2	2
Face to face apology	0	0	0	0	2	1	0
Other	3	1	1	1	0	1	0
Total	100	100	100	100	100	100	100

Processing of Complaints/Allegations

The majority of complaints received by the Office are initially dealt with by Complaints Officers who determine whether or not a complaint falls within the Police Ombudsman's legislative remit. Subject to the necessary approval, Complaints Officers also seek further information from complainants and, should this not be forthcoming, may close the complaint due to the failure of the complainant to co-operate.

Complaints Officers also handle complaints going through the Informal Resolution process. Complaints referred for formal investigation are dealt with by Investigating Officers. During the past ten years, just less than 50%⁷ of complaints received have been referred for investigation.

Complaints referred for formal investigation and complaints dealt with by complaints officers, 2000/01 - 2009/10

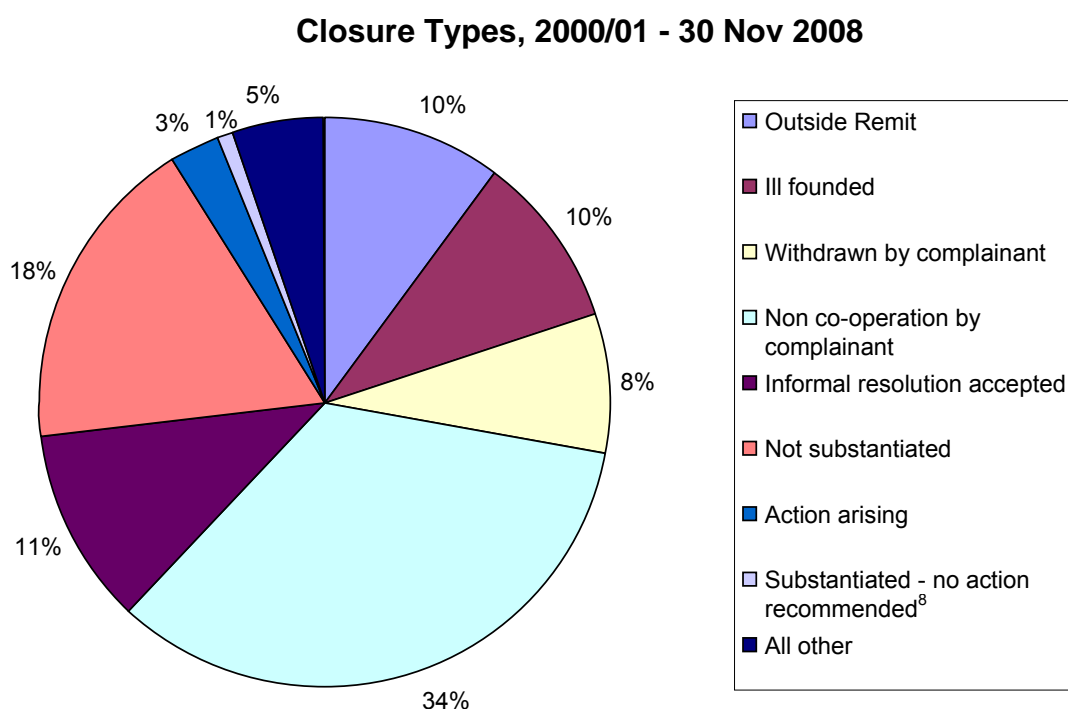


⁷ As at 6th April 2010.

Contributing to improving policing in the community

From the establishment of the Office in 2000 until November 2008, the Office's Case Management System (CMS) recorded one outcome against each complaint. As at 30 November 2008, 34% of all complaints had been closed

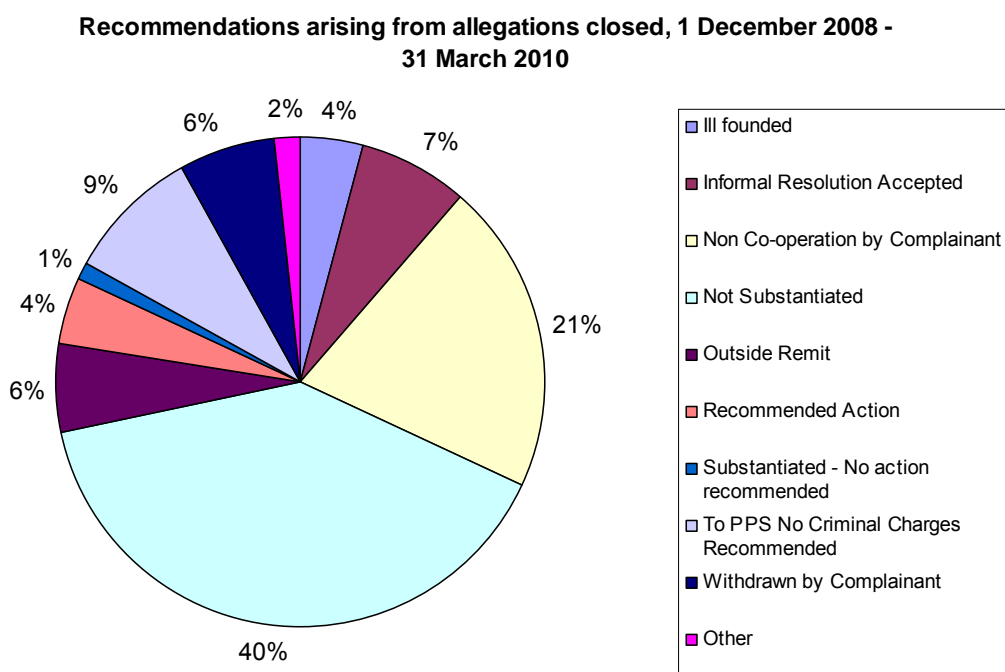
following non co-operation by the complainant. A further 18% were not substantiated due to a lack of evidence to support the complaint.



⁸ A substantiated complaint resulting in no action recommended is where, for example, the officer involved is no longer a serving member of PSNI and no misconduct sanction can be recommended.

From 1 December 2008, the Office replaced its Complaints Management System (CMS) with one that is allegation based. The new system reports on recommendations made against each allegation. Each allegation may have more than one associated recommendation, for example when there are a number of police officers linked to an allegation.

Forty per cent of recommendations arising from allegations closed between 1 December 2008 and 31 March 2010 were 'not substantiated,' i.e. the Investigating Officer did not have enough evidence to substantiate the allegation. A further 21% of all recommendations were to close the allegation due to non-cooperation of the complainant.



Contributing to improving policing in the community

During the eight year period, 2001/02 to 2008/09, 1,467 cases were referred to the Public Prosecution Service (PPS) for direction as to whether criminal charges would be appropriate, or for

advice/interim direction. Up to 2008/09, 83 cases, which included 128 charges, were submitted to the PPS with recommendations for prosecution.

Charge	01/ 02	02/ 03	03/ 04	04/ 05	05/ 06	06/ 07	07/ 08	08/ 09	09/ 10	Total
Administering a noxious substance	0	0	0	1	0	0	0	0	0	1
Assault (aggravated - minor)	0	1	0	0	0	0	0	0	0	1
Assault occasioning actual bodily harm	4	4	0	3	0	2	3	4	1	21
Assault occasioning grievous bodily harm	1	0	0	0	0	0	0	0	0	1
Attempted murder	0	0	0	0	0	0	1	0	0	1
Attempting to pervert the course of public justice	0	0	0	5	4	1	1	0	0	11
Attempted wounding or causing GBH with intent	0	0	0	0	0	0	1	0	0	1
Breach of Criminal Procedure Investigations Act	0	0	1	0	0	0	0	0	0	1
Breach of Data Protection	0	0	1	0	1	1	0	0	0	3
Careless driving	0	1	0	0	0	0	0	1	0	2
Causing death by dangerous driving	0	2	0	0	0	0	0	0	0	2
Causing harassment alarm or distress	0	0	1	0	0	0	0	0	0	1
Common assault	0	5	3	1	3	10	5	0	2	29
Criminal damage	0	0	0	2	0	0	1	0	0	3
Dangerous driving	0	1	2	0	0	0	0	0	0	3
Discharge of firearm in a public place	0	0	0	0	0	0	1	1	0	2
Discharge of firearm with intent to endanger life	0	0	0	1	0	0	0	0	0	1
Disorderly behaviour	0	0	0	0	0	0	1	0	0	1
Driving whilst disqualified	0	0	0	0	0	3	0	0	0	3
Driving without insurance	0	0	0	0	0	3	0	0	0	3
Endangering persons on railway by neglect	0	0	0	0	0	0	0	1	0	1
Intimidation	0	0	1	0	0	0	0	0	0	1
Kidnapping	1	0	0	0	0	0	0	0	0	1
Making a false statement	0	0	0	0	0	0	1	0	0	1
Misconduct in public office	0	0	0	0	0	1	1	1	1	4
Obstruction of the Police Ombudsman	0	0	0	4	0	0	0	0	0	4
Offence under the Protection from Harassment (NI) Order (1997)	0	0	0	1	0	0	0	0	0	1
Other	4	1	0	0	0	0	0	0	0	5
Perjury	1	0	0	0	0	1	1	0	2	5
Pervverting the course of justice	1	9	0	0	0	0	0	3	1	14
Possession of firearm with intent to endanger life	0	0	0	0	0	0	2	0	0	2
Racially or religiously aggravated	0	0	1	0	0	0	0	0	0	1
Theft	0	0	0	1	0	0	0	1	0	2
Unlawful disclosure of information under the Data Protection Act	0	0	0	0	1	0	0	0	0	1
To be determined	0	0	0	0	0	0	0	1	0	1
Totals	12	24	10	19	9	22	19	13	7	135

In 2009/10, and due to the aforementioned system changes within the Office, 1,032 recommendations were made to the PPS for no prosecution; of these, the Office made

five recommendations for prosecution comprising seven recommended charges against PSNI officers. As at 31 March 2010, the PPS had directed 62 criminal charges since 2001/02.

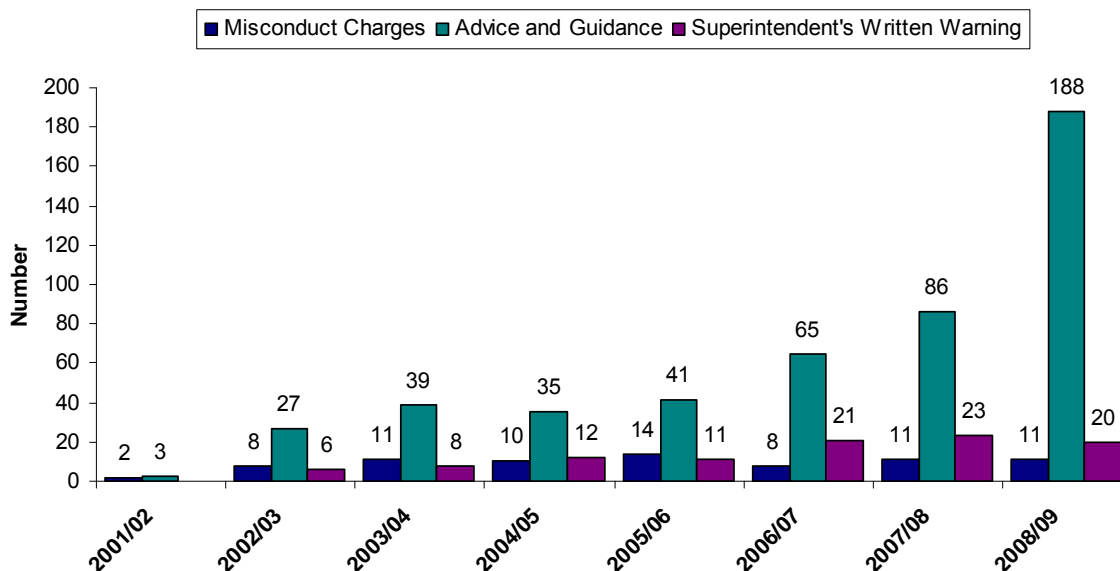
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Direction by Public Prosecution Service, 2001/02 - 2009/10	
Type of Charge	
Assault occasioning actual bodily harm	12
Attempted wounding with intent	4
Careless driving	1
Causing death by dangerous driving	2
Common Assault	16
Criminal damage	2
Dangerous driving	3
Dangerous driving causing grievous bodily injury	1
Data Protection	3
Driving whilst disqualified	3
Driving without insurance	3
Malicious wounding	1
Perjury	1
Perverting the course of justice	8
Possession of firearm with intent	1
Unlawful and injurious imprisonment	1
Total	62

When there is clear evidence that an officer has committed a disciplinary breach, cases are referred to the Chief Constable. From 2001/02 until 2008/09,

the Police Ombudsman's Office had recommended 75 Misconduct Charges, 484 Advice and Guidance sanctions and 101 Superintendent's Written Warnings.

Cases recommended to the Chief Constable, 2001/02 - 2008/09



During 2009/10, under the new allegation based system, 399 recommendations were made by the Office to the Chief Constable, including 13 misconduct charges, 34 Superintendent's Written Warnings and 352 recommendations of Advice and Guidance.

Mediation Pilot Project

In January 2006, the Office undertook a major consultation process lasting 18 months. The aim was to gauge support for mediating complaints upon receipt and not solely at the conclusion of a Police Ombudsman investigation, as is provided for in Section 58A of the Police (NI) Act 1998.

The subsequent feedback showed an acceptance of the principle of mediation as a means of resolving complaints of a less serious nature (incivility, failure to update, minor neglect of duty) which made up around a quarter of all complaints received by the Office. A decision was then taken to conduct a mediation pilot project running from September 2008 until March 2009.

The pilot project was restricted initially to PSNI District A (North and West Belfast) but due to an insufficient number of complaints deemed suitable for mediation from this district, consideration was given to complaints stemming from other PSNI Districts.

The Mediation Project Team spent several months prior to the launch of the pilot conducting an extensive public and police awareness programme in the

chosen district. Presentations were given to all police officers working in North and West Belfast and the Project Team either presented or provided information on the pilot project to over 60 community groups and associations in the district. Most of the daily and local newspapers included articles on the pilot project in the weeks leading up to the launch and PSNI publications also included information for the entire organisation.

A professional mediator with substantial experience of mediation assisted the Mediation Project Team during the pilot project and the Project Manager underwent mediation training.

A total of 26 complaints were deemed suitable for mediation. Below is a summary of what occurred in each case:

- One complaint was successfully mediated;
- Six complaints were returned to the ICO as deemed unsuitable for mediation following contact with the complainant;
- Seven complainants failed to co-operate with the mediation team following an initial contact;

- Three complainants declined mediation at the initial contact, stating that they felt their complaint warranted formal investigation;
- Three complainants believed mediation was too 'extreme' for their complaint during the initial contact and opted for informal resolution;
- In six complaints, police officers declined mediation (albeit the complainants had agreed) and the complaints were referred for formal investigation.

It was concluded at the end of the pilot project that neither the public nor the police were fully behind mediation as a

feasible option in a police complaints system. There were various reasons for this but generally speaking mediation was viewed as a step too far.

Also, as only one complaint was successfully mediated, it was difficult to draw any meaningful conclusions regarding the time and cost effectiveness of the process.

Nevertheless, the pilot project did highlight areas where changes to current complaints processes could be introduced to create a less formal, speedier mechanism to deal with what are essentially 'quality of service' type complaints.

Reports to Area Command Units

In January 2007, the Research and Performance Directorate (formerly Policy and Practice) began producing analytical reports highlighting trends and patterns in police complaints in each of the 29 policing areas. These reports were produced after consultation with the Professional Standards Champions in districts and the Professional Standards Department of the PSNI (PSD) after it had been identified that there was a need for more in-depth management information on complaints and allegations in each of the policing areas.

Each of the reports provides information on the number of complaints and allegations, details of complaint factors and allegation types, the location of allegations received, the allegations involving weapons/equipment and the months when most complaints and allegations are recorded. An equality monitoring section is also included in the reports. Details are provided which show the gender breakdown of the complainants in the particular areas. Figures are provided for ethnic origin, marital status, sexual orientation, religious belief and employment status.

‘Report easy to read...provides good deal of information.’

Professional Standards Champion

A large section of each report is allocated to providing management information on officers that have attracted multiple complaints during the reporting period. Details of the complaints are provided along with information on the total number of complaints attracted by the officers and any criminal or disciplinary sanction recommended by the Office.

‘The individual complaint detail is most useful when discussing with supervisors.’

Professional Standards Champion

PSD and PSNI management have continued to encourage the production of these reports since January 2007 as they provide management information in a user friendly format. The Directorate continues to meet with these stakeholders in order to obtain feedback on the reports. This allows updates or revisions to be made in order to reflect changes in policing structure and individual district needs or demands. The format of the reports therefore continually

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changes in order to best meet the needs of PSNI management.

‘Overall genuinely very appreciative of the work. It certainly provides some informed detail and background to my role as Head of Discipline.’

Professional Standards Champion

‘I think this format is an improvement of previous versions. It enables the reader to focus on issues relevant to ACU but easily identifies the officers involved.’

Professional Standards Champion

Due to the continual positive feedback received from PSNI and PSD, it remains the intention of the Office’s Research and Performance Directorate to continue producing these reports on a regular basis.

‘Thank you for your reports which I have read and found to be very informative.’

District Commander

‘I wish to reassure you that the information within the report is valuable to us in the District.’

District Commander

Reports to District Policing Partnerships

Following consultation with the Northern Ireland Policing Board the Office developed a set of reports containing information on trends and patterns in complaints and allegations received in each of the 29 District Policing Partnership (DPP) areas in Northern Ireland.

The first set of reports was issued in October 2009 covering information for the period October- March 2009. A further set of reports was issued in June 2010 covering the period April 2009- March 2010. The Office intends to produce these reports on yearly basis in the future.

The Office's Case Handling System records the Area Command Unit (ACU) in which the incident leading to the complaint and allegation occurred.

ACUs correspond to individual DPP areas, which allow reports to be compiled for each of the 29 DPP areas.

The first section of each DPP report includes information regarding numbers of complaints in each ACU in Northern Ireland.

The reports then give an overview of complainant profile, e.g. age, gender and religious background of individuals who have made complaints within the ACU.

The report also gives details of the factors underlying each individual complaint.

The next section of each report covers information regarding the number of allegations received in each ACU.

Further details are given regarding the number of allegations and types of allegation by station in each ACU.

Information is also provided on allegations involving the use of weapons and the location of the incident leading to the allegation.

The final section of the report summarises the recommendations made by Investigation Officers arising from allegations in each ACU.

For comparison purposes, all sections of the report provide information at Northern Ireland level.

Feedback was obtained from individual DPP managers. Members found the report to be very useful and reported that information received at this level facilitated discussion around policing at a local level.

“The complaints system was seen as a tool to highlight problems and try to find methods of solving them.”

DPP Manager

“Members thought the report was well laid out and easily understood.”

DPP Manager

“Reception to the report was positive – particularly from our Councillors.”

DPP Manager

Research Reports

During the past number of years, the Office has undertaken research into a number of policing related areas:

- Baton rounds;
- Use of batons;
- Treatment of solicitors/barristers;
- Young people's attitudes;
- Informal resolution;
- Police accountability and the gay, lesbian and bi-sexual community;
- Police accountability and the black and minority ethnic communities;
- CS spray;
- Reasons for complainant non co-operation;
- An analysis of complaints involving the use of handcuffs;
- Complaints involving allegations of incivility.

Baton Rounds (May 2002 and 2005)

The Office released two baton rounds reports, which provided a synopsis of the investigations carried out in relation to the use of baton rounds. The incidents leading to their use typically involved attacks on the police by rioters using bricks, masonry, fireworks, petrol, paint, acid and blast bombs; the police were also shot at on at least one occasion.

The Police Ombudsman carried out thorough investigations of all incidents with some minor criticisms of the police action emerging. In the incidents examined, the Police Ombudsman concluded that the discharge of baton rounds was fully justified and proportionate, as were the authorisation and directions given. With the exception of one incident, the deployment and use of the baton rounds were in accordance with the relevant RUC/PSNI and Association of Chief Police Officers (ACPO) guidance. No matters of police misconduct were found, however some deficiencies were found in police practice and processes that resulted in a number of recommendations to police in respect of:

- warnings to be given;
- the issuing of ammunition;
- the presence of baton gunner assistants;
- the facilitation of interviewing officers involved in baton round discharges.

“Police officers in Northern Ireland do a difficult job and they encounter public disorder situations that are

considerably more violent and life-threatening than in other areas”

Former Police Ombudsman Baroness
Nuala O’Loan

Use of Batons (March 2003)

The research found that police officers in Northern Ireland are six times more likely to be assaulted than their colleagues in Great Britain, but about 40 times more likely to receive complaints about their use of batons (truncheons).

It found that over 90% of the complainants were men, a third were aged under 21, and half lived in Belfast. It also found that about 40% of incidents leading to complaints took place between midnight and 3am, with nearly half of them taking place on Saturdays and Sundays.

The Report recommended:

- That the PSNI should examine its training in Conflict Resolution Skills with reference to the following issues:
 - ♦ The content of the training;
 - ♦ The timing of the initial training;
 - ♦ The resources devoted to the training, especially the number of trainers and the physical conditions of the training environment;
 - ♦ The deficit in refresher training.

- The completion and promulgation of the updated Police Service Code on baton use should be expedited;
- Clear and consistent recording of the use of physical force by police officers should be required. The data collected should be centrally collated, perhaps by the Central Statistics Unit of the PSNI. Consideration should be given to the publication of these data.

