

Annual Statistical Bulletin of the Police Ombudsman for Northern Ireland, 2016/17

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INTRODUCTION

This Statistical Bulletin presents information on complaints and allegations received by the Office of the Police Ombudsman for Northern Ireland in 2016/17, as well as showing trend information for the last five years.

It was produced independently by Statisticians from the Northern Ireland Statistics and Research Agency (NISRA) who are seconded to the Police Ombudsman's Office and work alongside Police Ombudsman personnel. It has been produced in accordance with the Code of Practice for Official Statistics.

Why publish statistics?

The information presented in this bulletin has been produced to meet the needs of a variety of individuals and organisations who have a particular interest in the issue of police complaints.

The Police Ombudsman's Office uses these statistics to monitor trends in complaints and allegations received and how they were dealt with. It also uses this information to monitor performance against key performance indicators.

The Police Service of Northern Ireland (PSNI) have an interest in knowing about the trends and patterns in complaints made against their officers and use this information to help identify and address particular problems.

The Northern Ireland Policing Board (NIPB) use this material in developing an understanding of what aspects of police conduct are attracting public concern and whether these concerns are of substance.

The Police and Community Partnerships (PCSPs) also use the data to monitor police performance in their areas and to identify any particular concerns.

The general public have a right to know how both their police service and their police complaints service are performing.

Understanding the information in this bulletin

We hope this report will provide readers with a clear understanding of the trends and patterns in complaints and allegations received by the Police Ombudsman's Office over the last five years.

We have provided information on what we believe would be the main questions asked by readers: how many complaints and allegations have we received, what were they about and how were they resolved, for example.

Commentary has been provided throughout, which aims to provide some context and explanation or interpretation of the emerging trends.

However, a concise document like this can only ever provide part of that context. Other factors may be at play which cannot be reflected in this bulletin. Readers may also want to consider issues as varied as the levels of the police budget and the service it can provide, as well as the level of awareness of the police complaints system itself.

Similarly, making comparisons across geographical areas may not always be straightforward. Areas have different levels of population. Even that distinction can have further categories. Whether people travel to an area during normal office hours for their work or move into it in the evening to socialise can have an effect on the number of complaints we receive.

It is also difficult to make valid comparisons between the number of complaints and allegations received across Northern Ireland, England and Wales, and Scotland as each area operates a different system.

Terminology

For those with less knowledge of the Police Ombudsman's Office, we have provided an explanation of the police complaints process in the glossary in the appendices of this bulletin. We have tried to keep the terminology used in this bulletin 'jargon' free, but where this has not been possible we have provided a glossary with an explanation of those terms.

Could we improve this bulletin?

From the wealth of detailed information within the Police Ombudsman's Office, we have tried to produce a bulletin which focuses on the key issues which we believe would be of interest to the public and the police. We have also tried to make that information as clear and easily understood as possible. Have we succeeded? We would be keen to hear any views you have on this bulletin.

If you wish to provide any feedback or comments on this publication please see our contact details on the back page or email us via info@policeombudsman.org.

Conventions

Percentages in the tables and text are rounded to the nearest whole number, and thus may not always add up to 100.

A SUMMARY OF THE KEY TRENDS IN COMPLAINTS AGAINST THE POLICE

- The number of complaints received by the Police Ombudsman's Office during 2016/17 decreased by 8% from the previous year to fewer than 2,800 complaints.
- Criminal Investigation was the most common situation which gave rise to complaints, as it was in four of the last five years.
- Complaints made against officers in Belfast City District (A District) have decreased by 19% in 2016/17 from the previous year.
- The most frequent allegations received during the year were allegations of Failure in Duty, of Oppressive Behaviour, and of Incivility.
- Around four out of ten (41%) complaints dealt with by the Police Ombudsman's Office were subject to a full investigation. In 22% of these complaints the Office found evidence to substantiate all or part of the complaint, or identified another concern during the investigation.
- On 24 occasions during the year the Police Ombudsman recommended that the Director of Public Prosecutions should prosecute an officer. This is more than in each of the four previous years.
- The Police Ombudsman recommended on 261 occasions that a police officer should receive a discipline or performance action.

COMPLAINTS

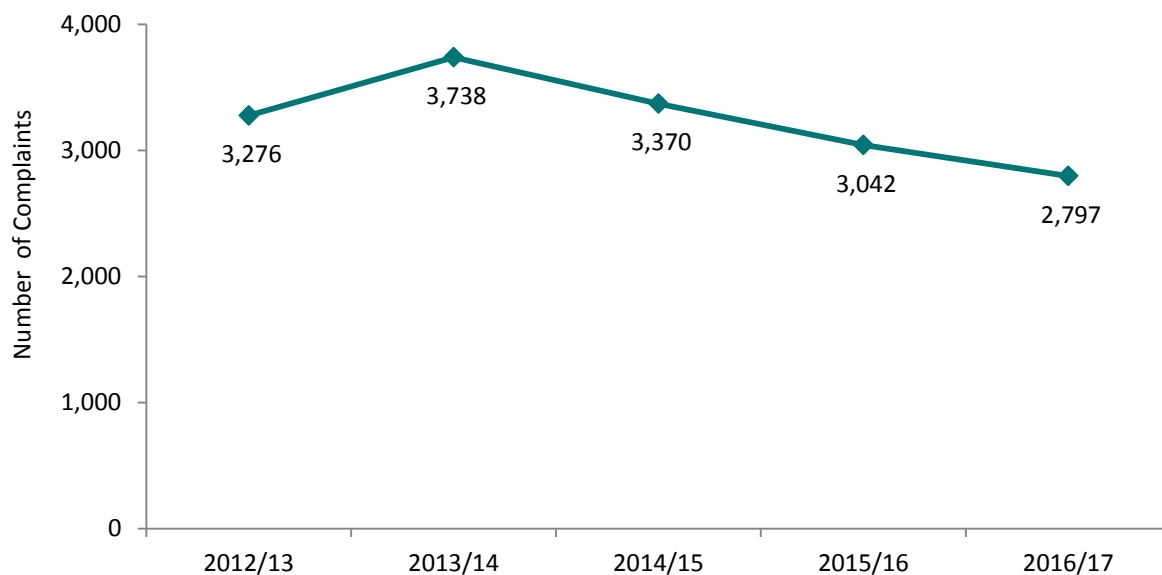
The volume of complaints and matters received

The number of complaints received and matters referred for independent investigations by the Police Ombudsman's Office during 2016/17 was 2,797 (Figure 1, Table 5). This is the first time since 2007/08 that the Office has received fewer than 3,000 complaints.

The number of complaints/matters received by the Office have decreased for three consecutive years since 2013/14 when the Office received the highest number of complaints since it opened.

For the purpose of clarity of reporting, this statistical bulletin will refer to all its incoming work by the term 'complaints'.

Figure 1: Number of complaints received, 2012/13 to 2016/17



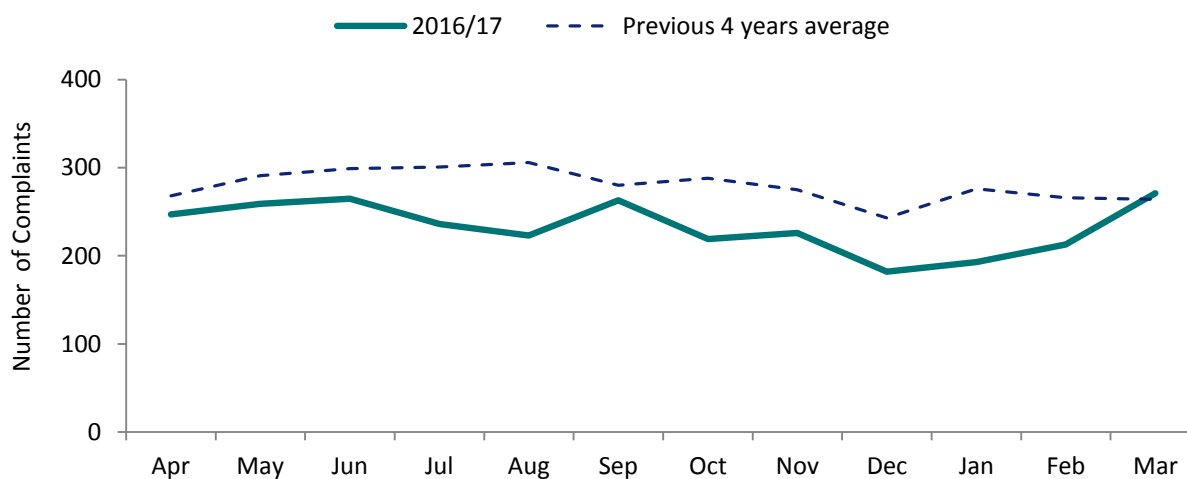
The vast majority of these complaints (98%) were from members of the public. A further 1% were matters referred to the Office from the PSNI or from another organisation¹ or matters in which the Police Ombudsman exercised his power to initiate investigations. Call-In/Call-Outs make up the remaining 0.6%: these are situations where the Office is notified of an incident and it determines at an early stage that there is no requirement for a further investigation (Table 6).

¹ Public Prosecution Service (PPS), Northern Ireland Policing Board (NIPB) and the Department of Justice (DOJ).

Complaints received each month

During 2016/17, the Office received between 180 and 275 complaints each month. The number of complaints received each month, apart from March, was fewer than the monthly average for the previous four years. In addition, the Office received fewer complaints in July and August, a period when it would usually have expected an increase. The trend to receive fewer complaints in December was evident again during the year (Figure 2, Table 7).

Figure 2: Number of complaints received by month, 2012/13 to 2016/17



Who people were complaining about

The Police Ombudsman's Office has the remit to investigate complaints about officials from a number of bodies. These include police officers and 'designated civilians' within the PSNI and police officers with the Northern Ireland Airport Constabulary and Belfast Harbour Police. More recently the remit was extended, for serious incidents only, to include certain Home Office officials in 2014/15 and the National Crime Agency in 2015/16 (from 20th May 2015).

During 2016/17, the vast majority of complaints received (98%) continue to be about PSNI officers (Tables 1 and 8).

Table 1: Complaints received by organisation, 2016/17

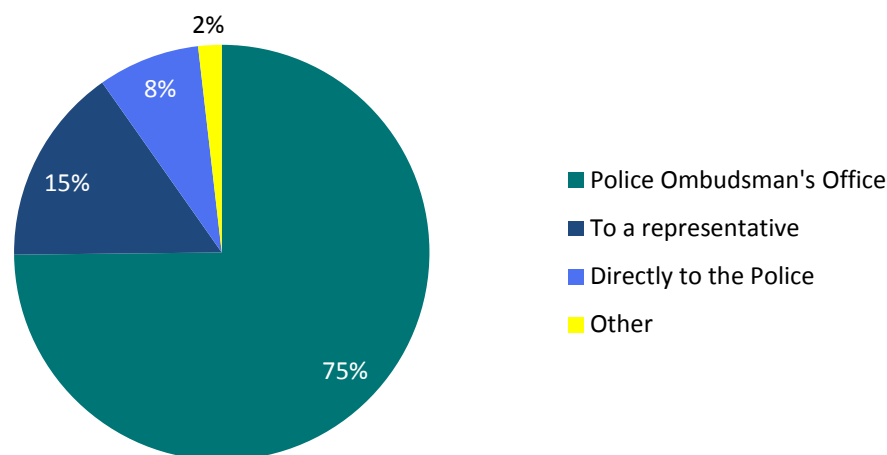
No. of complaints received	
PSNI	2,744
Designated Civilians	37
Harbour Police	2
NI Airport Constabulary	1
Certain Home Office officials	1
National Crime Agency	0
Other / Unknown	12
Total	2,797

Where people initially made their complaints

Although the Police Ombudsman's Office is the only body which can by law deal with complaints about the conduct of police officers, people do not always make their complaints directly to the Office. Sometimes their complaint is made in the first instance to the PSNI itself or to someone such as a solicitor or a political representative.

Most of the complaints received in 2016/17 were made directly to the Office without the use of an intermediary (Figure 3, Table 9).

Figure 3: Complaints received by where people initially made their complaint, 2016/17



The trend in where people made their initial complaint with has changed slightly this year; the proportion of complainants making their complaints directly with the Police Ombudsman's Office has increased from below 70% in each of the four previous years to 75% in 2016/17. This

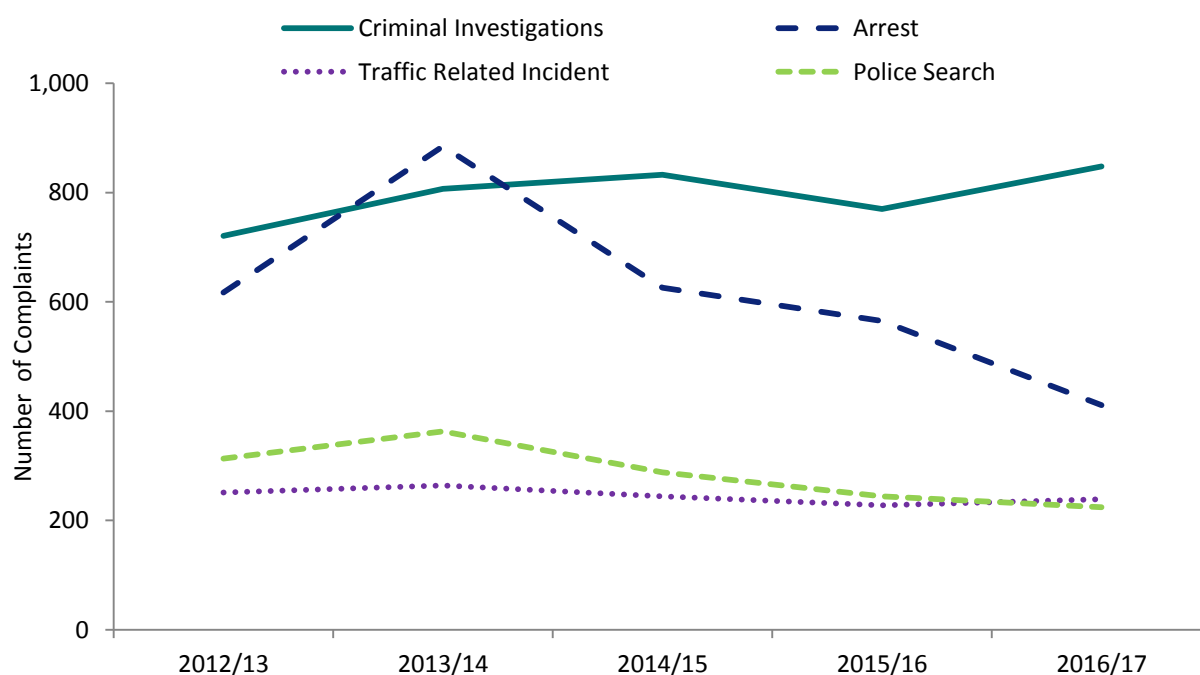
has been offset with smaller decreases in the proportion of complaints being made directly with the police and via a representative.