“I think that by identifying problems in this way and making recommendations we can help improve policing, which I know is the aim of both the Police Service of Northern Ireland and of this Office”

Former Police Ombudsman Baroness
Nuala O’Loan

A study of the treatment of solicitors and barristers by the police in Northern Ireland (March 2003)

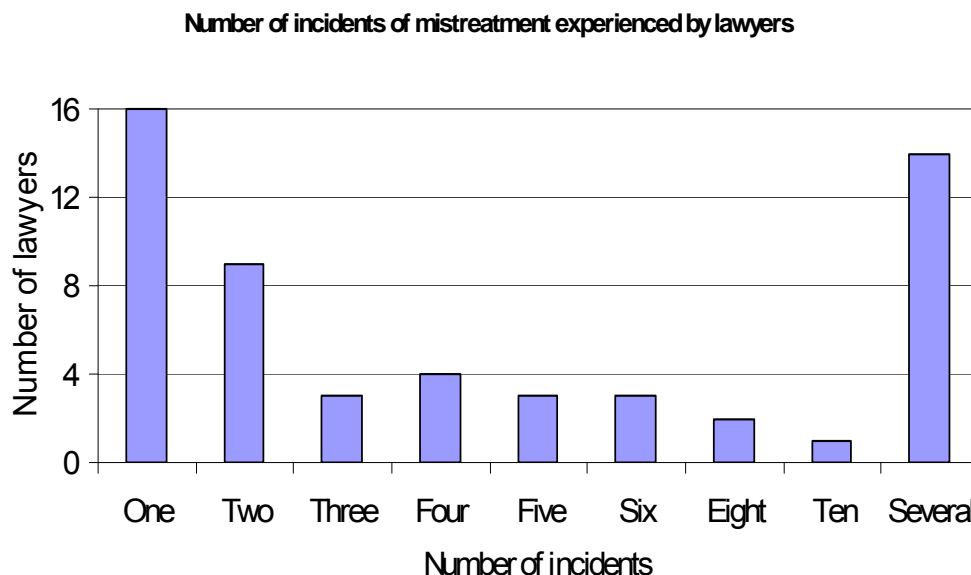
“The allegations that were made must be a matter of concern.”

Former Police Ombudsman Baroness
Nuala O’Loan

A research study was initiated by the Police Ombudsman into the treatment of solicitors and barristers by police officers in 2001 and 2002. 52% of those contacted responded (1,458). Of the respondents,

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1,403 (96%) had not experienced any problems while 55 (4%) had.



The nature of the incidents included among other things, defamation of character, direct physical threats, racist or sectarian abuse, and unprofessional conduct. Many of the lawyers who had alleged mistreatment, however, chose not to complain about it, mostly because they felt that the police would do nothing about their complaint.

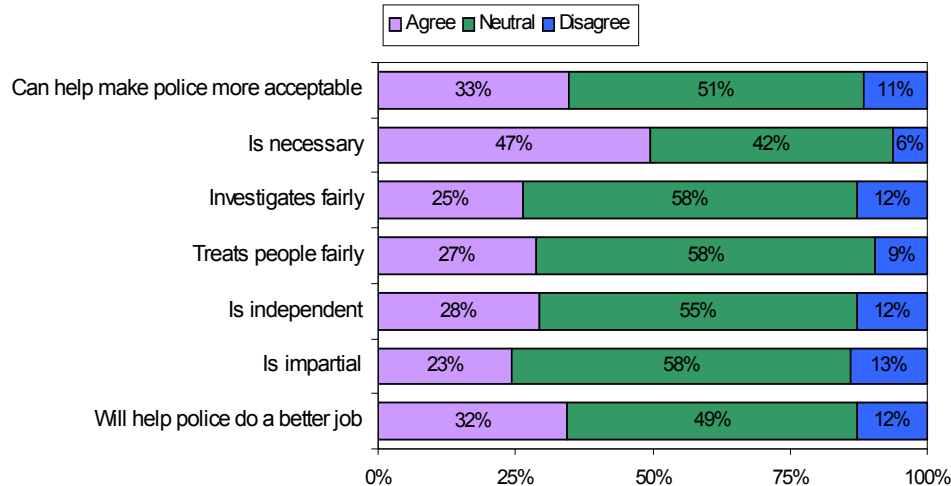
“The numbers and types of allegations reported in this survey do not paint a picture of widespread mistreatment of lawyers by police officers”

Former Police Ombudsman Baroness Nuala O’Loan

Young people’s attitudes to policing (April 2003)

Research on young people’s attitudes to policing and police accountability was commissioned from the Institute for Conflict Research in 2003; in a novel initiative, the Police Ombudsman’s Office and the Policing Board for Northern Ireland jointly funded this work. Over 1,150 young people were surveyed and a further 242 took part in focus groups in this study. Half of the young people questioned were aware of the Police Ombudsman’s Office, with TV being the most frequently cited source of information.

Young people's attitudes to the Police Ombudsman



When questioned about the Police Ombudsman's Office most young people found it difficult to express an opinion one way or the other, however half of them did agree that the Office was necessary and large proportions agreed that it would help the police do a good job and make them more acceptable.

The following recommendations were based on the findings of this report:

- There is still clearly a need to promote greater awareness of the organisation and its work among young people. This appears to be particularly important for young people living outside of Belfast. One option would be to organise a more focused and intensive road show

or out-reach programme involving presentations in schools and youth organisations;

- Information for young people on the Office should be more attractive and appropriate to a young audience. Designing this material will require some consultation and discussion with young people. It might therefore be appropriate to convene an advisory group of young people for say a six-month period to discuss in more detail how the Police Ombudsman's Office might make their information and services more accessible to young people;
- A number of young people commented on the *South City Beat* programme and suggested

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a similar programme on the Office would be of interest. The Police Ombudsman's Office could approach one of the local TV companies and suggest the idea of a documentary on the work of the organisation. Such a programme might be made more relevant by exploring the complaints process from a young person's perspective;

- There is also a need to increase awareness of practical matters such as where people can go to lodge complaints other than the Police Ombudsman's Office, the police or through a solicitor. No young person had lodged a complaint through a Citizen's Advice Bureau for example. There should be a wider range of outlets throughout Northern Ireland for people to go to lodge complaints and promotion of those which already exist. One option would be to have a Police Ombudsman logo that could be used to advertise where to lodge a complaint;
- Many young people commented on how the Office was Belfast based. It would therefore be

worth exploring options for the Police Ombudsman to have Offices in other areas to promote a presence outside Belfast. These could be organised as surgery style offices whereby a representative of the Police Ombudsman's Office would attend different towns on a monthly basis;

- Preliminary complaints can be made to a range of third parties (including solicitors, politicians, CAB's) who forward these to the Police Ombudsman's Office. At present these initial complaints include a variable quality of information about the complainant. We believe it would be useful to develop a simple standardised complaint registration form, or to ensure widespread availability of the current form, for all these agencies and organisations that forward complaints against police officers. This will assist the Police Ombudsman's research branch on their data collection and analysis;
- Given the large number of complaints made by young people it would be worth considering creating a team within the Ombudsman's Office who specifically deal with complaints by young people and

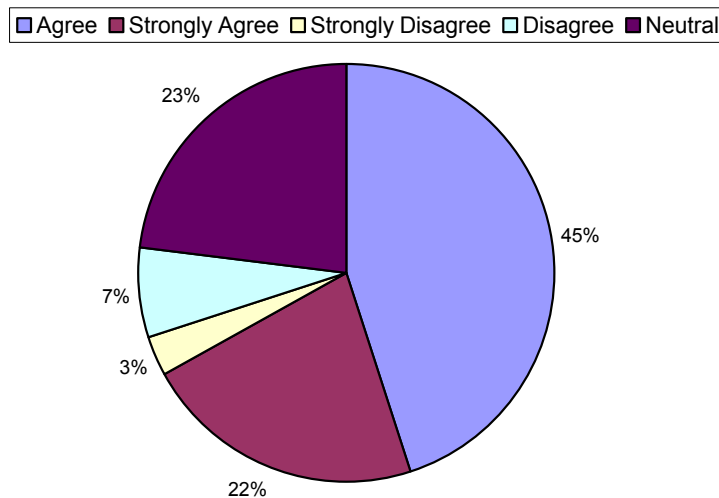
produce information especially for them. This would enable specialist knowledge to be developed and information to be gained on problems experienced by young people and best methods of responding to them.

Police officers attitudes to the Police Ombudsman and the new complaints system (January 2004)

A large-scale survey of all police officers was carried out in 2003. The research sought to provide information on officers' knowledge of and attitudes towards the Office.

Over 3,924 officers responded to the survey. Two thirds of officers questioned agreed that they would like to know more about the Police Ombudsman's Office.

Would you like to know more about the Police Ombudsman's Office?



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The majority of officers, who had been in contact with the Police Ombudsman's staff, thought they were:

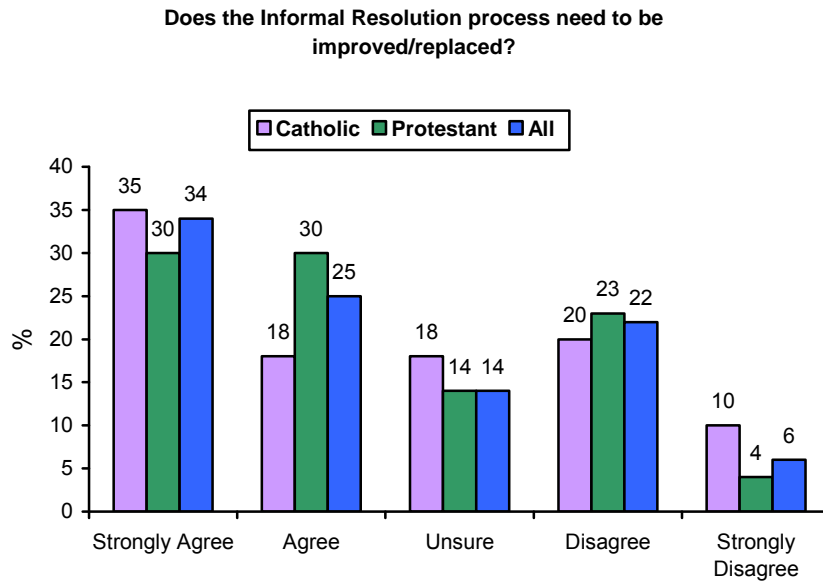
- Polite (86%);
- Friendly (60%);
- Patient (67%);
- Easy to understand (70%);
- Professional (64%);
- Some 37%, however, thought that staff were off-hand or casual, 22% thought staff were in a hurry or rushed and 17% thought the staff were rude;
- Only 39% thought that staff were knowledgeable and 46% thought that staff were impartial.

The majority of officers agreed that complaints against the police should be independently investigated by people outside the PSNI and about two-fifths agreed that the Police Ombudsman's Office would help increase public confidence in the police.

Police Led Informal Resolution Report (2006)

An evaluation of police led informal resolution of complaints from the complainants' perspective was carried out in 2005.

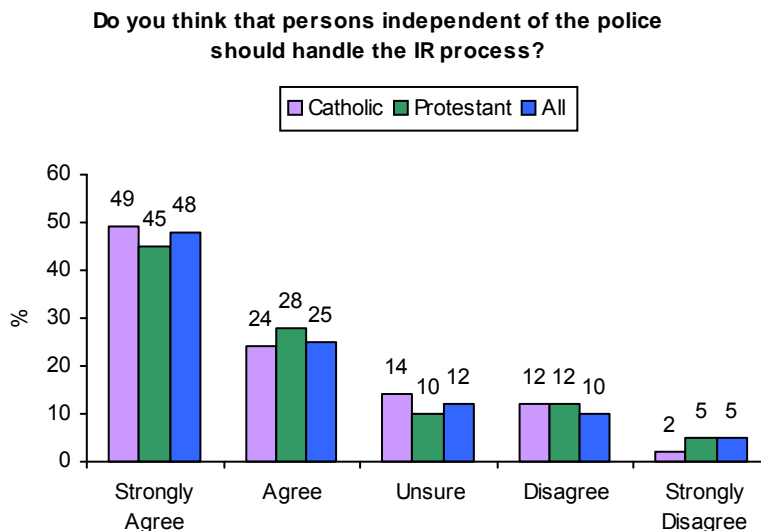
Almost 60% of survey respondents considered that the informal resolution process needed to be improved or replaced.



“Concerns that the issues would be brushed under the carpet and not dealt with properly”.

45-year-old Protestant

Almost three quarters considered that persons independent of police should handle the process.



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“Police investigated police.”

45-year-old Protestant

“I feel that the informal resolution is not taken seriously by the officers concerned and is a complete waste of the complainant’s time. I further suggest that all complaints against the police be dealt with by independent parties”

47 year-old

The Office made a number of recommendations, including:-

- That legislation is created to provide for a mediation process operated by the Police Ombudsman as an alternative to informal resolution upon receipt of a ‘less serious complaint;’
- That sufficient training should be made available to enable officers of the Police Ombudsman to conduct effective mediation and develop the process;
- The term Informal Resolution be changed to the Home Office/Affairs Committee (1997) recommendation of Local Resolution.

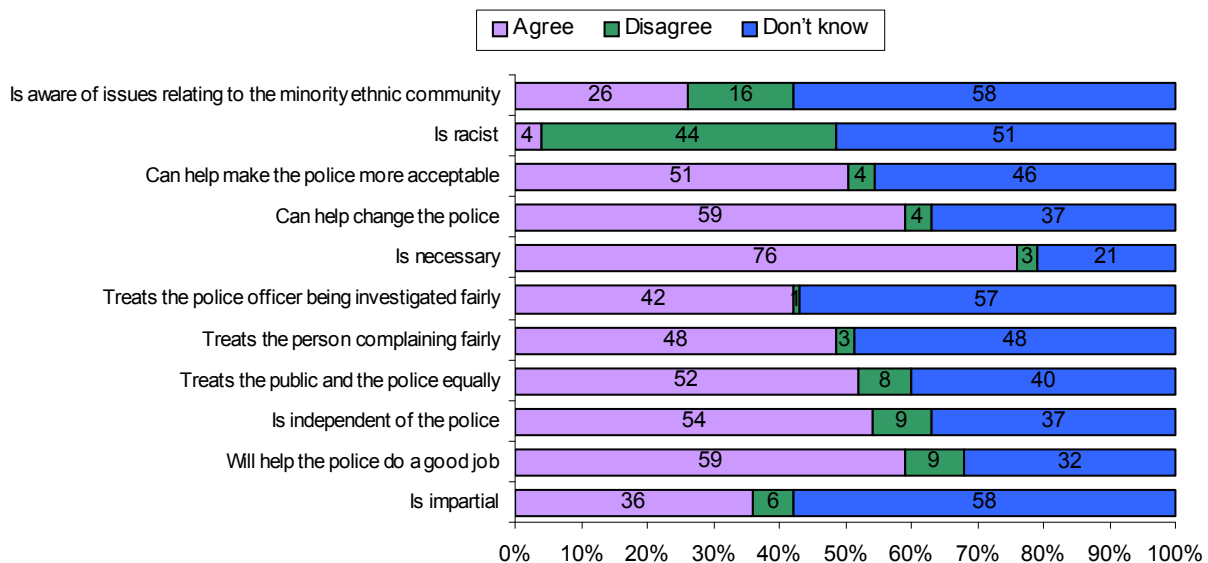
Police accountability and the Black and Minority Ethnic (BME) communities in Northern Ireland (2006)

The Police Ombudsman, in conjunction with the Northern Ireland Policing Board, jointly commissioned the Institute for Conflict Research to undertake this research.

“I didn’t report police because do I know anybody here? Enemies I already have in the community with those neighbours who attack me – do I want enemies with police too?”

Portuguese man, Bangor

Respondents Perception of the Police Ombudsman's Office



Arising from recommendations made in the report the Police Ombudsman identified appropriate training to be rolled out to all staff; became engaged in an extensive information programme using as many media as appropriate to make all elements of the community aware of the police complaints system and altered the complainant monitoring

form to not only capture racial classifications but also countries of birth.

“Traveller people would just rather let it go. I swear to God they’d harass you back again and again. Nobody wants to get too friendly with the police – and if you go complaining about them they’re never off your back.” Irish Traveller, Male, Armagh

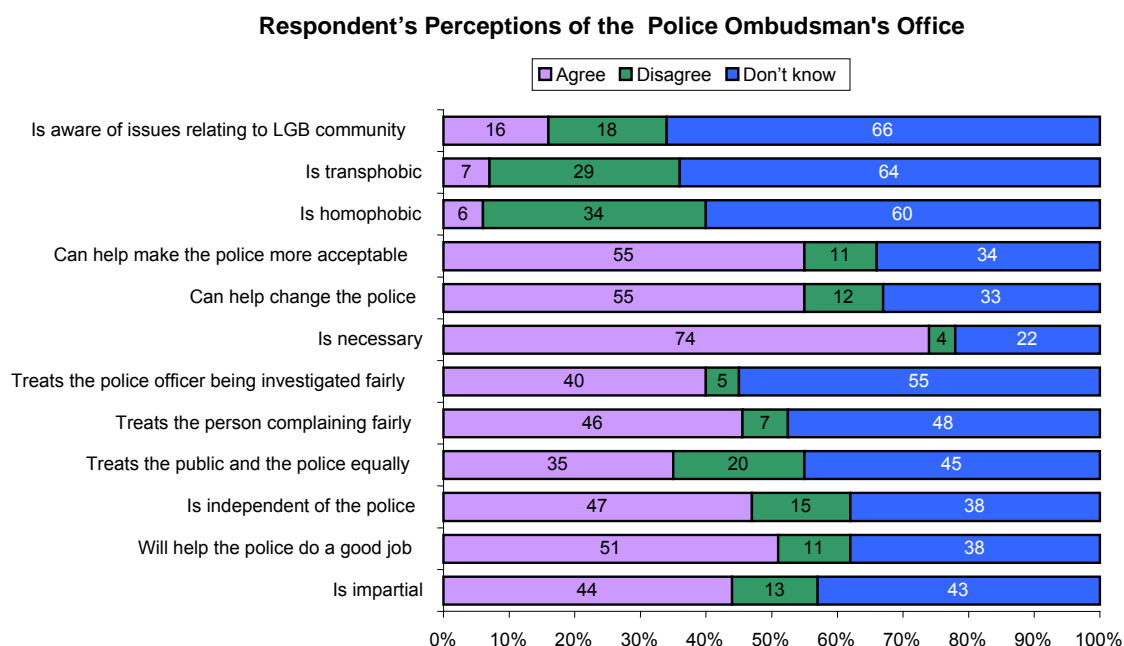
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Police accountability and the Lesbian Gay and Bisexual (LGB) Community in Northern Ireland (2006)

This report was also jointly commissioned with the Northern Ireland Policing Board, and researched attitudes towards, and experiences of, the new policing arrangements in Northern Ireland by individuals who describe themselves as being lesbian, gay or bisexual.

“I think they could do a lot more in terms of their own thinking and have a much more comprehensive approach to dealing with minor complaints and the amount of time it would take out of your life and for what result.”

Gay male, Limavady, aged 35



As a result of report recommendations in relation to diversity training, outreach and the provision of information about the complaints procedure, the Police Ombudsman carried out a programme of diversity training for the entire staff. In addition, the Police Ombudsman

engaged in an information project with a number of 'Section 75' groups, which was aimed at informing the Office about the best and most relevant methods of providing information for particular communities. This work included consultation with LGB representatives.

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“People must have the confidence if they come to us, that we will deal with these things properly ... it’s awareness training that we need to have and we need to make sure that diversity is reflected in everything we do. It’s a very wide issue and, yes, we have identified that we have a requirement to develop our staff more in respect of diversity.”

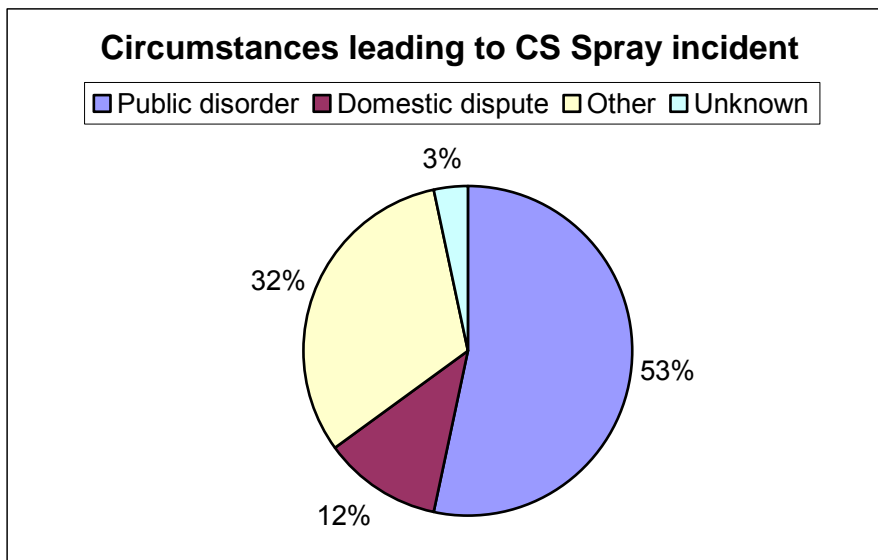
Police Ombudsman’s former Director of Investigations

The majority of CS Spray usage (53%) has been as a result of public disorder incidents, which have occurred on a street or road (38 incidents).

Analysis of CS Spray use (2006)

The use of CS Spray by PSNI officers, as a means of incapacitation where necessary, came into force on 1st July 2004. Following the articulation of some public concerns about the use of CS spray, the Office agreed to investigate every instance of CS Spray usage in the period from 06 August to 31 December 2004, as a means of helping to ensure that any matters arising from the use of the CS Spray would be dealt with efficiently. The CS Spray report provided a detailed analysis of all complaints and Chief Constable referrals made during 2004.

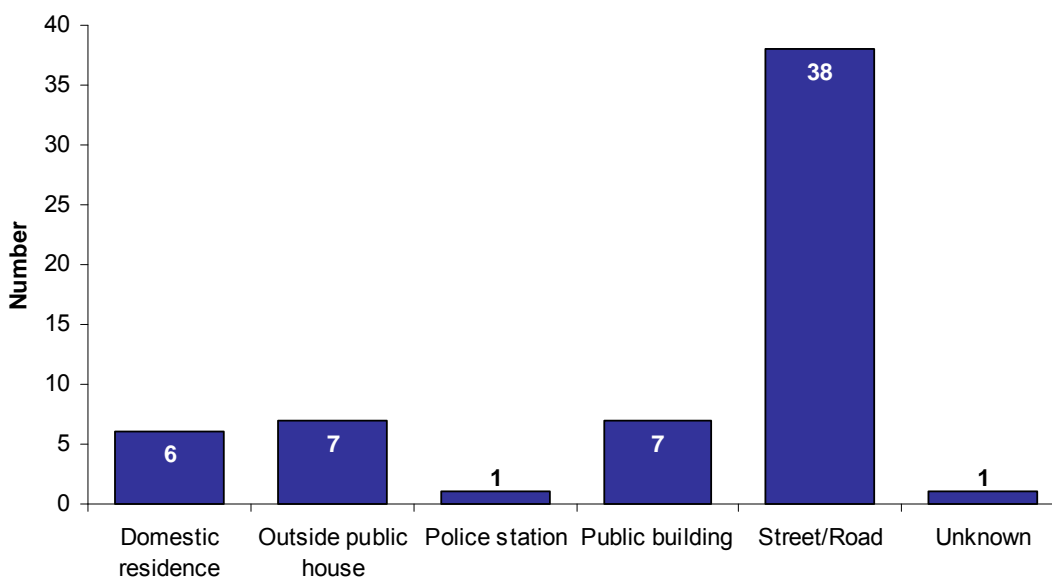
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In more than half (58%) of the incidents recorded it is unclear, from the CS1 forms or any subsequent documentation recorded on OPONI's Case Management System, how far away the officer was from their target when discharging CS Spray.

Of those incidents where a distance has been recorded (either on the CS1 form or in police/witness statements) only one is recorded as being at less than one metre (20 – 30 centimetres away).

Location of CS Spray Incidents



Investigations conducted by the Police Ombudsman resulted in a variety of recommendations to the Chief Constable including:

- That CS Spray should not be used at a distance of less than one metre or on a subject who is restrained or handcuffed unless the nature of the risk to the officer is such that this cannot be avoided;
- That all Custody Officers should be reminded of the need for enhanced cell supervision, and their duty of care, when dealing with persons who have been exposed to CS Spray;
- That the guidance and training in the use of CS Spray, not only articulate caution as regards public disorder events but also in the more ad hoc street disorder.

In the 4 incidents where no warning was issued, the evidence would suggest that a warning would have been deemed pointless in the circumstances of the incident, or that there simply wasn't the opportunity to issue a warning.

In the vast majority of incidents (80%) a warning was issued prior to CS Spray being discharged. In 4 incidents it is stated on the CS1 form that no warning was given, and the issue of a warning is disputed in a further 2 incidents.

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Complainant Non Co-operation with the Complaints Process (2006)

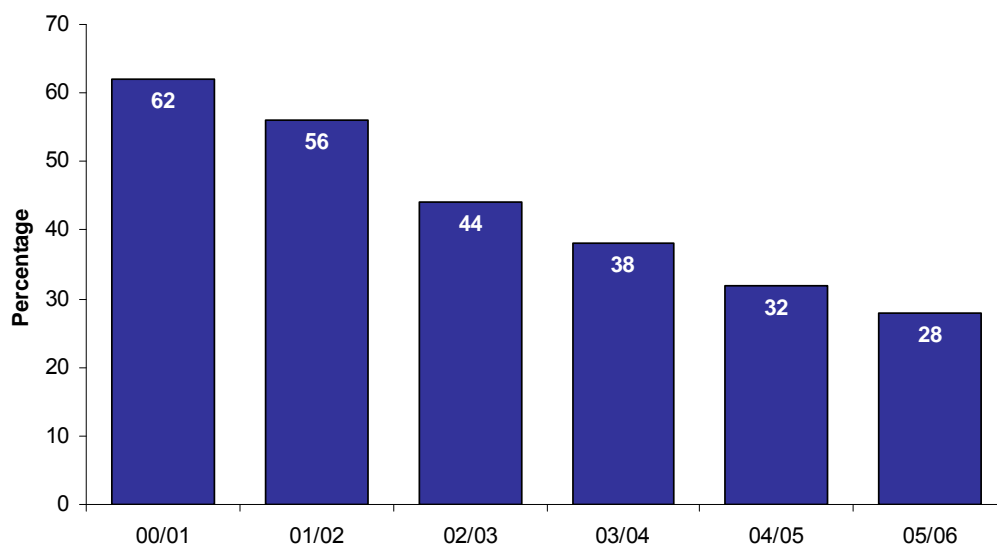
This research was commissioned as part of the Police Ombudsman's ongoing search to understand why some people, having made complaints, do not follow through and co-operate in the investigation of those complaints.

The non co-operation report also included an analysis of complaints

closed due to complainant non co-operation. The main findings were:

- Over the past six years there has been a significant increase in complainants co-operating with the complaints process.

Non Co-operation Closures, 2000/01 - 2005/06

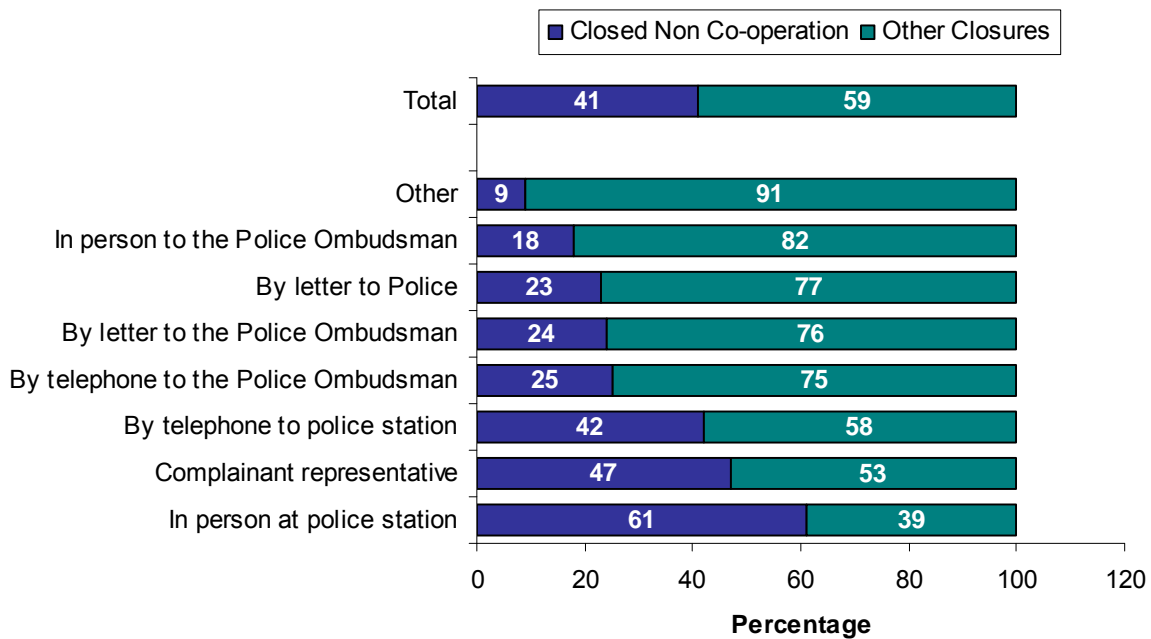


“The Ombudsman is a positive development in terms of policing, but there are problems, and some are unavoidable because policing is a contentious issue...and they’re not just dealing with the here and now, they’re dealing with a backlog...they’re dealing with the legacy of the conflict...”

Respondent

Persons making complaints to the Office of the Police Ombudsman are more likely to co-operate with the complaints process than those making complaints via the police.

Origin of complaint by closure category



The report found that failure to co-operate with the complaints process was disproportionately high for persons who were single, male, Catholic, unemployed or aged under 25 in comparison with other specific groups examined.

“It’s all in the heat of the moment...then you calm down and realise there’s nothing in it, so rather than admit that, you just walk away.”

Respondent

Persons making complaints to the Office of the Police Ombudsman are more likely to co-operate with the complaints process than those making complaints via the police.

“Some think the Police Ombudsman’s Office should expand its role but that’s not necessary... we need better education about its roles and responsibilities... we need better PR and communications to do that.”

Respondent

It also found that failure to co-operate was disproportionately high in complaints alleging Oppressive Behaviour.

Survey of Serving Police Officers (2008)

In 2008 the Police Ombudsman commissioned an independent survey of the views and attitudes of serving police officers towards the Office. The survey was supported by the Chief Constable, the Police Federation for Northern Ireland and the Superintendents' Association of Northern Ireland. A Steering Group representing the Police Ombudsman's Office, the Chief Constable and the staff associations agreed the survey methodology and the questionnaire. To ensure the independence of the survey, it was undertaken by Social and Market Strategic Research Ltd (SMSR), a company based in England. The survey fieldwork took place during February and March 2008 and a report produced in May 2009.

Some 2,350 police officers (27% response rate) completed and returned the questionnaires and the following presents a summary of the report's findings.

Awareness

Awareness of the role of the Police Ombudsman's Office was reasonably high. However, awareness was much

lower for other aspects of the work of the Office, particularly of the staff and outcome of investigations. Awareness was higher among officers of higher rank and those working in headquarters. It was also consistently higher among officers who were younger in the service, particularly among those who had joined since the change from the RUC to the PSNI.

Most found out about the Police Ombudsman's Office from informal sources, with relatively few from official sources such as the website or official documentation of the Police Ombudsman's Office. This was an important finding, as respondents who find out from official sources are more likely to express positive attitudes to the Police Ombudsman's Office. Most respondents, especially those in operational postings, said that the possibility of a complaint affects the way that they do their job, with nearly a third saying it affects it a great deal. The overwhelming majority thought the effect was negative. However, about one in six said it helped them to do a better job, which rises to nearly one in four among officers with less than six years service.

Well informed respondents were less likely to say that their job is affected negatively by the possibility of a complaint.

Complaints

One-fifth of respondents had a complaint currently under investigation; between a third and a half of respondents had had a complaint investigated, the investigation of which was closed. Respondents were asked to comment on the most recent complaint.

Most of the complaints were about Oppressive Behaviour, Failure in Duty or Incivility. Three-quarters said either that the complaint was not substantiated, or that no action was taken. Half were satisfied with the outcome of the investigation, with a quarter dissatisfied. Satisfaction with the way the complaint was handled by the Police Ombudsman's Office was lower, less than forty per cent, with about a quarter dissatisfied.

Just under two-thirds of respondents who had been subject of a complaint investigation said they were contacted by an Investigating Officer, who was generally described as polite and patient.

However, fewer described the Officer as knowledgeable, interested or impartial, with at least one in five saying the Officer did not have these qualities.

Less than half said they had received a satisfaction questionnaire from the Police Ombudsman's Office; of these, just over three-quarters said they had completed and returned it. Those who hadn't returned the questionnaire said there was no point, or that they were too busy.

Of those who had a complaint investigated, nearly three-quarters said they had not been informed of whether the complaint was closed.

Attitudes

Respondents were more likely than not to be confident in the thoroughness and knowledge with which the Police Ombudsman's Office conducts investigations; by contrast they were less likely than not to be confident in the impartiality of the investigations.

Confidence in all these areas was higher among officers with less than six years' service. It was also higher among those who felt well informed about different aspects of the work of the Police Ombudsman's Office, particularly in relation to being well informed about the staff.

Contributing to improving policing in the community

Respondents were asked to rate their agreement with a series of specific attitude statements; their views are summarised as follows:

- Two-thirds believed that complaints against the Police should be investigated independently (less than one in ten disagreed with this); however, most thought the Police Ombudsman's Office should not investigate complaints arising from historical incidents;
- About half thought investigations of complaints by the Police Ombudsman's Office were biased in favour of the complainant; there was very strong disagreement that there was bias in favour of the PSNI;
- More than half thought that most people who make complaints do so to make mischief;
- About half thought there was less misconduct in the PSNI than in other police services;
- More than a third thought the Police Ombudsman's Office had improved the accountability of the Police in Northern Ireland; by contrast, fewer thought the Police Ombudsman's Office had improved Policing in Northern Ireland, with nearly half disagreeing with this;
- A third thought the work of the Police

Ombudsman's Office is likely to make the public more confident in the Police; less than a quarter disagreed with this.

- Just under a third thought the Police Ombudsman's Office did a good job, with slightly fewer, just over a quarter, saying they did a poor job. Forty per cent expressed mixed feelings. The attitude was more positive among those who found out about the Police Ombudsman's Office from official sources (official documents, the organisation's website, and personal experience).
- Invited to say how the Police Ombudsman's Office could improve, respondents were most likely to suggest providing more updates to officers under investigation, being more impartial, knowledgeable, and professional, and understanding the constraints under which police officers work.

Summary

The survey showed a wide range of attitudes expressed by PSNI officers towards the Police Ombudsman's Office. While a substantial number express negative attitudes – perhaps the most consistent concern being with impartiality – there was a consistent tendency for positive attitudes to

outweigh negative attitudes, albeit by a small margin.

Those who had a complaint investigated by the Police Ombudsman's Office were not more negative in their views; but then neither were they more positive, and there were consistent concerns about Investigating Officers, relating to their (lack of) impartiality and knowledge and understanding of policing, and the need to keep the subject of the complaint better informed about the investigation.

Two striking themes ran through the analysis of respondents' attitudes to the Police Ombudsman's Office. The first relates to length of service, with younger officers being consistently more confident and positive in their attitudes. The clearest cut-off point was six years.

The second relates to how well informed respondents say they were. The better informed the officer, the more positive they were in their views. There was some overlap between these two effects, with younger-service officers saying they were better informed. However, if one looked only at officers with more than six years service, there is still a strong relationship between how

well informed the respondent was, and how good a job they thought the Police Ombudsman's Office did.

While it cannot be said for sure that better informed officers are more positive in their views because they are better informed, this does seem the most likely interpretation, which makes this a finding of potentially great importance. Confidence in and attitude towards the Police Ombudsman's Office may be improved if officers are better informed about different aspects of the work of the Police Ombudsman's Office.

Furthermore, it seems that respondents who find out about the Police Ombudsman's Office from more informal sources, such as hearsay, or general media coverage, are not more positive, whereas those who cite official sources are significantly, and sometimes strikingly, more positive.

Consequently, more active attempts to distribute official documents from the Police Ombudsman's Office website and to give courses and presentations may do much to improve attitudes.

Contributing to improving policing in the community

Conclusion

The report raised some intriguing findings of potentially great practical importance. These are both worrying and encouraging. Worrying in the extent of negative attitudes, and the link with being informed. They offer the prospect of improved attitudes, confidence and satisfaction, as well as practical suggestions of how those outcomes might be achieved. And finally, they lay down a reliable baseline for future research to evaluate the effects of any educational and other initiatives that may be undertaken by the Police Ombudsman's Office, the PSNI, or the representative bodies.

Equality Monitoring Report (October 2009)

Between November 2000 and March 2009, there were 26,709 complainants to the Office, of whom 9,066 (34%) returned completed questionnaires. The report provides an analysis of the profile of complainants based on gender, age, religious belief, race or ethnic group, country of birth, marital status, disability, employment, dependants, political opinion and sexual orientation.

A selection of the report findings is as follows:

- Seventy-two per cent of respondents stated that they were men and 28% were women;
- Almost three quarters of complainants were under 45 years old;
- 39% of respondents described their religious belief as Catholic, 23% Presbyterian, 20% Church of Ireland, 4% Methodist, 8% as other and 8% no religion;
- Ninety-seven per cent of respondents described themselves as white;
- Eighty-seven per cent of respondents were born in Northern Ireland;
- Forty-two per cent of respondents reported being married and 38% were single;
- Twenty-eight per cent of respondents considered themselves to be disabled;
- Sixteen per cent of respondents reported being unemployed;
- Forty-four per cent of respondents declared no support for any political party;
- Forty-four per cent of complainants reported having dependants;

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- One per cent of respondents declared themselves as being gay.

A more detailed analysis of Section 75 data can be found under the 'Equality Monitoring' section of this report.

Analysis of incivility complaints (June 2010)

During the period between November 2000 and March 2009, the Office received 5,821 allegations from members of the public alleging that police officers had been uncivil. That represented 14% of all the allegations received during the period and represented a significant 'quality of service' issue for the police.

Given the volume of such allegations, the Office undertook an analysis to establish if any trends or patterns could be established, and any recommendations made, which would help prevent such situations from arising in the future.

The report comprised three main elements:

- An overview of incivility allegations received between November 2000 and March 2009;
- An in depth analysis of incivility allegations received between April 2008 and March 2009;
- An analysis of the characteristics of police officers who attracted incivility allegations.

Some of the main findings from the report are detailed below.

Overview of incivility allegations received between November 2000 and March 2009

- Twenty per cent (5421) of all complaints received between November 2000 and March 2009 contained one or more allegations of incivility;
- Fourteen per cent (5821) of allegations received between November 2000 and March 2009 were classified as incivility;
- North Belfast Area Command Unit recorded the highest number of allegations involving incivility (556 allegations);
- Thirty five per cent of incivility allegations occurred on the street or road;
- Incidents leading to an incivility allegation were more likely to take place on Saturday or Sunday than any other day of the week;

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- The most common factor specified behind incivility complaints was 'arrest' (i.e. during or immediately after arrest) (18%);
- Sixty five per cent of allegations were made by men;
- Of those complainants who provided details regarding their religious belief, 38% were Catholic and 48% were from the three main Protestant religions;
- Between April 2001 and March 2009, 2,502 complaints with one or more allegations of incivility were considered suitable to offer the complainant the opportunity of having their complaint dealt with through Informal Resolution.

In depth analysis of incivility allegations received between April 2008 and March 2009

When the exact nature of the incivility was explored many complainants tended to report that the police officer was "uncivil", "rude" or had a "bad attitude." When it was possible to isolate the exact nature of the incivility allegations the most common reasons were as follows:

- the police officer made an inappropriate comment (around one third of allegations);

- the police officer used foul language (around one quarter of allegations);
- the police officer was abrupt, dismissive or disinterested (around one quarter of allegations).

Analysis of characteristics of police officers who attracted incivility allegations

Males and younger police officers were over-represented and females and older police officers under-represented among those police officers who attracted incivility complaints.

Arising from this analysis, the Police Ombudsman made a number of recommendations to PSNI:

- PSNI should communicate the results of this report throughout the organisation. In particular results should be used to inform training plans.
- PSNI should make supervisory officers more responsible for the conduct of officers in their charge.
- PSNI should closely monitor officers who attract multiple complaints containing incivility allegations and take appropriate action.
- PSNI should look closely at

reasons why traffic related incidents attract a disproportionate number of incivility complaints.

- PSNI and OPONI should continue to explore innovative ways of dealing with less serious allegations.
- PSNI should meet the Northern Ireland Policing Board and outline its response to the findings of this report.

PSNI Response

The PSNI remains committed to reducing the number of complaints being made and civility is a matter that they believe is essential when effectively delivering a high quality service to the community. In respect of the recommendations:

- The findings of the report have been disseminated throughout the Service. The PSNI will use the findings to inform training plans and courses in the future. Civility is assessed throughout the Foundation and Probationary programmes. The contents of the report have also been raised with

the Operational Support Department and a number of initiatives have been introduced in relation to the matters highlighted.