Situations that gave rise to complaints

In order to try and get a better understanding of what sorts of interactions might give rise to complaints about the police or police conduct, the Police Ombudsman's Office collect information on the background or context to the complaint.

Criminal investigations were the most common situations giving rise to complaints during 2016/17, followed by arrests, traffic related incidents and police searches (Figure 4, Table 10).

Figure 4: Complaints arising from Criminal Investigations, Arrests, Traffic Related Incidents & Police Searches 2012/13 to 2016/17



During 2016/17, the Office received around 850 complaints arising from a criminal investigation. This accounts for 30% of all complaints received. The number of complaints made following a criminal investigation has increased over the last five years.

Complaints arising from Arrests decreased this year to around 410 complaints. These types of complaints have decreased for the third consecutive year and are at their lowest level in the last five years.

Fewer than 240 complaints were received during 2016/17 following traffic related incidents. This is around 10 more complaints than last year, it is also the first-time in the last five years that there has been more complaints arising from traffic related incidents than from police searches.

During 2016/17, around 225 complaints were received following police searches. In general, these types of complaints have been decreasing since 2013/14. Similar to Arrests, complaints arising from searches are lower in 2016/17 than in any of the previous four years.

Complaints arising from domestic incidents (such as neighbourhood disputes) have remained similar to last year (157 complaints in 2016/17), but have decreased from the levels in 2013/14 and 2014/15.

Complaints following situations where police made enquires but no investigation took place have increased by around 10 complaints this year, but have decreased by more than 40% over the last five years.

During 2016/17, there were 67 complaints received relating to the 'Troubles' and will be investigated by the History Directorate in the Office. This is a decrease from the numbers received in the two previous years.

During 2016/17 there were 54 complaints arising from how the police dealt with domestic violence incidents. This is an increase from each of the four previous years.

Due to the recommendation made in the NIPB's Human Rights Annual Report 2015 statistics on complaints arising from domestic violence incidents have been presented separately in this bulletin, they were previously included in the 'domestic incident' total. In addition, at the start of 2016/17, a change was made to how these complaints were recorded, to assist the NIPB to monitor the compliance of the PSNI with the Human Rights Act 1998. Complaints arising from domestic violence incidents are now categorised into two groups; those made by the victim and those made by another person. Changing the domestic violence categories on the system may have resulted in more complaints being recorded as arising from a domestic violence situation than previously.

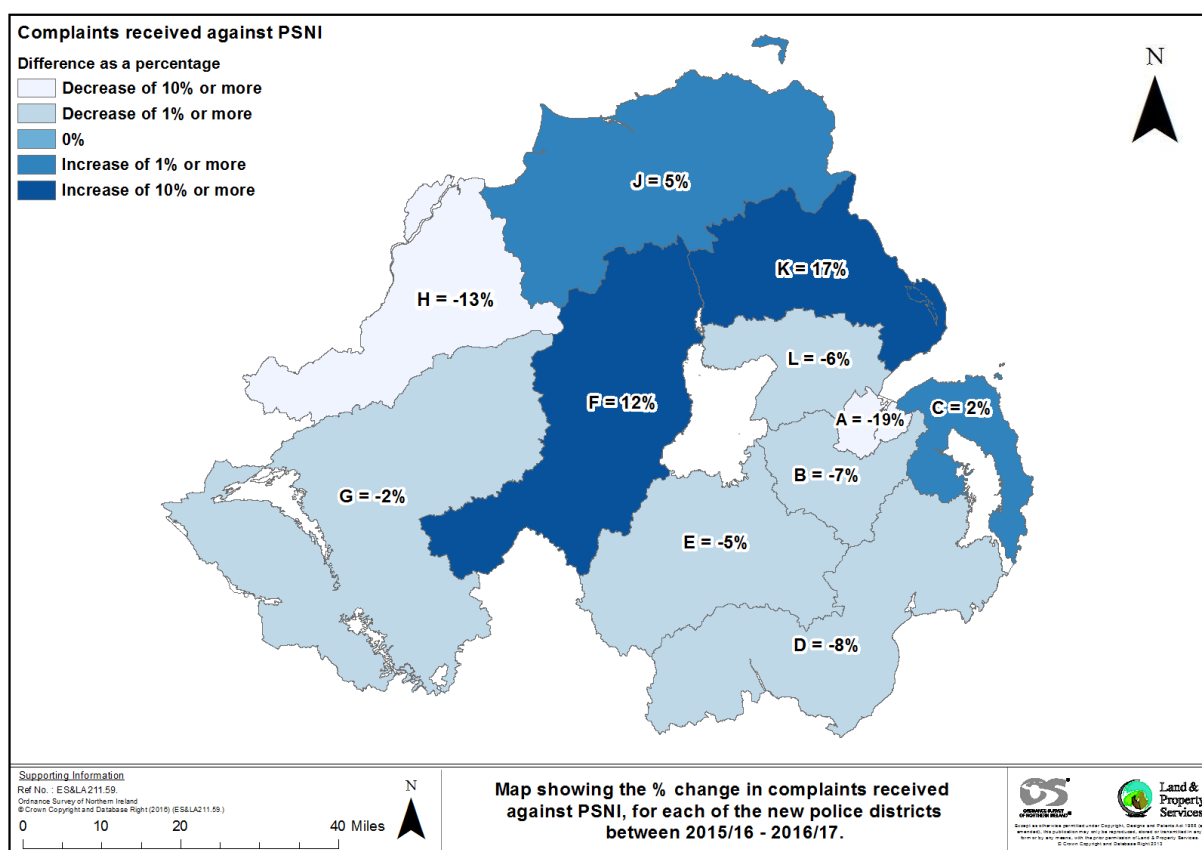
Complaints arising from incidents during parades or demonstrations have decreased to the lowest level in the last five years (21 complaints in 2016/17).

Complaints received by police district^{2,3}

Belfast City District (A District) has received the largest number of complaints, around 740 complaints in 2016/17. It accounts for 26% of all complaints received. All other Districts had fewer than 240 complaints in 2016/17 (Table 11).

Comparisons made between police districts must be made with caution. There are a number of reasons why complaints would vary between districts, such as the number of officers assigned to each district, and the level and type of interactions with the police in each districts.

Figure 5: Map showing the percentage change in complaints received by police district, 2016/17



Most of the police districts (7 out of the 11) had a decrease in complaints this year compared with 2015/16 (Figure 5).

² This is only for complaints made against the PSNI and does not include any other organisations such as NCA, certain Home Office officials or designated civilians.

³ This is the location where the incident complained about occurred, and is not necessarily the Districts where the officers complained about are assigned to.

Belfast City (A District) had the largest decrease in complaints (19%), followed by Derry City & Strabane (H District) (13%). While Mid & East Antrim (K District) and Mid Ulster (F District) had the largest increases (17% and 12%, respectively). Some of the increase in Mid & East Antrim can be attributable to the policing of the protest at the Woodburn Forest near Carrickfergus during the early part of 2016/17 13 complaints were received about this incident.

The following police districts have had complaints decreasing for the last three consecutive years and in 2016/17 their complaints are at their lowest levels in the last five years:

- A District – Belfast City
- B District – Lisburn & Belfast City
- D District – Newry, Mourne & Down
- E District – Armagh City, Banbridge & Craigavon
- G District – Fermanagh & Omagh
- L District – Antrim & Newtownabbey

In Derry City & Strabane (H District) complaints are also at their lowest levels in the last five years. However, they have not decreased year on year since 2013/14. In 2015/16, they had two more complaints than the previous year.

In Ards & North Down (C District) complaints have been decreasing since 2013/14 however, four more complaints were received this year than last year.

Complaints for Mid Ulster (F District) decreased for three consecutive years from 2012/13. Although, in 2016/17 complaints increased by 12%.

In four of the last five years, the number of complaints for Causeway Coast & Glens (J District) was between 225 and 245. The exception was in 2014/15 when nearly 300 complaints were received. Complaints increased by 5% this year from 2015/16.

Last year complaints for Mid & East Antrim (K District) decreased by 11% from 2013/14, and this year they have increased by 17%. Although, this is the second highest number of complaints they have received in the last five years, the number of complaints is fairly similar to that in 2012/13 and 2014/15.

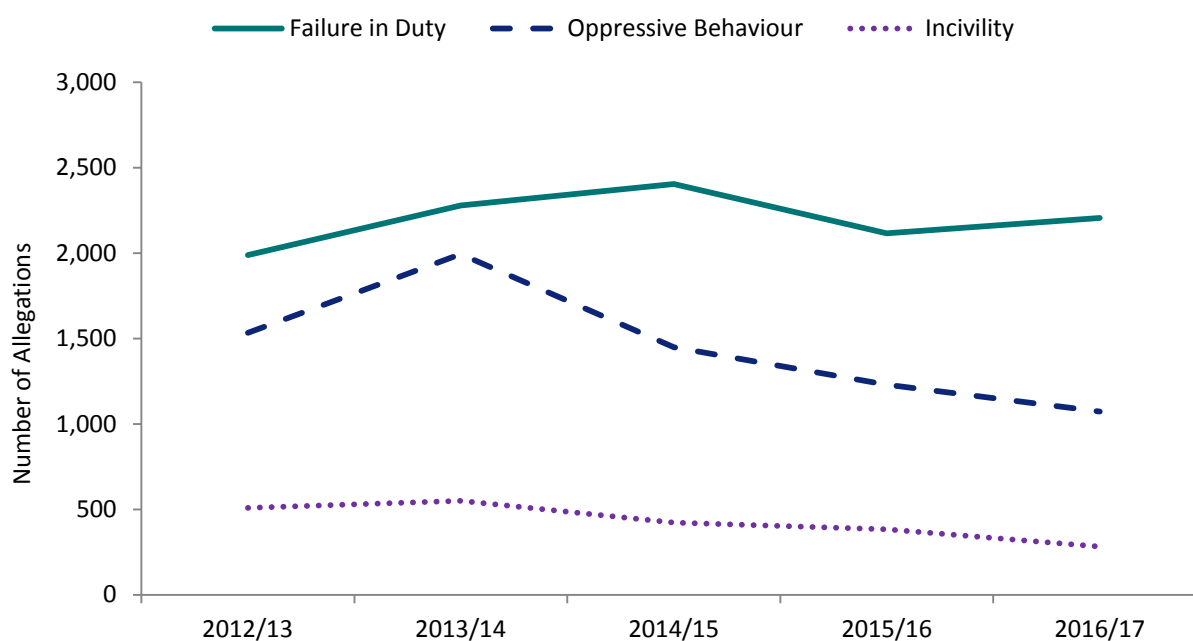
ALLEGATIONS

A person who makes a complaint may express a number of different concerns about the exchange they have had with a police officer. The Police Ombudsman's Office will record this as one complaint broken down into a number of 'allegations'.

During 2016/17, the Police Ombudsman's Office received 4,725 allegations (Table 12).

The most frequent allegations received during the year were allegations of a Failure in Duty, of Oppressive Behaviour, and of Incivility (Figure 6, Table 13).

Figure 6: Types of allegations received, 2012/13 to 2016/17



Failure in Duty allegations

During 2016/17, nearly 2,210 allegations received by the Police Ombudsman's Office alleged a Failure in Duty by a police officer. This was an increase of 4% on the number of allegations received in the previous year, although, it is still an 8% decrease from 2014/15.

More than half (54%) of the Failure in Duty allegations received in 2016/17 related to the conduct of police investigations or police response to incidents (Table 14).

The largest increase was for failures in records management which increased by 23%, followed by a 5% increase in allegations relating to the conduct of police investigations or police

response to incidents. Allegations of officers failing to act impartially was the only category which had a decrease this year (22% decrease).

Oppressive Behaviour allegations

There were 1,073 Oppressive Behaviour allegations received during 2016/17. This was a decrease of 13% on the number received in the previous year. Fewer Oppressive Behaviour allegations were received in 2016/17 than in any the previous four years.

Almost half (47%) of the Oppressive Behaviour allegations received in 2016/17 alleged oppressive conduct by an officer/s not including assault. Allegations of serious and sexual assaults accounted for 3% of all the Oppressive Behaviour allegations received (Table 15).

Allegations of unjustified force or violence⁴ (excluding serious or sexual assault) and of harassment had the largest decrease from 2015/16 (28% and 26% decrease, respectively). While allegations of oppressive conduct by an officer/s not including assault increased by 9% from 2015/16.

Incivility allegations

In 2016/17, there were 282 Incivility allegations received. This was a 26% decrease from the previous year and is the lowest number received in the last five years.

Three in ten (30%) of the Incivility allegations occurred at a domestic residence (Table 16).

Other allegations⁵

In addition to Incivility and Oppressive Behaviour allegations decreasing to their lowest levels in the last five years, allegations relating to irregularities in searches, unlawful/unnecessary arrests/detentions, mishandling of property, discriminatory behaviour, and allegations relating to Section S55 matters are also all at their lowest levels in the last five years (Table 13).

⁴ Referred to 'other assault' in Table 15.

⁵ A further breakdown of allegations are available on the Police Ombudsman's website in the accompanying Excel tables.

Allegations regarding the use of police equipment

Allegations involving the use of police equipment accounted for 3% of all the allegations in 2016/17 (Table 17). This is similar to previous years, although has decreased from 6% in 2013/14.

Allegations relating to the use of handcuffs were the most commonly received allegations about the use of police equipment during 2016/17 (80 allegations). This is the same trend as in previous years.

During 2016/17, allegations about the use of CS Spray were the second most commonly reported allegations of police equipment. This is the same trend as in 2015/16.