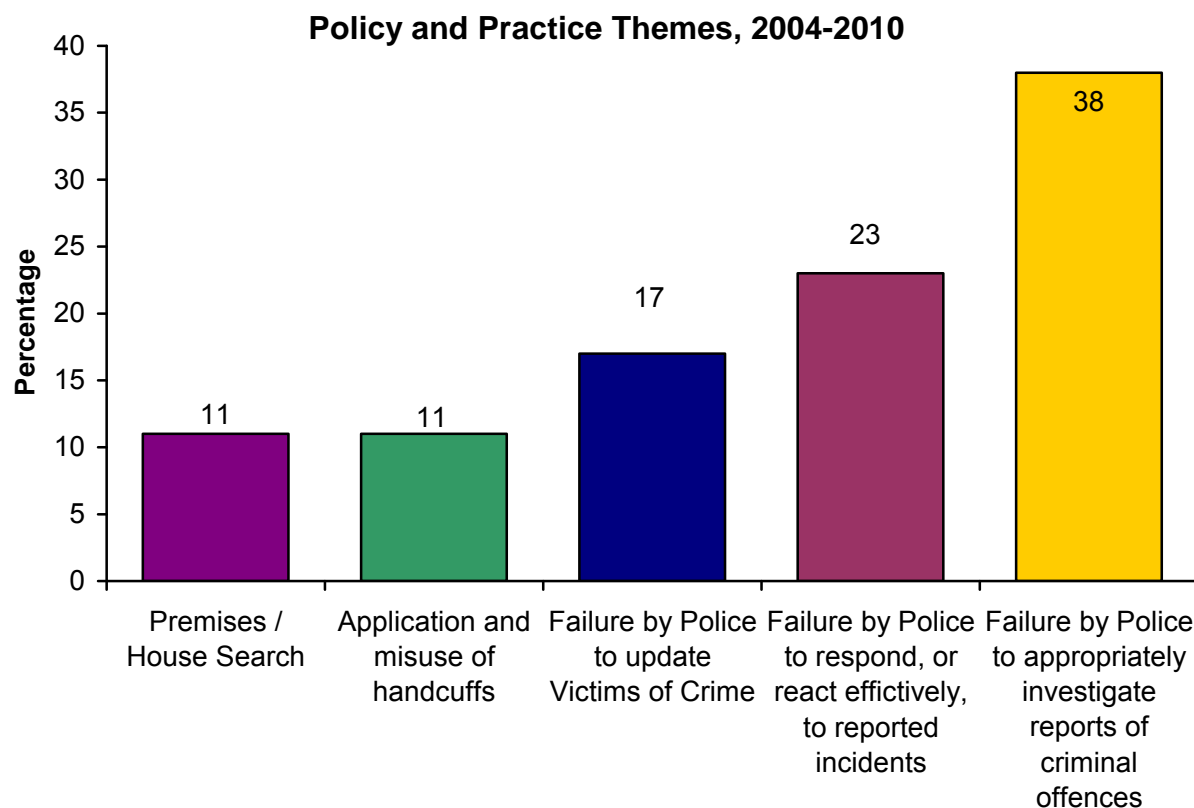
- The PSNI currently monitors officers who attract multiple complaints, in all areas, and this is regularly highlighted throughout the Professional Standards Department forum.
- Liaison continues with various stakeholders to raise awareness through briefings and in districts in relation to avoiding complaints.
- The Professional Standards Department meets regularly with the Northern Ireland Policing Board and updates them in relation to the Complaint Reduction Strategy.

Police Policy and Practice

Section 60A of the Police (Northern Ireland) Act 1998 [as inserted by Section 13 of the Police (Northern Ireland) Act 2003] empowers the Office of the Police Ombudsman to investigate current police policy or practice if: (a) the practice or policy comes to his attention under Part VII of the Act, or (b) he has reason to believe that it would be in the public interest to investigate the practice or policy.

Since April 2004 the Office has identified, categorised and recorded

potential police policy or practice issues arising from complaints received. This on-going identification of significant trends and patterns assists the organisation in the selection of appropriate areas that may require policy and practice investigations. The chart below displays the five most recurrent themes to emerge between April 2004 and March 2010. These are selected solely on the basis of the content of the initial allegations made by each complainant.



Contributing to improving policing in the community

Since 2004 four policy and practice investigations have been completed:

- Report into Police Identification in Northern Ireland (2006);
- Police Searches of Domestic Residences (2006);
- Recommendations arising from reports issued by the Police Ombudsman under Regulation 20 of the RUC (complaints etc.) Regulations 2000 (2006);
- Analysis of complaints relating to the use of handcuffs (2008).

The published reports made a number of significant recommendations for improvements in policing.

Police Identification Policy and Practice Report

Recommendation 1

PSNI policy on the wearing of name badges should be annually reviewed in light of the prevailing security situation and the Chief Constable should set a target date by which it will be compulsory for all officers to display name identification badges.

PSNI Response: There will be an annual review of the wearing of name badges, with the default position being that name badges should be worn. Only the current security situation will be

grounds for not wearing a name badge. The PSNI is also examining how best to identify plain-clothes officers.

“Advertisements on television warn people to be wary of callers and to check by way of a phone call, this method of educating the public re; bogus callers should also include the possibility of bogus Police Officers, especially plain clothes officers.”

Respondent

Recommendation 2

In the absence of name badges, breast pocket numeral identification should be introduced.

PSNI Response: An officer's station and epaulette number should be worn when the wearing of a name badge is not possible.

Recommendation 3

Police personal issue equipment, including radios, CS spray, batons, firearms and handcuffs, should be uniquely linked to individual officers.

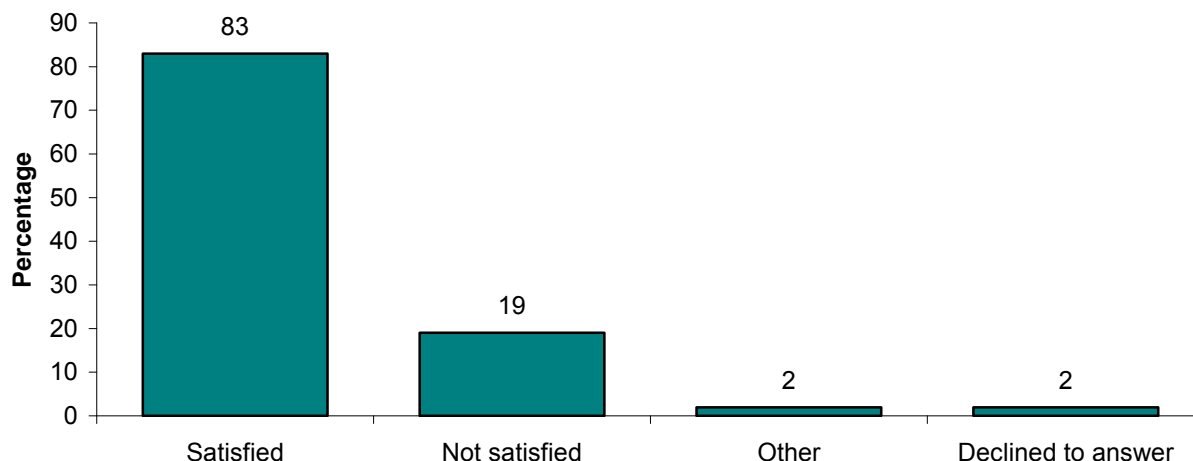
PSNI Response: It was agreed that police personal issue equipment should be uniquely linked to individual officers. CS spray is the only item listed not on personal issue at this time.

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“Numbers should appear on batons, handcuffs, and boots. Also, on all carried equipment...”

Respondent

Public satisfaction with uniform identification



Recommendation 4

Police vehicles should have unique identifiers permanently in view on the sides and on the roof. These should be removed only with the authority of an officer of Superintendent rank or above.

PSNI Response: All police vehicles have permanently fixed vehicle registration plates at the front and rear. All current Battenberg livery vehicles will shortly have thermal image (5 digit) fleet number permanently fixed on the roof for air support identification during day and night time. Height 30.5cm, width 21.5 cm, thickness 5cm.

With regard to the sides of all Battenberg vehicles and the sides of all Battenberg motorcycles, as an extension of the PSNI email address currently on the vehicles on blue against white/silver background, we can fix the 5 digit fleet number to height 3.5cm, width 2.5cm, thickness 1.5cm. The timeframe for completion is August 2005. In addition, ALR's will be able to have unique TSG operational numbers for whatever type of operation undertaken. All unmarked police vehicles are excluded from this process.

Recommendation 5

The prevailing method of officer identification should be clearly marked on police fluorescent coats.

PSNI Response: It was agreed that the prevailing method of officer identification should be clearly marked on police fluorescent coats.

should be changed to police blue to clearly distinguish police from other emergency services. 'Police' appears on large fluorescent letters on the front and rear of these coats. The PSNI is not persuaded that the cost to make such a change is justified, given what they consider to be questionable benefits.

Recommendation 6

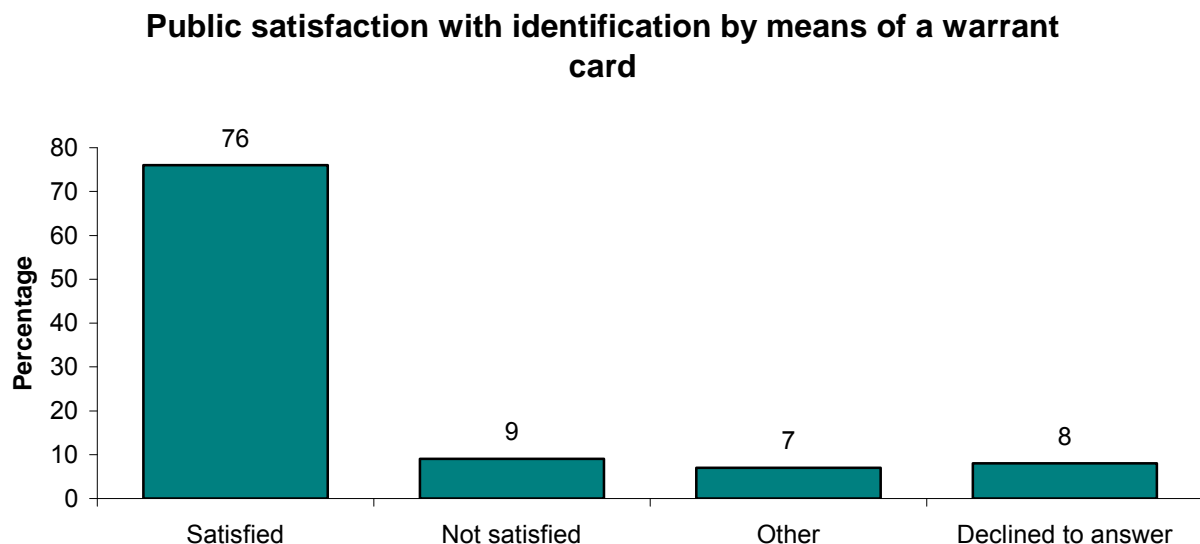
The sleeves and trim of fluorescent coats should be changed to police blue to clearly distinguish police from other emergency services.

PSNI Response: It was not agreed that the sleeves and trim of fluorescent coats

Recommendation 7

The use of business cards by officers should be promoted and encouraged.

PSNI Response: It was agreed that the use of business cards by officers should be promoted and encouraged.



“If there is an occasion to show warrant card, perhaps a business card with officer’s name etc should be given for reference.”

Respondent

Contributing to improving policing in the community

Recommendation 8

The PSNI should produce and disseminate a leaflet detailing all means used by the police to identify themselves.

PSNI Response: Rather than leaflets detailing all means used by the police to identify themselves, they felt that posters could be displayed giving this information, which would be more effective.

Recommendation 9

The clarity of epaulette numerals should be improved.

PSNI Response: Work has already begun on improving the clarity of epaulette numbers and the PSNI is prepared to discuss this issue further.

“...They are either too small and in the wrong place. How can you see a number at right angles on the shoulder?”

Respondent

Recommendation 10

Warrant cards should be redesigned to facilitate persons with visual disability.

PSNI Response: Second generation warrant cards are now on issue and have Braille text.

“...Has any thought been given to Braille cards, e.g. for disabled, blind and partially sighted.”

Respondent

Police Searches of Domestic Residences Policy and Practice Report

Recommendation 1

Police officers are reminded of the importance of ensuring that warrants are accurately completed and used solely for the purpose they are intended to avoid claims for wrongful searches.

PSNI Response: Agreed: the PSNI search manual provides direction on accurate completion of all search documentation in Section 6.

“A bit of paper was thrust in front of my face...but I couldn’t read it.....I was too nervous and upset”....

CNR community member

Recommendation 2

Police officers are reminded of the correct use of appropriate search documentation, including the serving of PACE 20s, copies of warrants and PACE 1A documentation.

Recommendation 3

Police officers are reminded of the importance of fully and accurately completing search records.

PSNI Response: Agreed: the PSNI search manual provides direction on accurate completion of all search documentation in Section 6.

Recommendation 4

Police officers are reminded of the importance that property seized is returned as soon as practicable.

PSNI Response: Agreed: the PSNI policy directs that searches are carried out in compliance with legislation and the PACE codes of Practice. PACE Codes of Practice B provides guidance on dealing with property.

“When material is taken away from a search and there is no case to answer. Getting the articles back is a major issue for people...The local police station is full of stuff that has been taken and not returned...”

PUL Community Representative

Recommendation 5

Police officers are reminded of their duty to adhere to policies and practices in relation to property searches with particular emphasis on guidelines for dealing with vulnerable groups including ethnic minorities and migrant workers.

PSNI Response: The issue of dealing with ethnic minority groups is an emerging problem with the increase in transnational migrant workers, asylum seekers, refugees and undocumented workers now living in the province. In addition, both our regions are increasingly working with the United Kingdom Immigration Service and one of the major issues is that of language and interpretation.

Following consultation with our Community Safety Branch, the following solutions are suggested as practicable steps towards addressing the communication issues:

- Search documentation (Warrants, PACE Article 20, Pace 1/TA);
- Raise awareness amongst TSG and others conducting domestic premises searches of the NIS facility (National Interpreting Service – 150 languages).

Contributing to improving policing in the community

Our Operational Policy and Support Branch have been liaising with Community Safety Branch over these issues.

“New officers cause problems...they’re not at all sensitive...that’s when most problems occur...they do not seem to be trained in dealing with minority groups...”

Minority ethnic activist

Recommendation 6

Police officers are reminded of the importance of securing unoccupied dwellings following searches.

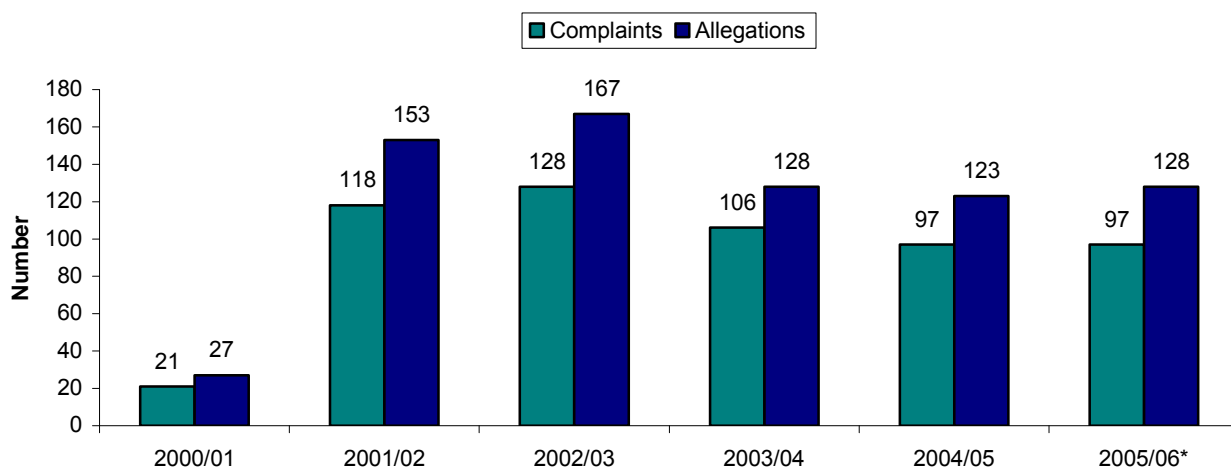
PSNI Response: Agreed: an Interim Direction has been issued by Operations Policy that highlights the PACE codes of Practice directions on securing premises after a search. Work is ongoing to provide practical assistance to operational police in this area.

Recommendation 7

Police officers are reminded that complaints made to police must be forwarded immediately to the Office of the Police Ombudsman. There should be no attempts by police officers to “deal with a matter privately”.

PSNI Response: Agreed.

Complaints and allegations regarding property searches, 2000/01 - 2005/06



* As at 31 December 2005

Recommendation 8

At least one female police officer be in attendance during all searches of domestic properties carried out by police.

PSNI Response: Agreed. The PSNI 'Gender Action Plan', published in September 2004, raised concerns about the proportion of female officers serving in specialist units generally. Vacancies in TSG were specifically mentioned: 'female officers were proportionally more successful than male officers but applied in much smaller numbers. This may be due to female officers' perceptions about the type of work involved in some specialist units and the possibility of long hours culture.' The report proceeded to make the following practical recommendations:

- Welcoming statements to be included in vacancy bulletins which are issued for jobs in specialist units where females are under-represented;
- Commanders of specialist units to be tasked with producing action plans to address under representation.

Positive steps were taken to attract female recruits to TSGs. Several 'open / information days' were organised and this appears to have had a positive impact. The latest establishment figures show that, within urban regions, TSGs

have at least two female officers each. A project team has been established within rural regions to examine the under representation of female officers within its TSGs.

The revised Search Record (Form 29), which will be released [by November 2006] Section 8, which is part of the planning stage of the search, reads as follows: 'Persons believed to be present at (if it is known or suspected that females will be present, a female officer should attend)'.

"In a lot of searches they must know that there are women and children in the house but I haven't seen women police officers on the searches, particularly searches through clothing and particularly underwear...it's upsetting...one policeman searching through teenager's underwear nearly caused a full scale riot..."

PUL Community Representative

Recommendation 9

Police review the proportionality of the number of police officers involved in search operations against the nature of the offence being investigated and the potential impact on community relations.

Contributing to improving policing in the community

PSNI Response: The proportionality of police actions is a crucial consideration under Human Rights. The PSNI Search Manual states: 'Where the search objective can be achieved in more than one way, the least intrusive method should be chosen'. Under the RAPIDS (Reactive and Proactive Intelligence Driven Support) bidding system, Districts and Departments seeking TSG assistance to conduct searches are required to conduct or at least consider a 'community impact assessment'. This will not only give an indication of the potential impact on community relations of the proposed searches, but will also inform the decision making process in terms of the numbers of search teams or units required to undertake the operation. Commanders have a duty of care for their officers and, therefore, have to consider carefully all of the issues pertaining to the proposed search and not just to the search itself.

Factors to be considered include:

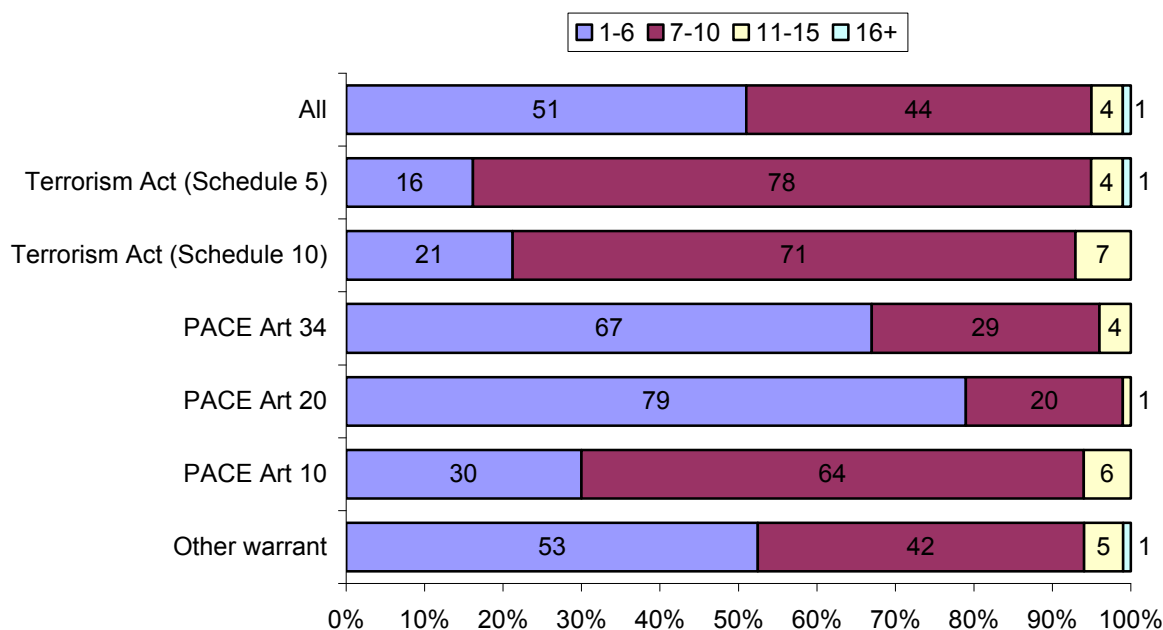
- the area within which the search is to take place;
- the likelihood of a hostile reception, which may necessitate additional officers to secure the area and provide public order support or security;

- the climate under which searches are to take place (for example, heightened tensions as a result of an ongoing loyalist feud).

Responses that may appear 'over the top' and disproportionate, may in fact be entirely justifiable and appropriate, and the PSNI search manual advises that when either seven or more search aware officers or two or more search teams are required for a search, a Police Search Advisor should be consulted.

Statistics show that only in four per cent of searches are more than ten police officers present and in over half of all searches no more than six officers are involved.

Number of officers by authority to search



Recommendation 10

All intelligence is verified and validated prior to searches being conducted.

PSNI Response: Agreed: Direction on this is contained in PACE Code of Practice A, Section 2.

Recommendation 11

The police officer in charge of the search always make himself/herself known to the occupants and is available to deal with any issues that may arise resultant from the police search.

PSNI Response: The PSNI search manual directs that officers in charge of search teams make themselves known to the occupants on entry to any premises and explain the nature of the search, the occupants' rights during the search and occupants and is available to deal with any issues that may arise resultant from the police search.

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Recommendation 12

Police review guidelines relating to searches of traveller sites with particular reference to the use of warrants.

PSNI Response: Agreed: whilst the PSNI policy directive does not specifically mention traveller sites, the guidance and direction it contains clearly states that all searches must be conducted in accordance with current legislation and be human rights compliant.

“If the police come with a warrant they use it to cover the whole site...they enter everyone’s caravan...that can’t be right...”