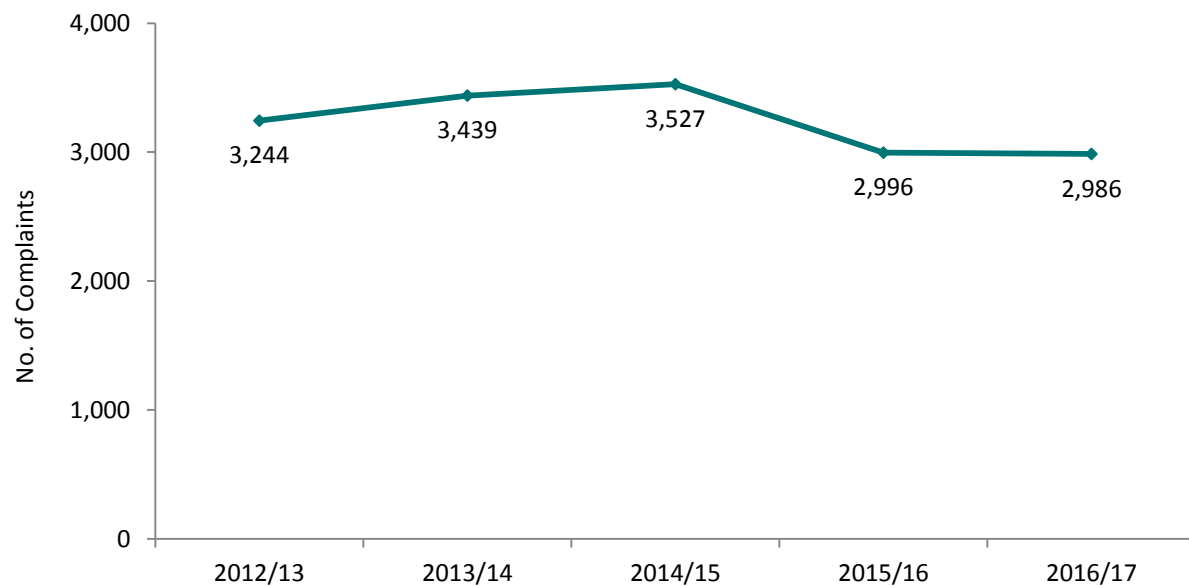
Allegations received about the use of police equipment have decreased by 36% this year from 2015/16. All types of police equipment apart from 'misuse/discharge of firearm' are at their lowest levels in the last five years. Allegations about the 'misuse/discharge of firearm' are at their second lowest level in the last five years.

COMPLAINTS CLOSURES

The Police Ombudsman's Office closes complaints once it has reached a view on the matter involved, when the complainant and the police officer have reached a level of agreement on the contested matter or when the person who made the complaint no longer wishes to engage with the process.

The Police Ombudsman's Office closed nearly 2,990 complaints during 2016/17 (Figure 7, Table 18).

Figure 7: Number of complaints closed by year, 2012/13 to 2016/17



This is the fewest number of complaints closed over the last five years. This reflects the decrease in number complaints received over the last three years.

Types of complaint closures

There are four main stages as to when complaints will be closed (Table 2).

Table 2: Complaint closures, 2016/17

Complaints Closed	2,986
Complaints closed following initial assessment	285
Complaint was not a matter for the Police Ombudsman	337
Call-in/Call-out – no further action	17
Other	31
Complaints closed following initial inquiries	1,206
Complainant did not fully engage with the police complaints system	339
Ill-founded	103
Withdrawn	755
Other	9
Complaints resolved informally	182
Informally Resolved	182
Complaints closed that relate to the ‘Troubles’	2
History Complaints	2
Complaints fully investigated	1,148
Complaint not substantiated or no issue of concern identified	866
Complaint substantiated or an issue of concern identified	282

Around one in ten (13%) complaints closed during 2016/17 were closed after the initial assessment. These complaints tend to be closed fairly quickly, and often involve issues which are not a matter for the Police Ombudsman’s Office.

A larger proportion of complaints (40%) were closed after initial inquiries. Initial inquiries involves getting more information from the complainant, looking for evidence regarding the matter complained about or making initial contact with the police officer(s) involved. Complaints closed at this stage are normally those where the complainant ceases to engage with the Office.

Complaints that were informally resolved accounted for 6% of all complaints closed. This is an alternative way to resolve less serious complaints e.g. rudeness or incivility.

More than four in ten (41%) complaints closed were fully investigated. This is when a Police Ombudsman's Investigator looks into each allegation within the complaint and reaches a conclusion about it. The Office found evidence to substantiate all or part of the complaint, or identified another concern during the investigation in 22% of these complaints during 2016/17.

Trends in the types of complaint closures

The proportion of complaints closed following an initial assessment have remained fairly similar over the last four years, and have decreased since 2012/13. While, the proportion of complaints closed following initial inquiries has decreased (Table 18).

Over the last five years, there has been an increase in the proportion of complaints closed that have been fully investigated. This has increased from 31% five years ago to 41% this year.

The proportion of fully investigated complaints that found evidence to substantiate all or part of the complaint or identified another policing issue of concern has decreased to 22%. This has decreased from a high of 28% in 2014/15 but is more similar to the levels four and five years ago.

Note: Following representation from key stakeholders and in order to make the reporting clearer, it has been decided to report our closures at complaint level. To do this, each of the closures within a complaint have been ranked, and the closure with the highest ranking used as the most representative of the overall complaint closure.

The highest ranking closure is also used to determine at which stage in the complaints process the complaint was closed: after initial assessment, initial inquiries, informal resolution, or following a full investigation. While this method will provide a clear and largely accurate picture in the majority of cases, there will be a few instances when this will not be the case. These discrepancies will only occur between initial assessment and initial inquiries stages.

RECOMMENDATIONS TO PPS AND POLICE

Public Prosecution Service (PPS)

Where the Police Ombudsman investigates a matter and identifies that a criminal offence may have been committed, legislation requires that the matter is reported to the PPS. A file will be sent to the PPS that sets out the information that has been established and makes a recommendation as to whether or not the police officer(s) should face a criminal charge. Irrespective of the Police Ombudsman's recommendation, it will be for the PPS to decide if an officer should be prosecuted.

During 2016/17, on 24 occasions the Police Ombudsman recommended that the Director of Public Prosecutions should prosecute an officer/staff (Tables 3 & 19).

Table 3: Occasions⁶ Police Ombudsman recommended prosecution /no prosecution for an officer/staff, 2016/17

	2016/17
Prosecution recommended for an officer	24
Prosecution not recommended for an officer	204

Over the last five years, the number of occasions where prosecution was recommended has increased from eight during 2012/13 to 24 during 2016/17 (Table 19).

Recommendations made to the Chief Constable or Chief Officer

Following the conclusion of any criminal proceedings or investigations that relate to misconduct matters, the Police Ombudsman may make a recommendation to the Chief Constable or the Chief Officer, who will consider whether action should be taken against the police officers who were the subject of the complaint.

During 2016/17, the Police Ombudsman's Office recommended on 261 occasions⁷ that an officer or staff member should receive a discipline sanction, a discipline action or a performance action (Table 4).

⁶ This is the number of times prosecution was recommended for an officer /staff member. A new methodology was used to calculate this, the numbers reported in previous bulletins was the number of officers/staff members per complaint, and thus had an elements of double counting where multiple complaints were received regarding the same incident.

New discipline/performance regulations were introduced in June 2016 and thus the information in the table below is split into the new regulations and the previous regulations prior to June 2016.

Table 4: Occasions Police Ombudsman recommended discipline sanction, discipline action or performance action for officers/staff, 2016/17

Total Discipline /Performance Sanctions/Actions	261
Regulations Prior to June 2016⁸ (Discipline Sanctions)	192
Management Discussion	28
Advice & Guidance	104
Superintendent's Written Warning	53
Formal Discipline Proceedings	7
Regulations Introduced in June 2016⁹ (Discipline or Performance Actions)	69
Performance	7
Misconduct Meeting	62
Misconduct Hearing	0

The number of occasions where the Police Ombudsman recommended a discipline sanction for an officer/staff member decreased from last year (Table 20). It is difficult to compare the decrease at sanction level due to the introduction of new regulations during the year.

⁷ This is the number of officers per complaint that discipline sanctions were recommended for. The Office may receive more than one complaint about the same incident and thus there may be some double counting in this total.

⁸ Disciplinary Regulations (pre 6th November 2000); a Code of Conduct (6th November 2000 to 13th March 2003); and a Code of Ethics (since 14th March 2003). The date of the misconduct dictates which discipline regime is applicable.

⁹ The Police (Performance and Attendance) Regulations (NI) 2016 and The Police (Conduct) Regulations (NI) 2016 came into force on 1 June 2016

Policy recommendations made to the PSNI

The Office made 47 policy recommendation to the PSNI during 2016/17 (Table 21). These recommendations cover a wide range of topics; 2 were strategic, 39 related to operational matters and 6 were for areas of minor improvement.

The PSNI fully accepted and implemented 14 of these recommendations. The acceptance rate is 70% for recommendations where the outcome is known.

The Office is only informed that a recommendation has been accepted when it has been agreed and implemented by the PSNI and therefore, there is a time-delay before the final outcome of the recommendation is known. For recommendations made during 2016/17 the Office is still to be notified of the PSNI's final response for 27 recommendations.

In addition to the 47 policy recommendations made during 2016/17, the Office also made five recommendations that were specific to individual cases. Action has been taken address three of the case specific recommendations and the remaining two are still under consideration.

INFORMAL RESOLUTION

Complaints made that are of a less serious nature, usually about incivility or certain types of failure in duties, may be considered for Informal Resolution. This involves a officer/staff member speaking to both the officer(s)/staff member(s) complained about and the complainant with a view of reaching a satisfactory resolution. Prior to proceeding with this process the consent of the complainant must be obtained.

In 2016/17, 16% of complaints were considered for Informal Resolution and for nearly 60% of these complaints the person making the complaint agreed for it to be dealt with through Informal Resolution (Table 22).

The proportion of complainants consenting for their complaint to be dealt with through Informal Resolution has remained around 60% in each of the last five years.

During 2016/17, 174 complaints reached a successful conclusion through the Informal Resolution process (Table 23). This is an increase from the previous year when 164 complaints were successfully resolved. Some of this increase is due to an extensive data cleaning exercise during 2016/17, although this does not account for the full increase.

PSNI OFFICERS

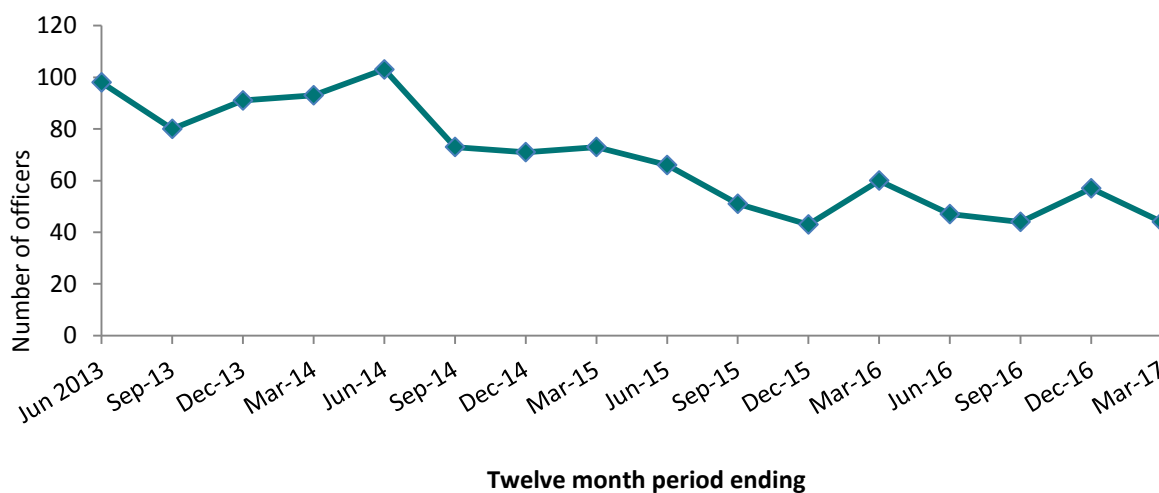
Approximately 60% of the complaints recorded by the Police Ombudsman's Office have an identified officer associated with them. The other complaints which do not identify an officer tend to be those which have been closed at an early stage, such as those which were not a matter for the Police Ombudsman to investigate and those where the complainant did not fully engage with the Police Complaints System.

Most of the officers (85%) identified within complaints were constables, while fewer complaints were received about officers of higher ranks (Table 24). This is a similar profile to that of the composition of officers within the police service.

Information on officers identified within a complaint is shared with the Legacy & Justice Department within the PSNI. In April 2013, the PSNI amended the stage at which they initiate management intervention. From that date, officers who received three or more complaints that were formally investigated or dealt with by way of Informal or Local Resolution in the previous 12 months are subject of such intervention.

In general, the number of officers reaching this stage has been decreasing over the last four years (Figure 9, Table 24). This reflects the decrease in complaints received over this time period.

Figure 9: Officers that received three or more complaints that were formally investigated or dealt with by way of Informal or Local Resolution, 2013/14 to 2016/17



Note: During the course of an investigation, officers associated with the complaint can vary; as evidence is gathered more officers can be linked to the complaint and some may be removed. For this reason, to allow direct comparison across time, the information that was reported at the end of each quarter is not updated.