Travelling Community activist

Regulation 20 Policy and Practice Investigation Report

Between 6 November 2000 and 31 March 2006 the Office of the Police Ombudsman for Northern Ireland received more than 200 non-complaint matters arising from Section 55 of the Police (NI) Act 1998. Regulation 20 of the RUC (Complaints Etc) regulations places a statutory duty on the Police Ombudsman, at the conclusion of such investigations, to send a copy of the related report to the Northern Ireland

Policing Board, the Chief Constable and the Secretary of State.

A substantial number of these completed reports have incorporated Police Ombudsman recommendations aimed at improving policing policies and procedures in generic areas such as the use of firearms, baton rounds or CS Spray, or they may make specific recommendations in relation to one-off incidents.

This policy and practice investigation was commissioned to review the operation of the Regulation 20 reporting procedure and assess the impact of the recommendations on policing policies and practices. The following are a sample of the recommendations contained in a sample of Regulation 20 reports and a summary of PSNI responses to them.

Crime Scene Management

Recommendation 1

Scientific Support Staff should receive training relating to forensic issues at major crime scenes, specifically the need to wear protective clothing and contamination issues.

PSNI Response

All PSNI Scientific Support staff have now received awareness training in relation to forensic issues at major crime scenes. New standard operating procedures have also been written and supplied to all staff.

Recommendation 2

All Scientific Support Staff should receive training in the law relating to the CPIA 1996, specifically relating to their need to record, retain and reveal to the Disclosure Office all the material produced by them in an investigation.

PSNI Response

A review is currently being undertaken of the training required by all Scientific Support staff in relation to the CPIA 1996.

Recommendation 3

The Senior Investigating Officer in charge of all major crime investigations should ensure that the crime scene is

videoed before any forensic examinations take place.

PSNI Response

All officers attending the Senior Investigating Officer modules are now made aware of the need to video all Major Crime Scenes.

Recommendation 4

All SIOs should define the parameters of a major crime scene, ensure that a search plan is considered and set a Forensic Strategy. All actions / decisions / orders should be recorded and take place in accordance with the National Murder Investigation Manual.

PSNI Response

All officers attending the Senior Investigating Officer modules are now trained and made aware of their need to set a Forensic Strategy in line with the National Murder Investigation Manual.

CS Spray

Recommendation 1

It is recommended that all Custody Officers be reminded of the need to accurately record all required details pertaining to CS Spray discharges relating to prisoners who have been exposed to CS Spray on the relevant Custody Record. Such good record keeping ensures the accountability and

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transparency of the custody process in accordance with the PACE Codes of Practice.

It is recommended that all Custody Officers be reminded of the need to issue Form CS3 to prisoners who have been exposed to CS Spray prior to their release from custody. This is an important duty of care issue and the Police Service of Northern Ireland would be vulnerable to criticism if a member of the public were released from police custody and suffered an extreme reaction to the effects of CS spray having not been handed said information sheet.

PSNI Response

All Custody Officers were reminded, via DCU Command, of their duties in relation to detained persons who have been exposed to CS Spray, and these issues will be addressed in the training of Custody Officers.

Recommendation 2

All police officers issued with CS spray canisters should be reminded of the importance of accurately recording all aspects relating to the use of such devices and related aftercare issues. This specifically relates to distances at which CS spray is discharged, the

nature of aftercare advice given, and the manner in which prisoners exposed to CS spray are conveyed from their place of arrest to the nearest Custody Office. Such attention to detail is stipulated in General Order 28/2004 and ensures the transparency and accountability of the process.

PSNI Response

On 23 March 2006 an email was issued to all police, reminding them of the need to maintain accurate records of any use of force; in particular, the use of CS Spray, including the distance at which CS Spray is discharged, the nature of aftercare advice given, and the manner in which prisoners exposed to CS Spray are conveyed from their place of arrest to the Custody Suite.

Recommendation 3

It is recommended that 'X' Police Station review its CS spray storage policy to ensure that at all times at least one senior officer on duty has access to storage facilities, in the event that CS spray is discharged and access to the storage facilities is required at short notice. Consideration should also be given to a force wide review of such storage policies in the event that this problem is not solely isolated to the above police station.

PSNI Response

DCU Commanders were requested to review their CS Spray storage policy to ensure that at all times at least one senior officer on duty has access to storage facilities in the event that CS Spray is discharged and access to the storage facilities is required at short notice.

Baton Guns

Recommendation 1

It is a recommendation that all officers currently classified in the use of baton guns are issued with authorisation cards, which must be presented before baton guns, and baton rounds are issued.

PSNI Response

The subject of baton gun authorisation cards was examined. While these have been issued in the past on an ad hoc basis, it was agreed that the HR database (SAPS) is a much more reliable system. The rollout of new technology within the Service means that records are now updated by Firearms Trainers in a much more timely fashion.

Recommendation 2

It is a recommendation that, as part of the review of evidence gatherers referred to above, spotters / evidence

gatherers in discharges from vehicles are used in all cases.

PSNI Response

Your report highlighted the fact that the actual discharge of baton rounds is seldom captured on police evidential video. This resulted in the PSNI experimenting with various methods of gathering such evidence. Staff from your office were invited to view our experiments with cameras on helmets, baton guns and baton vests, which demonstrated that the capturing of video evidence of each baton round fired is neither practicable nor feasible using these methods. The Police Ombudsman SIO accepted that these methods do not meet your evidential requirements, and agreed that the use of evidence gatherers is the best way forward. The Review Panel has referred the aspect of evidence gatherers to the Operational Training Policy Group to take forward and the Panel will seek regular updates from the Policy Group to ensure a system is put in place.

Baton Round Warnings

Recommendation 1

No evidence exists that any public warnings were given, despite the fact that there would appear to have been opportunity to give such warnings. It is recommended that the necessity of

Contributing to improving policing in the community

giving such warnings at the scene of disorder should be brought to the attention of relevant personnel in order that lessons can be learned.

Guidelines do state that such warnings should be given when practicable. Despite the very serious nature of the disorder it is felt that a number of warnings could, and indeed, should have been given prior to some of the baton round discharges. The criticism is levelled in order that this point is reinforced to officers in future order situations. It is vitally important that established guidelines and procedures be followed in order to protect the public. In addition, it also protects police officers from possible sanction at a later date.

PSNI Response

General Order 46/2000 – ‘*Service Policy in relation to the issue, deployment and use of Baton Rounds in situations of serious public disorder*’ was amended by Weekly Order 22/04, issued on 2 June 2004. This amendment deals with the need to give a warning before force is used, and the importance of making a record of warnings given.

Police Vehicles

Recommendation 1

It is recommended that consideration be given for all police vehicles used for general patrol and public disorder situations to have markings on their roof making them identifiable from the air.

PSNI Response

After considerable technical and practical difficulties, the programme for roof marking of police vehicles has begun. Priority is being given to land rovers and water cannon in the first instance.

Vehicle Pursuits

Recommendation 1

That the PSNI review the Urban Region instructions and provide for supervision by the Control Room in incidents such as the matter dealt with in this Report, pending the introduction of the ACPO Policy on pursuits.

PSNI Response

The recommendation has been addressed through the implementation of the new Vehicle Pursuit Management Policy, which became operational on the 2 January 2007. This was a lengthy process, which in addition to devising the policy, required new police staff to

become qualified as instructors, trainers to attend the Pursuit Course in England and the delivery of training to District Trainers and Communications staff. The full Vehicle Pursuit training programme then commenced on the 2 October 2006 and is ongoing.

Risk Assessment

Recommendation 1

The Police Ombudsman recommends that all officers responsible for the preparation and authorisation of operational orders are made aware of the need to complete specific risk assessments prior to the operation taking place.

PSNI Response

Operations Department, Crime Department and Territorial Assistant Chief Constables have reinforced the need for specific risk assessments to be carried out, prior to operations taking place.

Analysis of complaints involving the use of handcuffs (June 2008)

During the period from November 2000 until March 2007 the Office received 1033 complaints involving the use of handcuffs. In view of the number of such complaints the Police Ombudsman took the view that it would be in the public

interest to conduct a policy and practice investigation into complaints involving the use of handcuffs. The purpose of the report was to ascertain emerging patterns or trends into the use of handcuffs by the police and establish what lessons could be learned. The report comprised 3 main elements:

- An analysis of the complaints involving handcuffs received over the last 7 years, which included location and timing of incident, circumstances leading to the incident, profile of the complainants and outcome of the complaints;
- A detailed examination of complaints involving handcuffs which were classified as closed during the year April 2006-March 2007. This included an analysis of the nature of the complaint, circumstances surrounding the incident and the types of injury received;
- Qualitative research to examine the views and experiences of police officers in relation to the use of handcuffs.

Some of the main findings of the report are detailed below.

Analysis of complaints received between November 2000 and March 2007

- There were 1033 complaints received involving the use of

Contributing to improving policing in the community

handcuffs between November 2000 and March 2007;

- These 1033 complaints involved 2207 separate allegations of which 1054 were allegations involving the use of handcuffs;
- Only 1% of these allegations were of 'Serious Non Sexual Assault'. The remaining were allegations of a less serious nature;
- North Belfast Area Command Unit recorded the highest number of complaints involving the use of handcuffs;
- Forty-six percent of handcuff allegations occurred in the street or road;
- The majority of incidents took place at the weekend, with 17% of all incidents taking place between midnight and 3:00am on Saturdays and Sundays;
- The majority of complaints were made by men and the most common age group was the 16-24 group;
- Of those complainants who provided details regarding their community background, 45% were Catholic and 46% were from the three main Protestant Churches;
- Only one allegation resulted in the Office of the Police Ombudsman recommending any action – an

informal discussion with the police officer regarding his failure to document the use of handcuffs.

In-depth analysis of complaints closed between April 2006 and March 2007

- There were 136 complaints closed involving the use of handcuffs between April 2006 and March 2007;
- These 136 complaints involved 381 separate allegations, of which 140 were allegations involving the use of handcuffs;
- Principally due to non co-operation of complainants it was only possible to examine 52 of these allegations in detail;
- Forty out of 52 allegations included as part of the allegation that the handcuffs had been applied too tightly by one or more of the police officers involved in the incident;
- Twelve allegations were specifically about the force used to apply handcuffs and did not include that the handcuffs were applied too tightly as part of the allegation;
- Forty-six Forensic Medical Officer (FMO) reports were examined;
- In 12 cases 'red marks' were the only injury reported by the FMO;
- In 9 cases the FMO actually noted that no injury was present.

Semi-structured police officer interviews

- Police officers interviewed were very confident in deciding when to use handcuffs and in applying handcuffs;
- They had positive views on the design of the handcuffs;
- They also had positive views on handcuff training;
- Whilst all police officers said that they would check for tightness, only four police officers said they would record this as a matter of course.

Following the research undertaken to compile this report, the Office of the Police Ombudsman made the following policy recommendations to the PSNI:

- That the handcuff training should include as much 'role play' and 'scenario based' situations as possible and that Probationary Development training involves an element of scenario based handcuff training;
- That the Police Service of Northern Ireland Policy Directive PD 07/07 should be amended to place an onus on police officers that where possible, when handcuffs are applied a warning should be given to the subject that struggling may cause the handcuffs to tighten and cause injury;

- That police officers should record in notebook that they have asked subject if handcuffs are too tight, that they have checked and adjusted for tightness, they have double locked and they have warned subject that struggling may cause injury;
- That keyholes are located on both sides of handcuffs;
- That research is initiated aimed at resolving the issue of where police officers keep their keys;
- That Forensic Medical Officers (FMOs) where appropriate, fill in a hand injury chart in conjunction with the body chart, that they record if the injuries were consistent with handcuffing and how severe the injuries are;
- That guidelines should be developed to advise FMOs how to record injuries in a consistent way eg if there was a fracture, skin breach or nerve injury.

Policy Recommendations made to Police

The improvement of policing within the community remains a priority for the Office. As a result of investigations conducted by the Office, numerous recommendations have been made to the Chief Constable aimed at improving the service PSNI provides to the public. Examples of these recommendations are as follows:

Attenuated Energy Projectile / Baton Round use

- That it must be re-iterated that public order warnings should always be issued prior to discharging baton rounds;
- That Force Order 46/2000 be amended to require the deployment of baton gun assistants on all occasions.
- That the military consider the consequences of their actions upon the police during public disorder;
- That officers are reminded of the need to complete an Event Policy book following any AEP discharge, in line with PSNI Code of Practice.

Child Protection

- That a police supervisor should attend all initial Child Protection Case Conferences and any subsequent reviews if deemed necessary;

- That, in cases involving child protection issues, a multi agency strategy be developed by way of discussion of the timing, roles and responsibilities involved;
- That all Child Abuse and Rape Enquiry (CARE) units should have at least one designated police supervisor;
- That the answer phone message at CARE units should clearly redirect callers to 999 in the event of an emergency. A formal message logging system should also be put in place.

Consistent Practice

- That PSNI review ways of identifying and sharing best practice between District Command Units. That consideration be given to implementing existing best practice in the recovery of stolen vehicles, as developed by West Belfast ACU, across all ACUs.

Critical Incident Response

- That PSNI ensure that in all major enquiries or critical incident enquiries consideration is given to ensuring that the Senior Investigating Officer (SIO) is provided with a clearly defined

Contributing to improving policing in the community

structure of management support and an identified Deputy SIO;

- That PSNI implement a clear policy requirement for Community Impact Assessments to be used on all high profile policing operations / incidents to ensure proper consideration of operational objectives and community responses;
- That PSNI appoint an identified media spokesperson...to assist the SIO in the investigative process and manage extraordinary high demand for media management;
- That PSNI Media and Public Relations Department consider and implement strategies and tactics to reduce the potential for misinformation or interference with victims or suspects, e.g. media liaison officers to accompany search teams or be available to support search teams and deal with media attendance at addresses, providing interview facilities to the media.

CS spray use

- That all custody officers are reminded of the need to accurately record all details about CS spray discharges;
- That all custody officers are reminded to issue CS3 forms to any prisoner exposed to CS spray;
- That senior officers be reminded of the need to accurately record all

relevant details pertaining to CS spray discharges;

- That the importance of the issues highlighted in this report regarding aftercare afforded to persons exposed to CS spray be reinforced to all police officers equipped with canisters;
- That all police officers issued with CS spray canisters be aware of the designated storage facilities ...and reminded that following discharges all CS spray canisters should be produced to the relevant CS administration officer as soon as practicable;
- That PSNI officers are reminded of the importance of accurately recording the details of the CS spray canister issued on the issue register;
- That PSNI supervisors are reminded of the importance of weighing the used CS spray canister at the time it is seized.

Hate Crime Response

- That the DCU Commander raise the awareness of how to deal with hate crimes & the importance of immediately appointing an officer to conduct and follow through an investigation immediately and to secure evidence as a priority. This should be in line with the most recent Policy Directive PD02/06, "Police Response to Hate Incidents;

Contributing to improving policing in the community

- That victims of race hate crime are given a copy of the Hate Crime leaflet at the outset of an investigation;
- That PSNI should actively engage with ethnic minority groups in relation to the content and tone of the PSNI website to ensure it is meeting its target group's expectations.

Interviews

- That conducting "single officer" interviews is a practice which should be avoided when possible and, in particular, should not be undertaken by police officers who are effectively still in training.

Miscellaneous

- That a more uniform and structured approach to informing persons subject to non-specific death threats from terrorist groups should be developed;
- That the role of Post Incident Manager is fully implemented;
- That a police officer should not break off contact with a member of the public as a result of a complaint being made;
- That Police Ombudsman requests for sensitive material be actioned more effectively in accordance with the PSNI / Police Ombudsman protocols;
- That a number of recommendations have been made with regard to the

classification of deaths as suspicious, the roles of PSNI and the Coroner and the need for an awareness of issues such as corporate manslaughter and criminal negligence.

Police Pursuits

- That specialist commentary training should be an essential part of driver training;
- That the current PSNI Pursuit Policy is inadequate and that the more effective ACPO Pursuits Guidelines are introduced;
- That police drivers' discretion to chase should be clarified, and central management and control of the incident should be increased;
- That police drivers who are trained only to Standard and Advanced level should not undertake pursuits without having undertaken specific pursuit training;
- That PSNI should review their current instructions concerning vehicle pursuits with a view to ensuring a uniformity of the process for dealing with pursuits in all areas of Northern Ireland. Training based on the ACPO Traffic Manual of Guidance and the adoption of the ACPO national pursuits policy is pivotal.

Policy review

- That Police review its policy in relation to accepted payment methods for outstanding warrants;
- That a review be undertaken of hours worked by officers attached to Headquarters Mobile Support Unit (HMSU), ensuring compliance with ACPO guidelines, European working directives, Health and Safety legislation and PSNI policy;
- That a review be undertaken of the PSNI Operational Command Structure, particularly in relation to pro-active firearms operations;
- There should be full compliance with ACPO guidelines dealing with the deployment and use of Firearms Tactical Advisors;
- There should be full and unequivocal compliance with all areas of the ACPO Manual of Guidance on the Police use of Firearms;
- That PSNI should review the limited effectiveness and appropriateness of warning shots being discharged during serious public disorder situations;
- That PSNI should remind officers of the advantages of communicating matters relating to ongoing operational matters over the operational radio network whenever possible and consider deploying temporary rebroadcast facilities during significant

events where the threat of serious public disorder is heightened.

Records Management

- The Chief Constable should review all operational practice dealing with record keeping;
- That provision be made on proforma Traffic Branch statements to allow for the inclusion of specific detection factors, such as parked vehicles, where the existence of such obstructions may be used to challenge the prosecution case at a later date;
- That PSNI retain the details of the serial numbers of handcuffs issued to individual officers and that such a list be maintained and easily accessible;
- That all 999 calls, where there is any possibility of risk to life or property, should be automatically recorded. This would ensure ethical recording of 999 calls and accountability, as the decision making of the call handler will be logged;
- The use of journals by Operators to record decision-making in relation to calls should be discouraged. All Operators' decisions and the rationale for them should be recorded on the computer system;
- That the handling of notebook storage must be delegated to an appropriately trained individual to ensure the

Contributing to improving policing in the community

accountability and transparency of the notebook system;

- That a number of recommendations have been made with regard to the Integrated Crime Information System, notably in relation to creation of an effective audit trail and security for system integrity.

Searches

- That the Chief Constable reviews and clarifies the policy surrounding the carrying of sub-machine guns during property searches;
- That PSNI implement a policy that necessitates the production of an intelligence package for assessment of decision-making and use by all officers involved in the process of authorising and applying for search warrants.

Training

- That DCU training days and shift briefings include awareness training on the seizure and continuity of exhibits. That awareness of how continuity and integrity of exhibits is maintained should be developed for all operational officers;
- That HMSU should receive firearms training independent of their unit;

- That the PSNI should include in search team training and procedures, an awareness among staff of their responsibility for acting reasonably. If weather conditions are likely to create the situation where dirt and damage will be caused to carpets or flooring when executing searches, consideration should be given to officers wearing protective plastic over shoes in a visible attempt to minimise damage;
- That SIO and Intelligence Manager Training be reviewed to ensure the Community Impact Assessment process is part of the training syllabus;
- That the Chief Constable reviews the acceptability of terminology used by police staff to describe political groups and members of different communities. Diversity training needs to be considered and reviewed against this context to target increased awareness and commitment to appropriate language that is consistent with an impartial policing service;
- That the PSNI reviews training for computer / website based investigations to ensure that uniformed officers are aware of the resources, guidance and assistance available within the organisation.

Planned Research/Projects 2010/11

During 2010/2011, the Office is committed to undertaking specific research projects in the following areas:

Local Resolution Pilot Project

Following the Mediation Pilot Project in 2008/09, and in line with the Police Ombudsman's strategic objective of finding new and innovative ways of dealing more efficiently and effectively with 'quality of service' type complaints, the Office launched a six-month pilot project in June 2010 looking at the introduction of a local resolution process in the complaints handling environment.

Local resolution within the context of complaints against serving PSNI officers will mean that much of the responsibility for resolving less serious complaints will be handed back to police at an early juncture. The Office will continue to monitor the process, as is the case currently with Informal Resolution (Section 53, Part VII of The Police (Northern Ireland) Act 1998) and a report shall be generated by police at the conclusion of each local resolution.

PSNI District D (Antrim, Carrickfergus, Lisburn and Newtownabbey) is the chosen district for the pilot study and this was agreed between the Office and the Deputy Chief Constable.

An extensive public awareness programme was undertaken some months prior to the launch of the pilot project and a Local Resolution Advisory Board was established comprising representatives of the Office, the PSNI, the Police Federation Northern Ireland (PFNI), the Superintendents Association, the local DPP and the University of Ulster.

The Project Team has trained a substantial number of police sergeants and inspectors as Local Resolution Officers and it is these officers who deal directly with the complainant in attempting to resolve their complaint.

It is intended that a final report will be published at the end of 2010 providing details on how the project progressed, what lessons were learned from it and what recommendations can be made relating to

Contributing to improving policing in the community

the future of local resolution in the police complaints system.

The views and experiences of people with learning disabilities on policing arrangements in Northern Ireland

This project is being jointly funded by the Office and the Northern Ireland Policing Board (NIPB). Given the scale of the research to be undertaken, the services of an outside provider have been procured. The project aims to provide a comprehensive research report on the views and experiences of people with learning disabilities towards the Office, the NIPB, the PSNI and the DPPs. Its objectives include conducting qualitative and quantitative research and undertaking a comprehensive analysis of the findings. It is anticipated that the qualitative research will incorporate a series of focus groups with people with learning disabilities throughout Northern Ireland as well as disability representative groups, and in-depth interviews of key stakeholders.