APPENDIX 1: STATISTICAL TABLES

Table 5: Complaints received, 2012/13 to 2016/17

Year	Complaints
2012/13	3,276
2013/14	3,738
2014/15	3,370
2015/16	3,042
2016/17	2,797

Table 6: Complaints and matters, 2012/13 to 2016/17

Complaints/Other Matters	2012/13	2013/14	2014/15	2015/16	2016/17
Complaints from members of the public	3,185	3,669	3,290	2,951	2,746
Matters referred to the Office	51	39	48	54	23
Matters the Police Ombudsman has chosen to investigate	7	9	5	16	11
Other	33	21	27	21	17
Total	3,276	3,738	3,370	3,042	2,797

Table 7: Complaints received by month, 2012/13 to 2016/17

Month complaint received	2012/13	2013/14	2014/15	2015/16	2016/17
April	248	282	332	210	247
May	264	309	333	258	259
June	262	316	323	296	265
July	237	356	311	299	236
August	330	362	279	254	223
September	268	302	272	279	263
October	295	317	282	256	219
November	269	315	255	259	226
December	232	284	254	202	182
January	326	298	254	225	193
February	285	273	248	258	213
March	260	324	227	246	271
Total	3,276	3,738	3,370	3,042	2,797

Table 8: Complaints received by organisation, 2012/13 to 2016/17

Organisation	2012/13	2013/14	2014/15	2015/16	2016/17
Police Service of Northern Ireland (PSNI)	3,220	3,652	3,304	2,981	2,744
Designated Civilian	36	64	42	44	37
Harbour Police	2	1	3	2	2
Northern Ireland Airport Constabulary	2	1	1	3	1
Home Office Officials ¹⁰	-	-	-	3	1
National Crime Agency ¹¹	-	-	-	1	0
G.B Officers ¹²	0	3	0	0	0
Other / Unknown	16	17	20	8	12
Total	3,276	3,738	3,370	3,042	2,797

Table 9: Complaints received by where the initial complaint was made, 2012/13 to 2016/17

Source of complaints	2012/13	2013/14	2014/15	2015/16	2016/17
Directly with Police Ombudsman's Office	2,040	2,183	2,216	2,069	2,093
Via Representative	645	655	580	541	431
Directly with the Police	500	831	494	341	222
Other (includes referrals)	91	69	80	91	51
Total	3,276	3,738	3,370	3,042	2,797

¹⁰ The remit of the Police Ombudsman's Office was extended to include the Home Office officials on the 16th March 2015.

¹¹ The remit of the Police Ombudsman's Office was extended to include National Crime Agency on the 20th May 2015.

¹² These are complaints about officers from other UK police authorities regarding their conduct whilst they were serving in Northern Ireland under the mutual aid arrangement (section 60 of the Police (N.I) Act 1998).

Table 10: Main situations giving rise to complaints, 2012/13 to 2016/17

Main situation ¹³	2012/13	2013/14	2014/15	2015/16	2016/17
Criminal investigation	721	807	833	770	848
Arrest	617	885	626	565	411
Traffic incident	251	264	244	228	239
Police Searches	317	363	288	244	224
Domestic incident	147	222	213	152	157
Police enquiries	184	235	199	92	105
Complaints relating to the 'Troubles'	73	69	90	96	67
Domestic Violence	17	14	26	27	54
Parade/ Demonstration	170	132	22	63	21
Other	667	650	685	675	515
Unknown	112	97	144	130	156
Total	3,276	3,738	3,370	3,042	2,797

Table 11: Complaints received by police district, 2012/13 to 2016/17

Police districts ¹⁴	2012/13	2013/14	2014/15	2015/16	2016/17
A: Belfast City	976	1,215	983	914	739
B: Lisburn & Castlereagh City	161	167	148	122	114
C: Ards & North Down	184	210	190	183	187
D: Newry Mourne & Down	216	237	195	180	165
E: Armagh City, Banbridge & Craigavon	250	297	282	227	216
F: Mid Ulster	151	147	124	105	118
G: Fermanagh & Omagh	167	175	164	140	137
H: Derry City & Strabane	211	244	233	235	204
J: Causeway Coast & Glens	240	243	298	227	238
K: Mid & East Antrim	166	199	164	146	171
L: Antrim & Newtownabbey	223	219	209	181	171
Unknown / Other Organisation	331	385	380	382	337
Total	3,276	3,738	3,370	3,042	2,797

¹³ Due to the recommendation made in the NIPB's Human Rights Annual Report 2015 statistics on complaints arising from domestic violence incidents have been presented separately in this bulletin.

¹⁴ Only complaints made against PSNI police officers are assigned to a police district, based on where the incident occurred. Complaints relating to other organisations or other members of staff are categorised under 'other organisation' in this table.

Table 12: Number of allegations received, 2012/13 to 2016/17

Year	Allegations
2012/13	5,289
2013/14	6,176
2014/15	5,642
2015/16	4,966
2016/17	4,725

Table 13: Types of allegations¹⁵, 2012/13 to 2016/17

Types of Allegations	2012/13	2013/14	2014/15	2015/16	2016/17
Failure in Duty	1,988	2,280	2,405	2,117	2,207
Oppressive Behaviour	1,534	1,995	1,450	1,230	1,073
Incivility	508	550	423	383	282
Police Searches	258	312	309	246	240
Unlawful/ Unnecessary Arrest/ Detention	204	234	252	208	202
Mishandling of Property	105	156	127	133	95
Allegations relating to the 'Troubles' ¹⁶	0	1	18	73	75
Malpractice	110	145	109	57	70
Traffic Related Incidents	69	47	51	43	61
Discriminatory Behaviour	77	107	72	54	53
Section 55 Referrals	58	48	55	72	27
Other	378	301	371	350	340
Total	5,289	6,176	5,642	4,966	4,725

¹⁵ A full breakdown of allegations types are available in the accompanying Excel spreadsheet

¹⁶ This allegation category was introduced to the CHS during 2016/17 and some of the information has been backdated.

Table 14: Failure in Duty allegations, 2012/13 to 2016/17

Failure in Duty allegations ¹⁷	2012/13	2013/14	2014/15	2015/16	2016/17
Conduct of Police Investigations/incident response	n/a	1,165	1,277	1,139	1,197
Failures in contact	n/a	277	310	301	310
Failure in record management	n/a	230	222	139	171
Conduct in custody suite	n/a	180	128	118	122
Failure to act impartially	n/a	73	86	92	72
Failure in duty of care	n/a	86	77	42	45
Other Failure in duty	n/a	269	305	286	290
Total	1,988	2,280	2,405	2,117	2,207

Tables 15: Oppressive Behaviour allegations, 2012/13 to 2016/17

Oppressive Behaviour allegations	2012/13	2013/14	2014/15	2015/16	2016/17
Oppressive Conduct (not involving assault)	579	712	549	462	504
Other Assault ¹⁸	707	986	689	582	420
Harassment (series of like incidents)	184	226	158	152	112
Sexual Assault	36	40	38	24	24
Serious non-sexual assault	28	31	16	10	13
Total	1,534	1,995	1,450	1,230	1,073

Table 16: Incivility allegations, 2012/13 to 2016/17

Incivility allegations	2012/13	2013/14	2014/15	2015/16	2016/17
Incivility At Domestic Residence	98	124	108	93	86
Incivility By Officer On The Telephone	76	91	93	76	63
Incivility At Police Station	63	69	59	41	31
Incivility When Stopped For A Traffic Offence	46	57	39	35	28
Incivility To Person Under 18 Years	8	14	6	6	1
Other incivility	217	195	118	132	73
Total	508	550	423	383	282

¹⁷ New Failure in Duty allegations were introduced in April 2013. This decision was made in conjunction with our key stakeholder. Thus it is not possible to provide a meaningful five year trend data, where comparison data is not available these cells have been denoted with n/a.

¹⁸ Unjustified force or violence (excluding serious or sexual assault).