Police Officer characteristics and trends and patterns in complaints

The purpose of this research is to link officer characteristics such as age, gender, length of service and rank with trends and patterns in police complaints. The research

will not only highlight trends at an organisational level but will also incorporate analysis at individual policing area/district levels. Part of the research will be devoted to identifying relationships between the characteristics of officers and the nature of allegations made.

CS Spray usage 2004 – 2010

This policy and practice investigation will provide a detailed analysis of trends and patterns in complaints and Chief Constable referrals in relation to the use of CS Spray since its introduction in Northern Ireland on 1st July 2004. It will include reference to current guidelines and training in the use of CS Spray, case studies, analysis of complaint details and the outcomes of investigations into the use of CS Spray. The report will include an examination of the impact of policy recommendations made by this Office on the subsequent number and nature of complaints received.

The relationship between complainants within the Section 75 groupings and levels of satisfaction with the service provided by the Office of the Police Ombudsman

The Office regularly publishes Equality Monitoring Reports, based on information extracted from questionnaires completed

by complainants. This enables it to capture data in relation to Section 75 categories, as well as employment, an indicator of social deprivation. The aim of this research is to compare and contrast complainant satisfaction levels in the areas of gender, age, religious belief, race or ethnic group, marital status, disability, political opinion, dependants, sexual orientation and employment status. It is anticipated that the findings of the research will influence the strategic thinking of the Office in respect of its programmes of outreach and education.

Working in Partnership

Research staff in the Office have established a sub-group of the British Irish Ombudsman Association to specifically address common areas of research interest in the field of policing accountability. The group consists of representatives of the Office, the Garda Síochána Ombudsman Commission (GSOC), the Independent Police Complaints Commission (IPCC England and Wales) and the Police Complaints Commissioner for Scotland. The group is initially examining methods of measuring complainant satisfaction with the police complaints system and is aiming to establish benchmarks for best practice in this area.

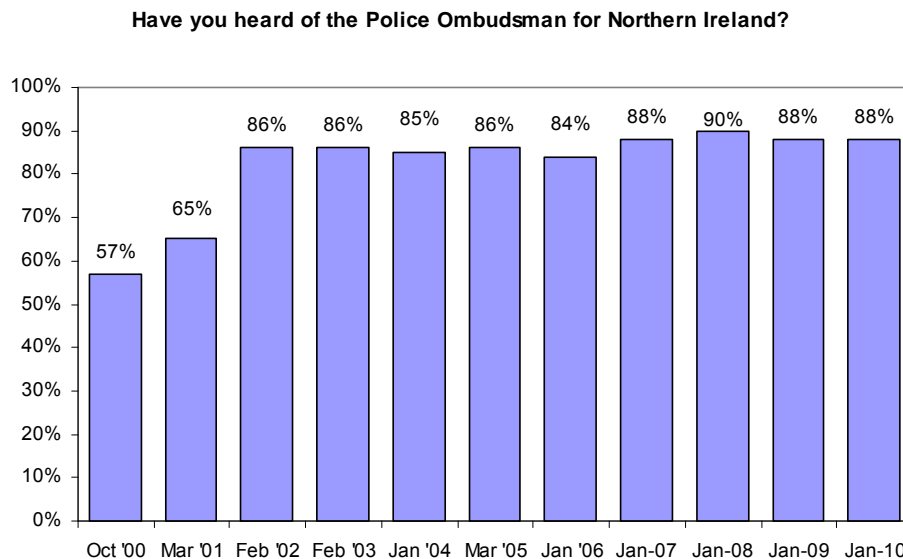
Public Attitudes to the Office

Every year the Police Ombudsman commissions NISRA (Northern Ireland Statistics and Research Agency) to carry out a large-scale independent survey of public attitudes to the police complaints system.

To date, eleven surveys have been carried out.

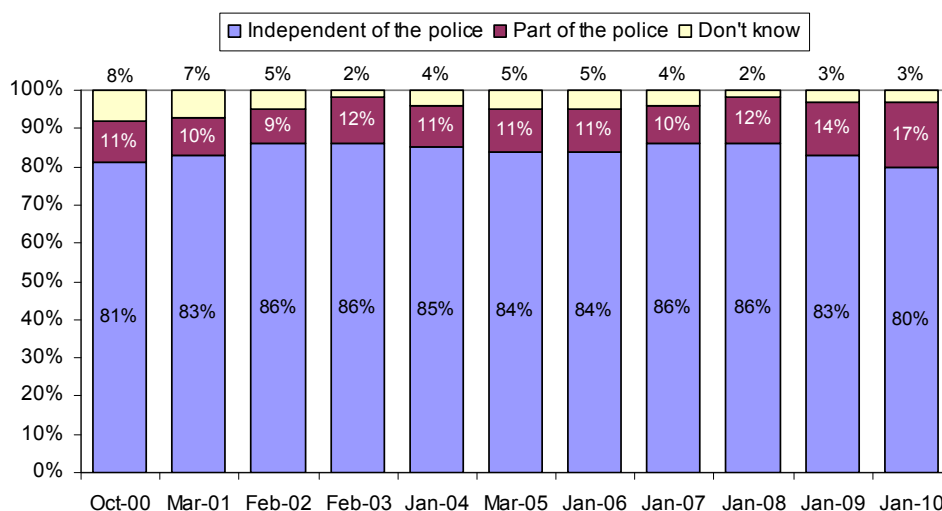
In 2010, 88% of respondents were aware of the Police Ombudsman.

Awareness levels have been consistently high since 2002, with 2008 having the highest awareness level over the past ten years.



Consistently, the majority of respondents are aware that the Police Ombudsman is independent of the police.

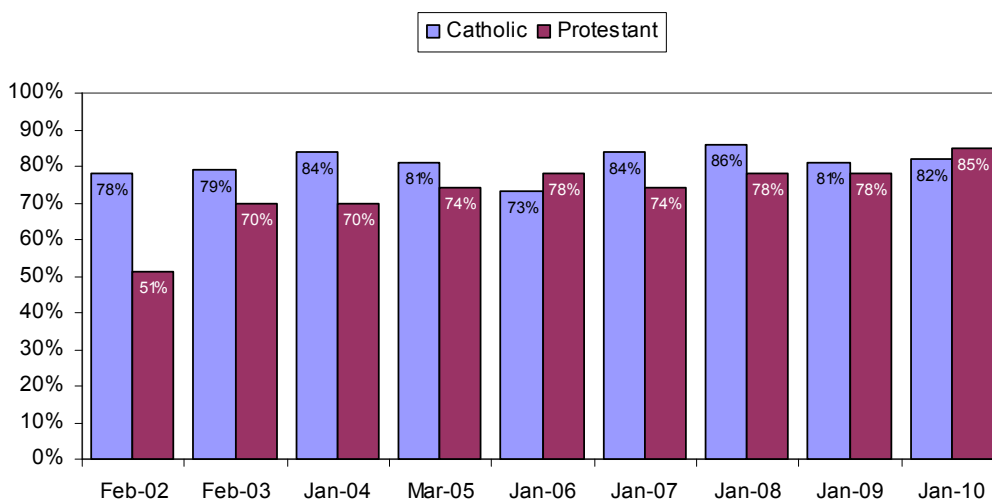
Do you think the Police Ombudsman for Northern Ireland is part of the police or independent of the police?



In 2010, 83% of those who had heard of the Police Ombudsman were confident of the Police Ombudsman's impartiality. This confidence has increased markedly since 2002, when 61% were very confident or fairly confident.

Over the last nine years confidence in the Police Ombudsman's impartiality among Protestant respondents has risen from 51% to 85%.

**How confident are you that the Police Ombudsman deals with complaints against the police in an impartial way?
- by community background**

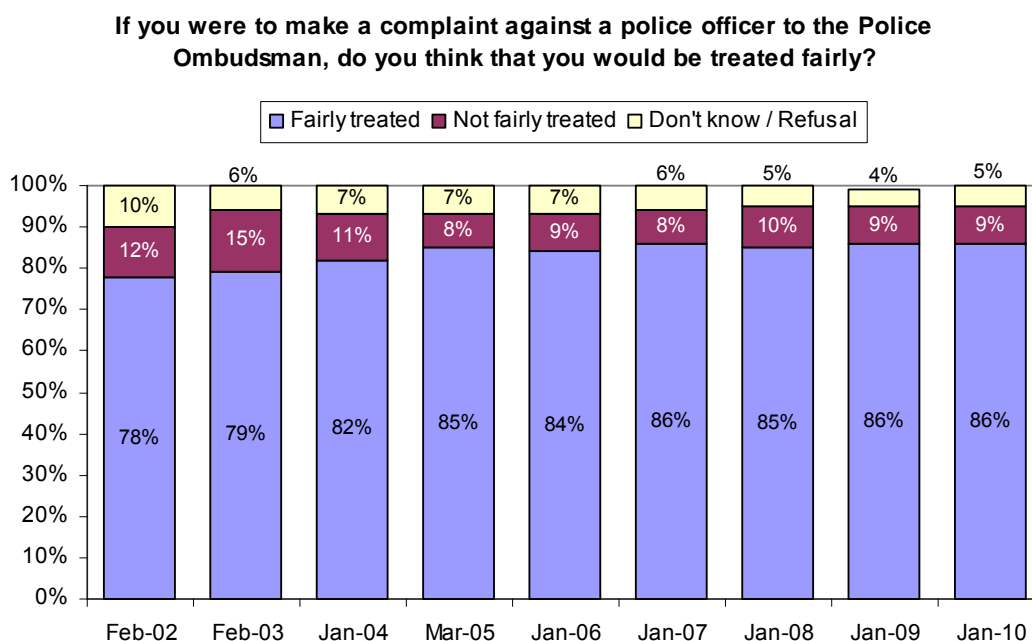


Building Confidence

“...We believe that the Police Ombudsman’s Office has successfully established itself as an approachable, impartial and independent agency in Northern Ireland”

Citizens Advice in Northern Ireland,
NIAC Report, 2004/05 Annual Report

Respondents were also asked if they thought they would be fairly treated if they made a complaint against a police officer. In 2010, 86% thought they would be treated fairly. This figure has increased from 78% in 2002.

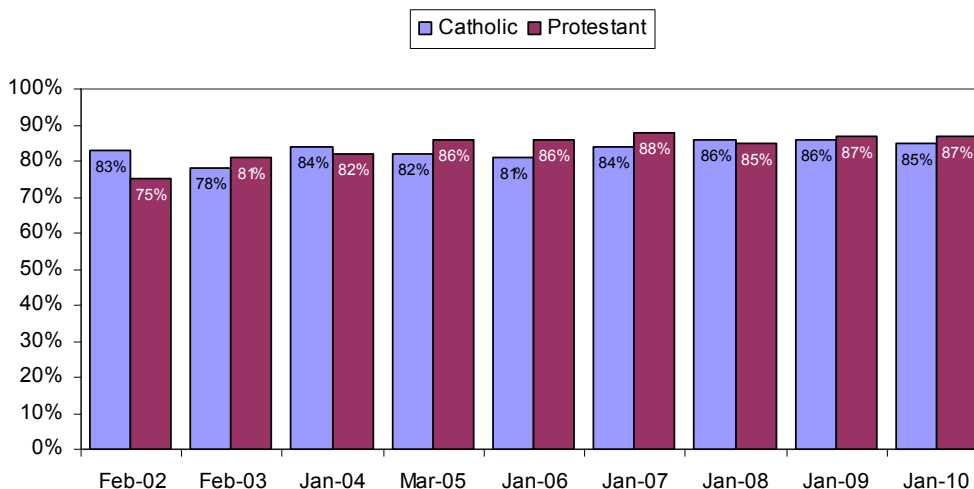


In 2010, similar proportions of Catholics and Protestants were likely to think they would be treated fairly if they made a complaint to the Police Ombudsman’s Office.

“The Police Ombudsman is useful to promote public confidence that police will be held publicly to account.”

Member of the public

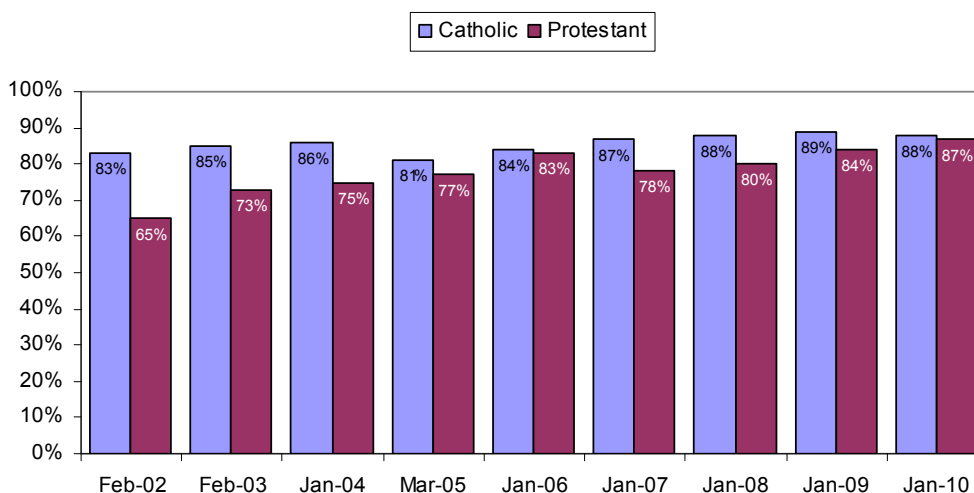
If you were to make a complaint against a police officer to the Police Ombudsman, do you think that you would be treated fairly?
- by community background



Respondents were also asked whether the Police Ombudsman would contribute to effective policing in Northern Ireland. In 2010, 87% felt that the Police Ombudsman would help ensure that the police do a good job.

The chart below shows that the proportion of Protestants who thought this has increased from 65% in 2002 to 87% in 2010, whilst the proportion of Catholics believing this has remained relatively stable over time.

Do you think that the Police Ombudsman for Northern Ireland will help ensure that the police do a good job?
- by community background

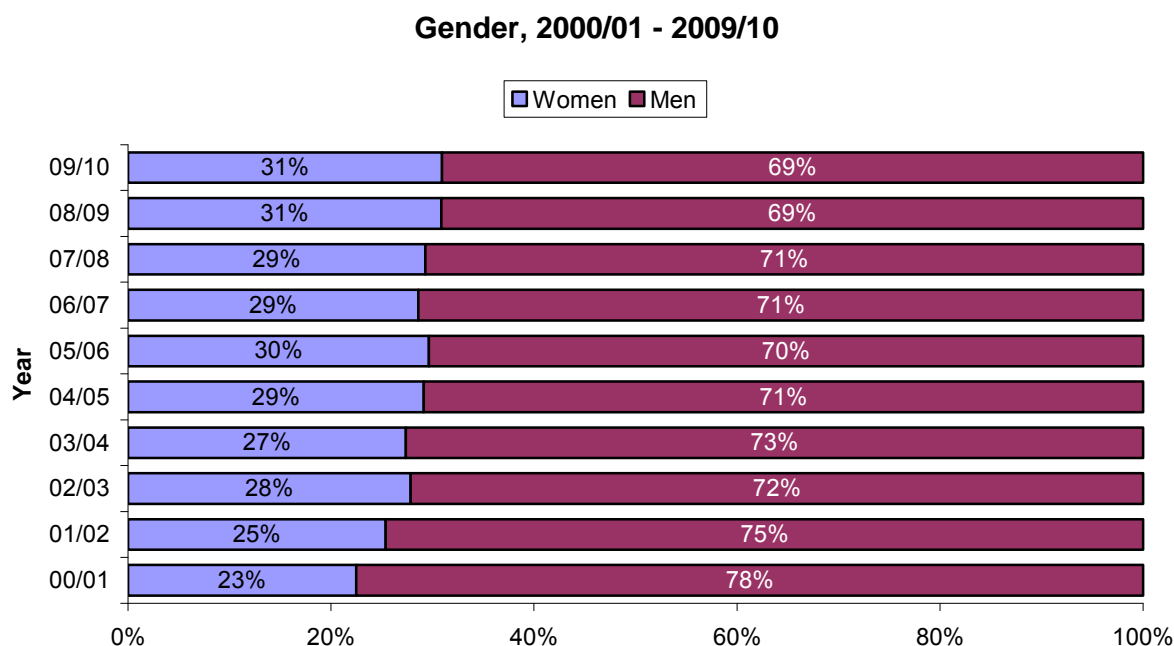


Equality Monitoring

The Office is committed to fulfilling the obligations laid upon it by Section 75 of the Northern Ireland Act (1998). In order to ensure that this happens we send every complainant a confidential, self-completion questionnaire, asking for information relevant to the categories specified in Section 75: Gender, Age, Religious Belief, Racial Group, Marital

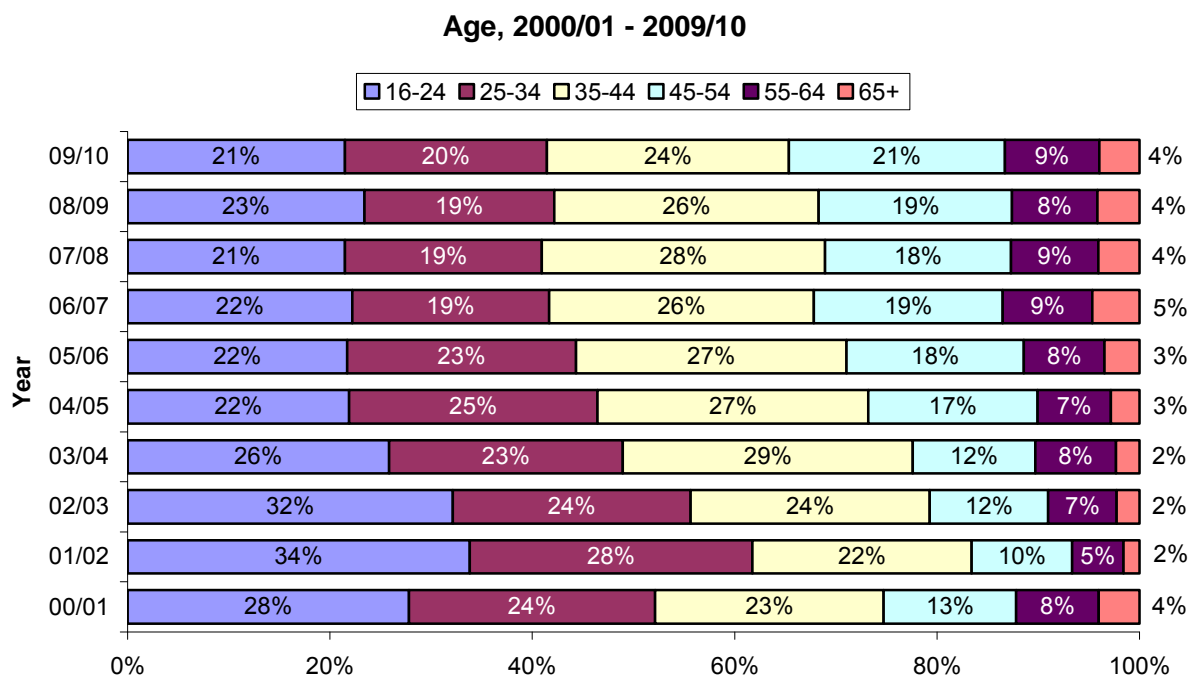
Status, Disability, Political Opinion, Dependants and Sexual Orientation. We also monitor employment status and country of birth.

Monitoring of political opinion and dependants commenced in 2004/05, whilst monitoring of country of birth began in 2006/07.



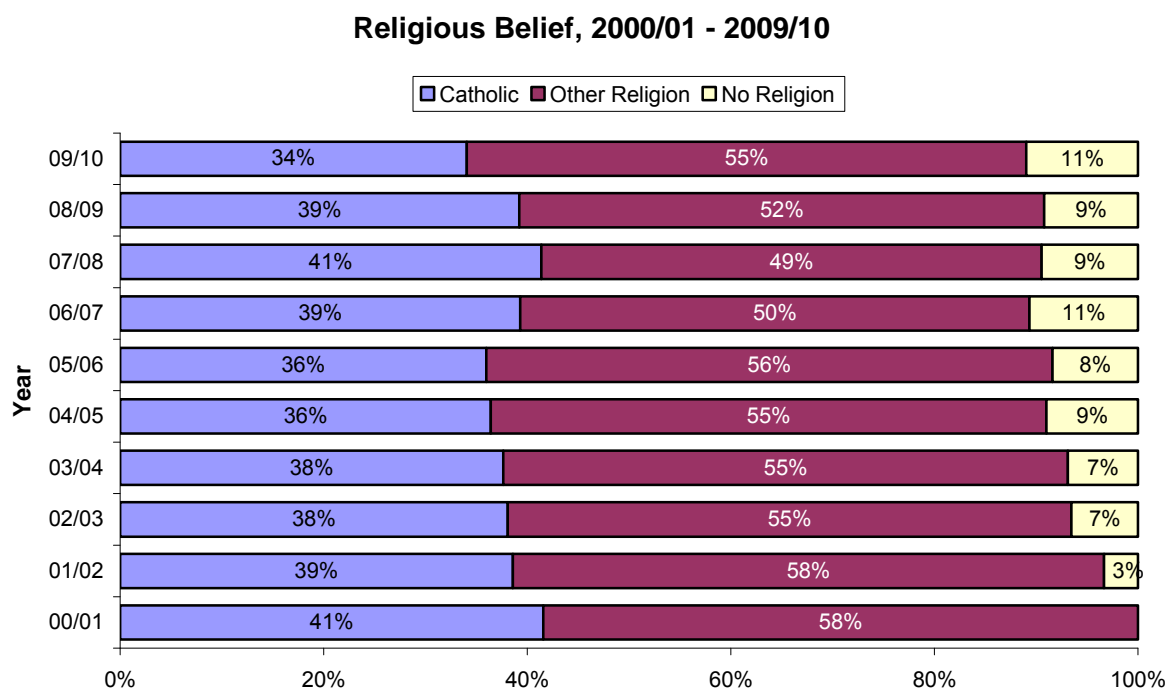
There has been a general upward trend in the proportion of female complainants, from 23% in 2000/01 to 31% in 2009/10.

The proportion of male complainants has dropped from 78% in 2000/01 to 69% in 2009/10.



The proportion of complainants in the 16-24 age group fell from 28% in 2000/01 to 21% in 2009/10 while the proportion of complainants in the 45-54

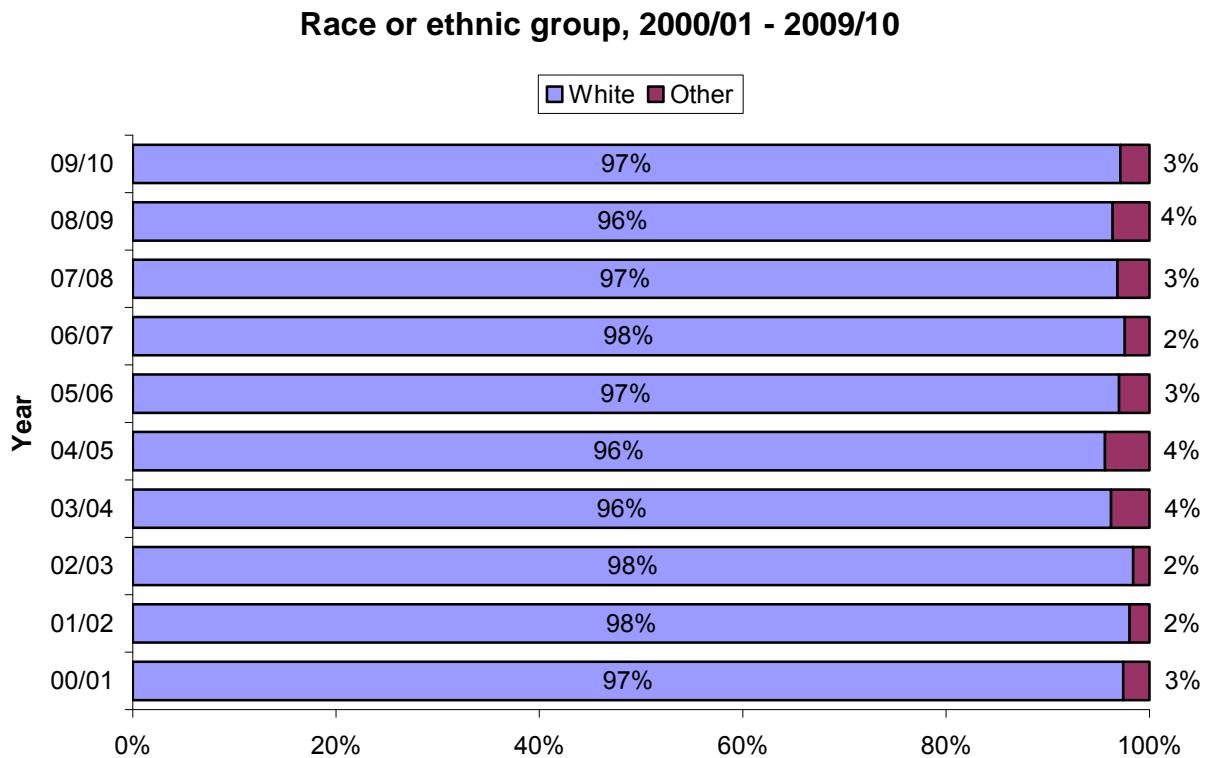
age group increased from 13% to 21% during the same period.



Building Confidence

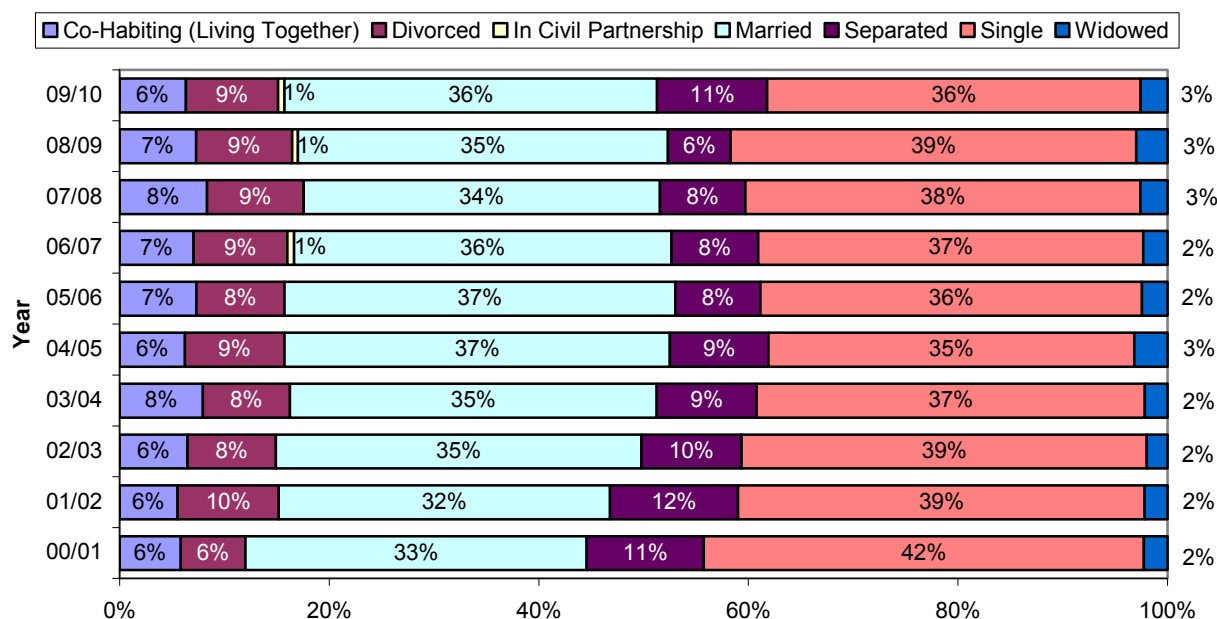
The proportion of Catholic complainants fell from 41% in 2000/01 to 34% in 2009/10. The proportion with other religious beliefs (including Church of Ireland, Presbyterian, Methodist and other Christian/Religious belief) fell from

58% to 55% over the same ten year period. There was an increase from 3% to 11% in the proportion of complainants who considered themselves as having no religion between 2001/02 and 2009/10.



Over the last ten years the majority of complainants have been white; overall, 97% of complainants described themselves as being white, whilst 3% stated that they are of an other race or ethnic group.

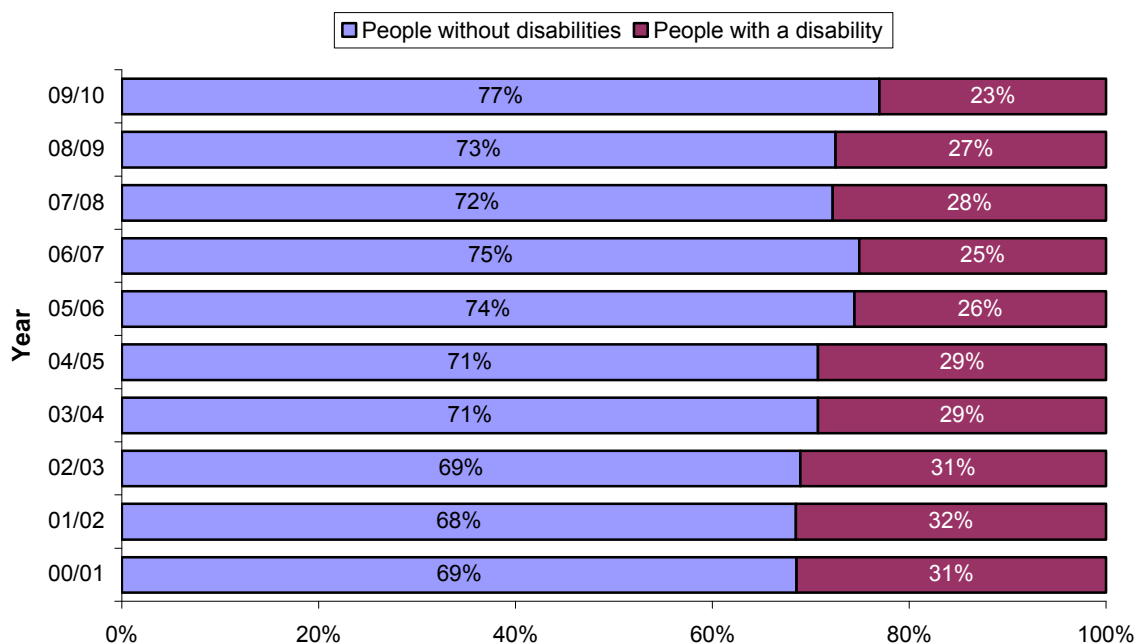
Marital Status, 2000/01 - 2009/10



Overall during the past ten years, the majority of respondents have described themselves as either single (37%) or married (35%). The distribution of marital status has been relatively stable

since recording began. In 2006/07, 2008/09 and 2009/10, 1% of respondents reported being in civil partnerships.

Disability, 2000/01 - 2009/10

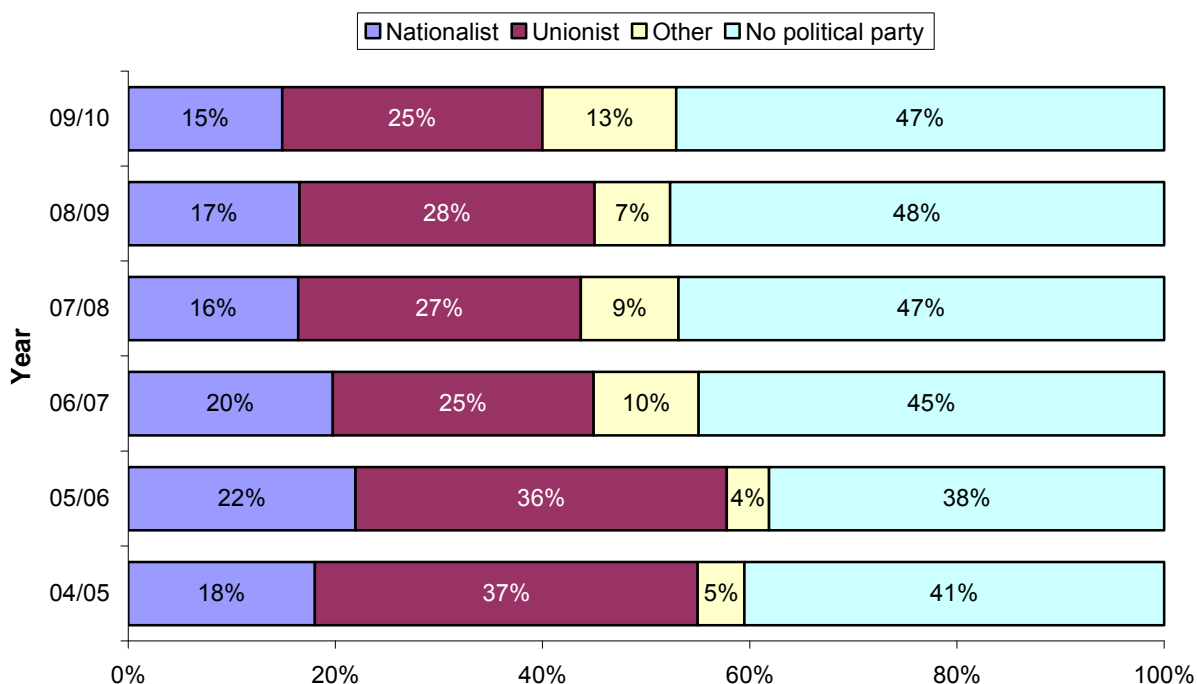


Building Confidence

Although the percentage of people reporting that they have a disability has altered slightly over the past ten years, the breakdown in 2009/10 (23% of

complainants reporting that they had a disability) was the lowest rate of self-reported disability to date.

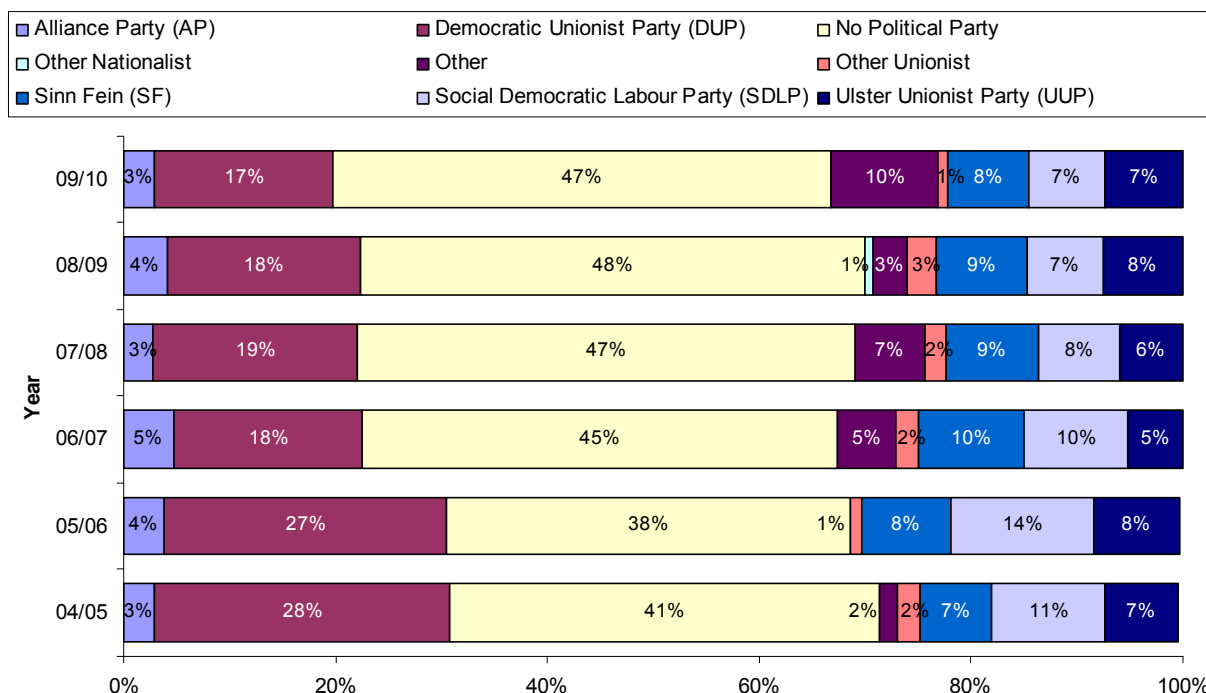
Political Opinion, 2004/05 - 2009/10



The office began monitoring political opinion in August 2004. The percentage of Unionist complainants decreased from 37% in 2004/05 to 25% in 2009/10 and the percentage of Nationalists decreased from 18% to 15%.

The proportion of complainants reporting no political party allegiance increased from 41% to 47% and those supporting other parties outside the Unionist/Nationalist umbrella increased from 5% in 2004/05 to 13% in 2009/10.

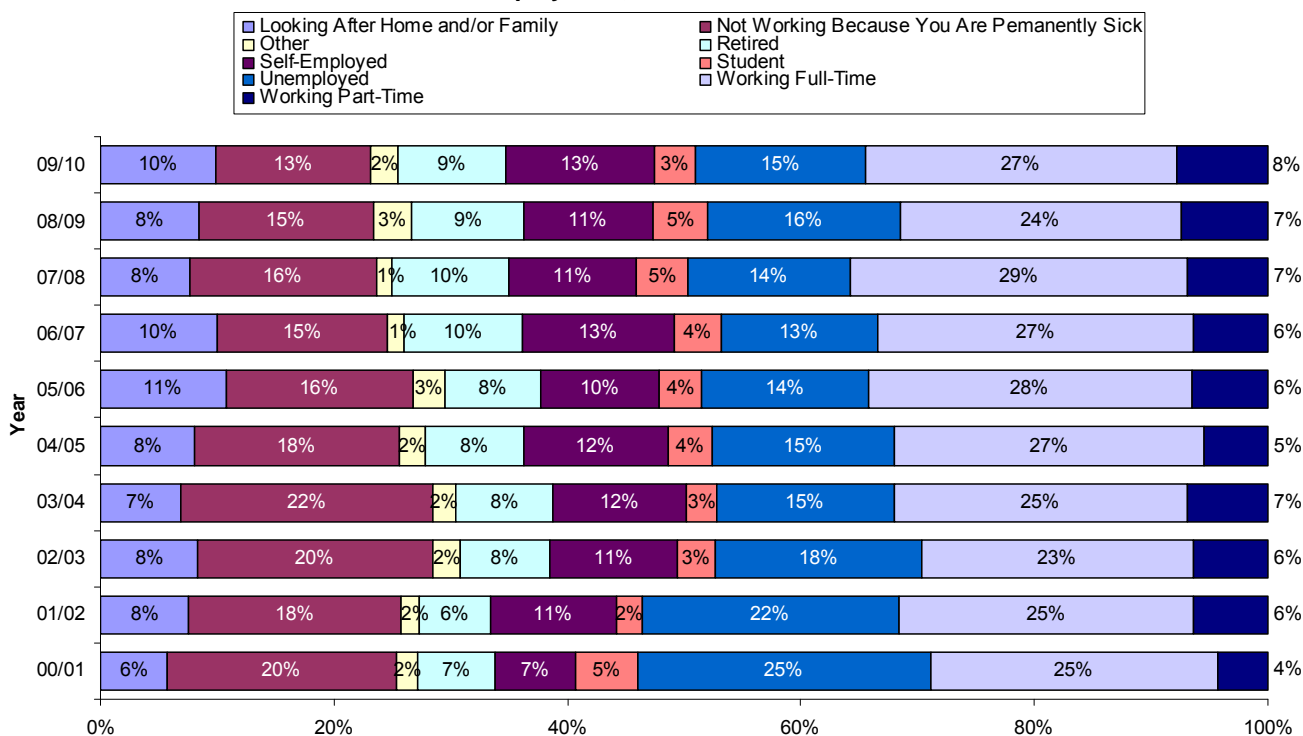
Political Party, 2004/05 - 2009/10



Overall, since political opinion monitoring began in 2004/05, 55% of respondents reported supporting a

political party; 20% supported the DUP, 9% the SDLP, 8% Sinn Fein and 7% the UUP.

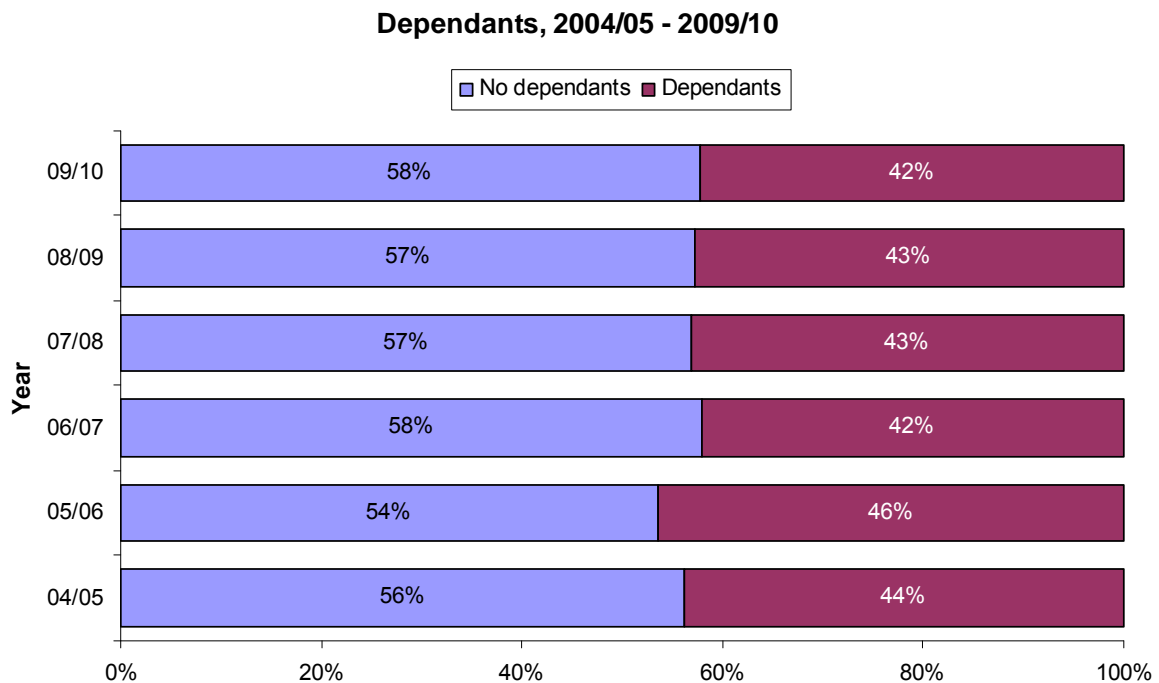
Employment, 2000/01 - 2009/10



Building Confidence

The most significant change in employment status between 2000/01 and 2009/10 is the decrease of ten percentage points in the proportion of complainants reporting to be unemployed and a decrease of seven percentage points of complainants who are unable to work due to sickness. The proportion of complainants reporting to be in full time employment has risen

slightly from 25% in 2000/01 to 27% in 2009/10. The proportion of self-employed has also risen from 7% in 2000/01 to 13% in 2009/10. The proportion of complainants who are looking after the family/home has also risen slightly over the ten year period, as has the proportion of retired complainants.

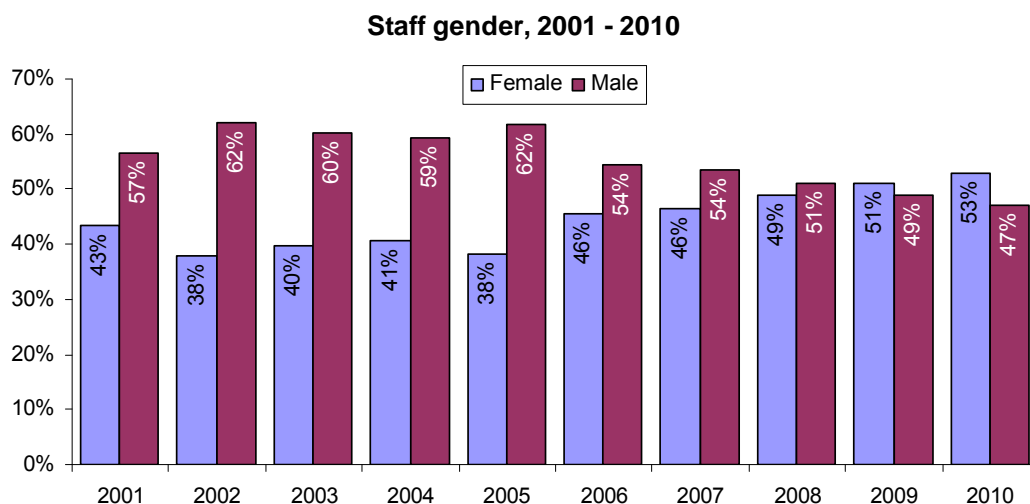


From 2004/05 there has been little change in the proportion of complainants who have dependants (44% in 2004/05 and 42% in 2009/10).

Staff Profile

In January 2001 the total number of employees in the Police Ombudsman's Office was 69, 43% of whom were women and 57% men.

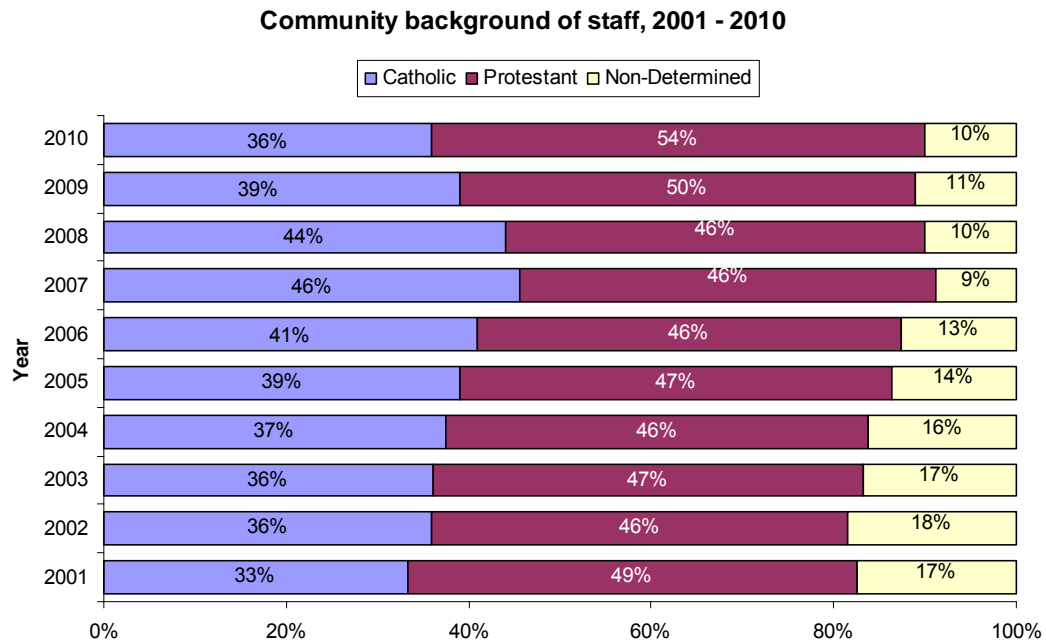
By January 2010, there was a reversal of the proportions of females and males working for the Office with 53% of employees women and 47% men.



The community background of employees has also altered over the last ten years. In January 2001 Catholic employees made up 33% of the Police Ombudsman's workforce, whilst the proportion of Protestant employees was

49%. In January 2010 the proportion of Catholic employees was 36%, whilst Protestant employees made up 54% of the workforce.

Building Confidence



“I had also picked up your equality monitoring report and I thought it was excellent and a really good model for others to follow. We only ever seem to hear how “difficult” this kind of number crunching is, and yet it does seem possible! I am going to copy it to a few people who might be encouraged to emulate such a good system.”

Maggie Beirne, Director of Committee on the Administration of Justice (CAJ)

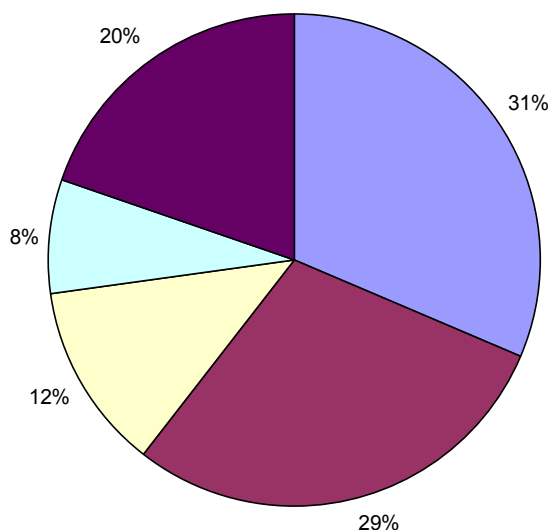
Complainant Satisfaction

The Office began the Complainant Satisfaction Survey in 2001. The survey allows complainants to the Office to express their views on services provided.

The chart below shows that, overall, since the survey began, 60% of complainants have been satisfied or very satisfied with the overall service they received.

Complainant satisfaction, 2001/02 - 2009/10

Very satisfied Satisfied Neither satisfied nor dissatisfied Dissatisfied Very dissatisfied



"This was the first time I had to complain to the Ombudsman. I was very pleased with the service I received."

Complainant

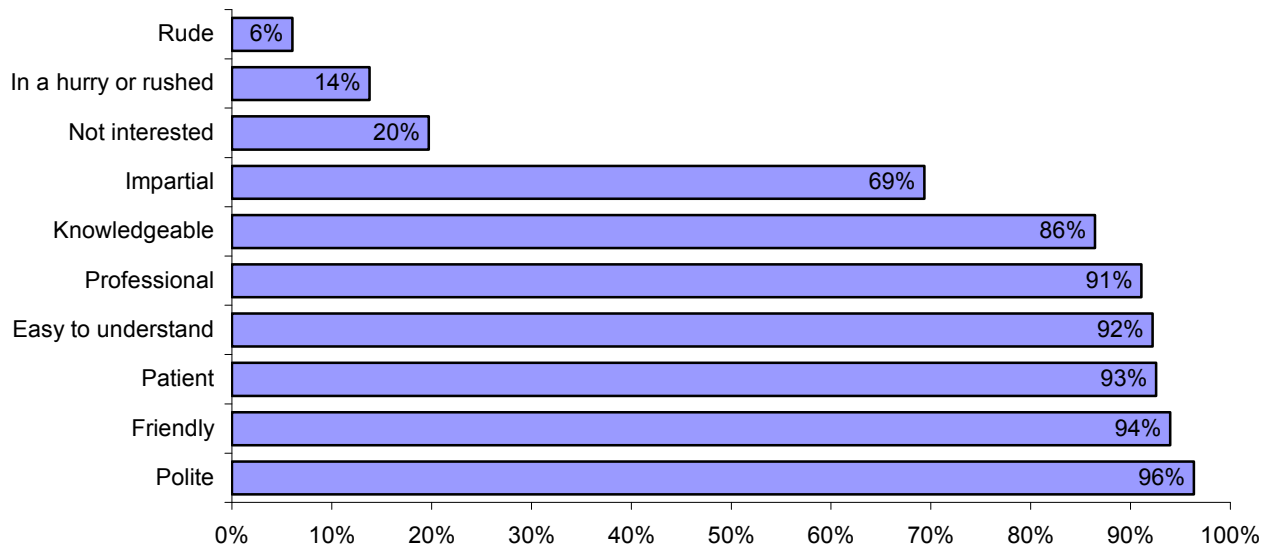
"At all times your officers have acted in an extremely courteous and professional manner. Very high standards that give confidence. We have been extremely satisfied with all aspects of the process. Excellent and thank you all very much"

Complainant

Building Confidence

Respondents were also asked how they found staff in relation to a number of positive and negative characteristics. The majority of complainants had positive perceptions of staff.

Complainant perception of Police Ombudsman staff, 2001/02 - 2009/10



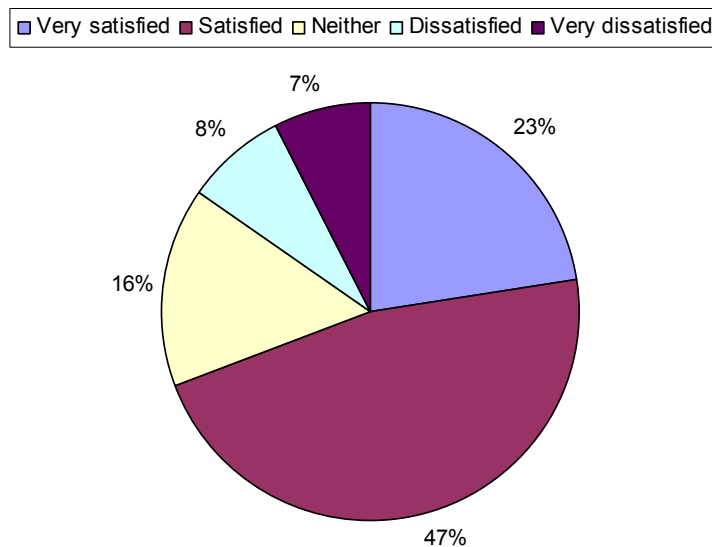
“I feel everything was done very professionally to help me although I was not happy with the outcome of the complaint.”

Complainant

Police officer satisfaction

The Office began the Police Officer Satisfaction Survey in October 2005 to allow police officers who were subject to investigation by the Police Ombudsman's Office to express their views on services provided by the Office.

Police officer satisfaction with overall service, October 2005 - March 2010



The chart above shows that, since October 2005, 70% of police officers were satisfied or very satisfied with the overall service they received.

were also asked how they found them in relation to a number of positive and negative characteristics. The majority of police officers had positive perceptions of staff.

Police officers who spoke to an Investigating Officer from the Office

Building Confidence

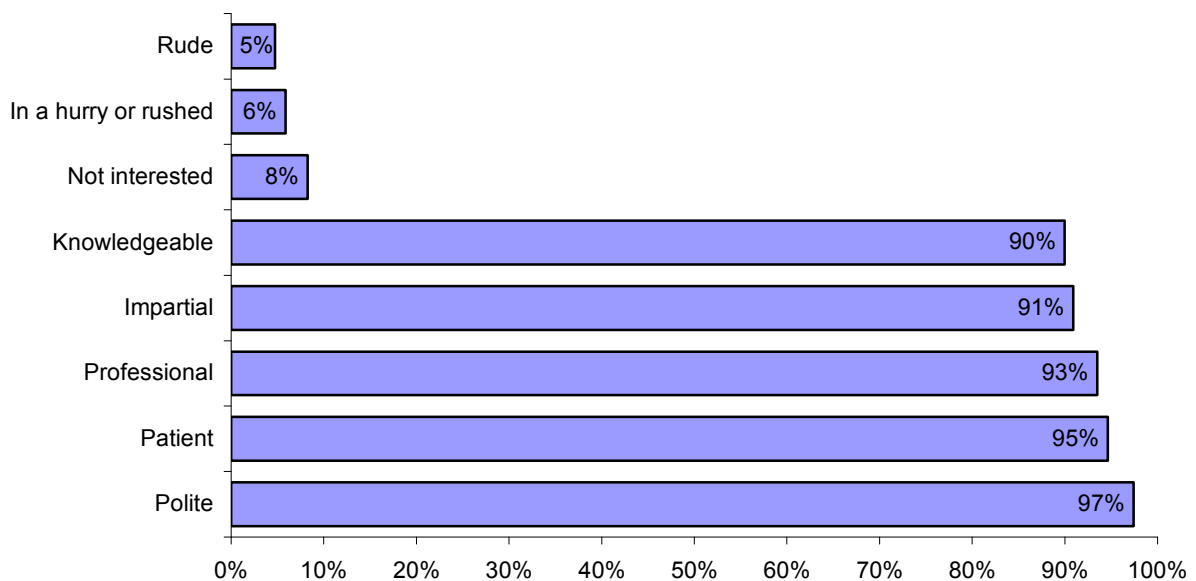
“I was very happy throughout the process. The investigator was excellent at keeping me up to date at all times and was always professional.”

Police Officer

“Both interviewing officers were professional and polite while remaining impartial. I was updated via e-mail at regular intervals.”

Police Officer

Police officer perception of Investigating Officers, 2005-2010



“Your Office needs to be more open and allow the officer access to the file.”

Police Officer

“The Ombudsman should be allowed to write off trivial complaints and not waste tax payer’s money.”

Police Officer

Outreach Programme

Informing and Engaging the Community

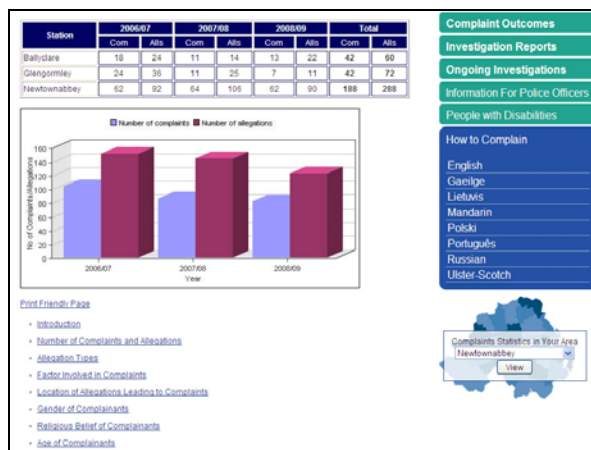
The Police Ombudsman's Office is tasked by law to secure confidence in the police complaints system. For the system to work people must be aware of its existence and have a knowledge of how to make complaints. To have confidence in the system, they must have access to qualitative and quantitative information about the process and its effectiveness and have the opportunity to question and examine that information further.

From its inception the Police Ombudsman's Office has put a considerable amount of effort into informing and engaging with the different communities it serves.

It has produced a series of publications about the police complaints process. Its core leaflet has been a booklet on "Dealing with Complaints against the Police", which has been approved by the Plain English Campaign and which sets out in simple terms issues which the Office can deal with, those issues it cannot address and provides a simple nine-step guide to the complaints process.

It has produced a similar guide for police officers, outlining the process for an officer subject to complaint.

Informing



The Office believes that it is important that the public and the police are both given a clear picture of the numbers of complaints it receives and the issues which are being complained about. Each year this information is posted on its website in such a way that those visiting the site can 'click' on the area where they live or on their local police station and find information on the trends and patterns in police complaints in their area. The Police Ombudsman website has proved a very popular source of information and over the years the number of monthly visits has risen from more than 3,000 to 15,000 visitors a month.

Building Confidence

Engaging



The Police Ombudsman's Office always informs the person who has made a complaint and the officer subject of the complaint about the outcome of any investigation.

It is also important to provide the public and police generally with information about the outcome of significant investigations. During its first 10 years in operation, the Police Ombudsman's Office has made public detailed findings on more than 200 investigations. The Office also issues press statements to inform local print and broadcast media about the outcome of such cases, or about other matters.

During the first 10 years of its existence it issued more than 200 press statements.

In providing such a weight of information to the public and the police, the Office has been very keen to engage with the public, their representatives, the police and the media to answer questions and provide further explanation on any issue of interest. The Office operates an Information Directorate which regularly deals with questions from newspapers and broadcasting outlets. During its ten years in operation the Police Ombudsman's Office, and matters related to it, have attracted on average more than 800 news reports each year.

During the first ten years, the Office has been the subject of more than 30 questions asked in the House of Commons. When the Freedom of Information Act came into operation it has been subject to almost 300 questions quoting the Act.

Listening



Police Ombudsman staff members pictured with staff and residents of Age Concern's Meadowbank Care Home in Omagh. The Police Ombudsman staff carried out a major clean-up of the centre's four gardens in the summer of 2009.

The Police Ombudsman's staff spend a lot of time going into the community to explain their work and answer issues put to them. Over the first ten years of its operation, employees have visited most of the cities and towns in Northern Ireland and a great many of the villages too! The Police Ombudsman, his senior investigators and other staff have visited more than 350 schools, community groups and other organisations. During that time they have made a similar number of individual presentations to groups of police officers to explain and answer questions about the Office's work.

Such meetings can be very useful. It was during engagement with the Children's Law Centre and the

Committee for the Administration of Justice that an information gap for people wanting to know more about investigations was identified. That information is now posted on the Police Ombudsman's website. A very helpful series of meetings with Disability Action highlighted some ways in which access to the police complaints system for people with disabilities could be improved. Those issues have now been addressed.

For the Police Ombudsman's Office, the main aim in engaging with the community is that it can exchange information with the people it serves. This not only helps give people more knowledge about the complaints system but, having listened to the community, helps the Office improve its systems. In October 2000, the month before the Office opened, a public survey indicated that 57% of people had heard about the proposed new police complaints system.

Over the years awareness and confidence in the Office has increased dramatically. By its tenth year of operation, a survey indicated that 88% of the population had heard of the Police Ombudsman's Office and that the vast majority of them (80%) knew that it was independent of the police.

Building Confidence



Police Ombudsman Al Hutchinson with a member of a delegation of senior Vietnamese police officers who took part in a fact-finding visit to the Office in 2009.



PSNI Chief Constable Matt Baggott (second left) during his first visit to the Police Ombudsman's Office following his appointment in 2009. Included are Police Ombudsman Al Hutchinson (second right), the Office's Chief Executive Sam Pollock (left) and Senior Director of Investigations Jim Coupland.



A delegation from the Federal Police Directorate of Bosni-Herzegovina who visited the Police Ombudsman's Office in 2009.



Members of Police Ombudsman staff meet with the Nepalese Minister of Home Affairs, the country's Inspector General of Police and their senior officials in February 2010.

Historical Investigations

The enactment of the RUC (Complaints etc) Regulations 2001 provided the framework within which the Police Ombudsman can conduct investigations of historic matters, whether public complaints, statutory referrals or other public interest matters because of their gravity or exceptional circumstances.

These historic cases, often of a complex nature, largely relate to deaths and associated police investigations which occurred during the Conflict in Northern Ireland between 1969 and the Good Friday Agreement in 1998.

In response to the expanding casework and with the support of additional funding from the Northern Ireland Office a small team of Investigators was established in 2006, dedicated to historic investigations.

Since that time the Police Ombudsman has received numerous related public complaints and referrals from the PSNI Historical Enquiries Team, drawing the organisation into the 'Dealing with the Past' debate, as it relates to policing during the 'Troubles'.

The Police Ombudsman's recently published findings in respect of issues associated with the 1972 bombing of Claudy Village reflects the gravity of these matters and their profile in the local, national and international communities.

In response to the significant demands of these matters the Police Ombudsman appointed a Director of Historic Investigations in early 2010 with responsibility for delivery of a strategy which will continue to provide effective investigations of historic cases.

The Police Ombudsman remains committed to directly engaging those affected by these cases and to communication with both Governmental and Non Governmental Organisations working to deal with our collective past. He has also established an Independent Advisory Group to draw upon the experience of people from a range of different but relevant backgrounds in order that the organisation can deal with these matters in a way that, as far as possible, meets the needs of all involved and delivers the organisation's statutory duties.

Abbreviations

ACC	Assistant	Chief Constable
ACPO	Association	of Chief Police Officers
ACU	Area	Command Unit
AEP	Attenuated	Energy Projectile
ALR	Armoured	Land Rover
CARE		Child Abuse and Rape Enquiry Unit
CNR	Catholic	Nationalist Republican
CS Spray	CS	Incapacitant Spray
DCU	District	Command Unit
DUP	Democratic	Unionist Party
HET	Historical	Enquiries Team
HMSU	Headquarters	Mobile Support Unit
NIPB	Northern	Ireland Policing Board
NISRA		Northern Ireland Statistics and Research Agency
PACE	Police	Police & Criminal Evidence (NI) Order 1989
PPS	Public	Prosecution Service (formerly DPP)
PSNI	Police	Police Service of Northern Ireland
PUL	Protest	Protestant Unionist Loyalist
RUC	Royal	Ulster Constabulary
SDLP	Social	Democratic Labour Party
SIO	Senior	Investigating Officer
TSG	Tactical	Support Group
UUP	Ulster	Unionist Party

Additional copies of this and other publications are available from:

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These publications and other information about the work of the Police Ombudsman for Northern Ireland are also available on the Internet at:

Website: www.policeombudsman.org



INVESTOR IN PEOPLE