Table 17: Allegations regarding the use of police equipment, 2012/13 to 2016/17

Police equipment	2012/13	2013/14	2014/15	2015/16	2016/17
Handcuffs	115	214	149	115	80
CS Spray	42	48	34	36	20
Baton	51	62	35	23	18
Taser	13	19	18	14	10
AEP/Baton Round/Riot Gun	12	14	2	6	0
Misuse/Discharge of Firearm	7	12	2	5	4
Other	18	17	9	12	3
No weapon involved	5,031	5,790	5,393	4,755	4,590
Total	5,289	6,176	5,642	4,966	4,725

Table 18: Complaint closures, 2012/13 to 2016/17

	2012/13	2013/14	2014/15	2015/16	2016/17
Complaints closed	3,244	3,439	3,527	2,996	2,986
Complaint closed following initial assessment	519	472	422	353	385
Not a matter for the Police Ombudsman	442	406	361	297	337
Call in/Call out - no further action	36	26	25	19	17
Other	41	40	36	37	31
Complaints closed following initial inquiries	1,462	1,702	1,559	1,308	1,206
Complainant did not fully engage	1,057	1,310	1,084	892	755
Ill-founded	219	221	307	283	339
Withdrawn	155	160	152	125	103
Other	31	11	16	8	9
Complaints resolved informally	250	211	216	192	182
Informally resolved	213	179	191	184	182
Locally resolved ¹⁹	37	32	28	8	n/a
Complaints Closed that relate to the 'Troubles'	n/a	n/a	n/a	n/a	2
History Complaint	n/a	n/a	n/a	n/a	2
Complaints fully investigated	1,013	1,054	1,327	1,143	1,211
Complaint not substantiated or no issue of concern identified	224	213	368	281	269
Complaint substantiated or an issue of concern identified	789	841	959	862	942

¹⁹ The Office ceased using the Local Resolution process during 2015/16.

Table 19: Occasions Police Ombudsman recommended prosecution/no prosecution²⁰ for an officer/staff, 2012/13 to 2016/17

	2012/13	2013/14	2014/15	2015/16	2016/17
Prosecution recommended for Officer	8	11	11	18	24
Prosecution not recommended for an Officer	434	405	355	256	204

Table 20: Occasions Police Ombudsman recommended a discipline sanction²¹ for an officer/staff, 2012/13 to 2016/17

	2012/13	2013/14	2014/15	2015/16	2016/17
Management Discussion	66	31	64	39	28
Advice and Guidance	127	155	228	251	104
Superintendent's Written Warning	51	35	86	54	53
Formal Disciplinary Proceedings	5	7	5	14	7
Total	249	228	383	358	192

Table 20: Occasions Police Ombudsman recommended a discipline/performance action²² for an officer/staff member, 2016/17

	2016/17
Performance	7
Misconduct Meeting: Management Advice	51
Misconduct Meeting: Written Warning	11
Misconduct Meeting: Final Written Warning	0
Misconduct Meeting: Extension of Final Written Warning	0
Misconduct Meeting Total	62
Misconduct Hearing	0
Total	69

²⁰ This is the number of times prosecution was recommended for an officer or staff member. A new methodology has been used, previously reported was the number of officers/staff members per complaint that a recommendation for prosecution was recommended.

²¹ Disciplinary Regulations (pre 6th November 2000); a Code of Conduct (6th November 2000 to 13th March 2003); and a Code of Ethics (since 14th March 2003).

²² The Police (Performance and Attendance) Regulations (NI) 2016 and The Police (Conduct) Regulations (NI) 2016 came into force on 1 June 2016

Table 21²³: Outcome of policy recommendations made, 2012/13 to 2016/17

Policy recommendations made to PSNI	2012/13	2013/14	2014/15	2015/16	2016/17
Fully accepted & implemented	38	13	61	40	14
Partial accepted & implemented	1	0	0	3	0
Not accepted	7	9	2	7	4
Already in place	1	0	2	2	2
No longer applicable	0	0	2	0	0
Still under consideration	0	0	0	5	27
Total	47	22	67	57	47

Table 22: Complaints suitable for Informal Resolution (IR) with consent obtained, 2012/13 to 2016/17

Complaints suitable for IR	2012/13	2013/14	2014/15	2015/16	2016/17
Number of complaints received	3,276	3,739	3,370	3,042	2,797
Complaints suitable for IR	463	480	486	471	443
Consent obtained for IR	274	293	292	282	258
Consent not obtained for IR	189	187	194	189	185

Table 23: Successful outcome of informally resolved complaints, 2012/13 to 2016/17

Outcome	2012/13	2013/14	2014/15	2015/16	2016/17
Successful	209	170	179	164	174

Table 24: Rank of officer complained about, 2012/13 to 2016/17

Rank	2012/13	2013/14	2014/15	2015/16	2016/17
Constable	2,367	2,913	2,432	2,160	1,959
Sergeant	429	494	459	359	295
Inspector and Above	114	132	169	116	61

²³ The outcome of policy recommendations during each year, figures correct as of 12th June 2017

Table 25: Number of officers with three or more complaints that were formally investigated or dealt with by way of informal or local resolution, 2013/14 to 2016/17

Twelve month period ending	Number of officers
June 2013	98
September 2013	80
December 2013	91
March 2014	93
June 2014	103
September 2014	73
December 2014	71
March 2015	73
June 2015	66
September 2015	51
December 2015	43
March 2016	60
June 2016	47
September 2016	44
December 2016	57
March 2017	44

APPENDIX 2: UNDERSTANDING THE COMPLAINTS PROCESS

To help understand the information in this report, we have provided this short summary of the police complaints service in Northern Ireland and how it works.

What we do

The Police Ombudsman's Office provides for the independent and impartial investigation of complaints about the police in Northern Ireland. The Police Ombudsman is committed to providing a police complaints service in the way he thinks best suited to secure the confidence of the public and the police. He believes that for such confidence to be forthcoming, it is essential that people are informed about the nature of his work.

The Police Ombudsman has the remit to investigate the conduct of officers within the following organisations which operate in Northern Ireland:

- Police Service of Northern Ireland including Designated Civilians
- Belfast Harbour Police
- Belfast International Airport Police
- National Crime Agency (NCA) officers in Northern Ireland
- Certain Home Office staff using police functions in Northern Ireland
- Ministry of Defence Police in Northern Ireland

The Office deals primarily with complaints made by members of the public about the conduct of police officers. It also deals with matters referred to it by the PSNI Chief Constable. The following are incidents that the Chief Constable is required to refer to the Police Ombudsman:

- Any fatal road traffic collisions involving police officers
- Any death which may have occurred as a result of the actions of a police officer
- Any other serious allegation

It also deals with matters referred to it by the NIPB, the DoJ and the PPS.

The Police Ombudsman also has the power to initiate an investigation without a complaint having been made if it appears to him to be desirable and in the public interest.

In most circumstances the Police Ombudsman can only investigate incidents which have occurred in the previous 12 months. However, there is no time limit on the investigation of grave matters, or where exceptional circumstances exist. Many of the investigations the Office is undertaking into incidents which happened between 1968 and 1998 (the period known as the Troubles) are matters the Police Ombudsman viewed as grave or exceptional.

The Police Ombudsman does not investigate complaints against officers whose conduct has been the subject of disciplinary or criminal proceedings; or complaints about off-duty police officers, unless the fact that he or she is a police officer is relevant to the complaint. The Office also does not investigate matters relating to the direction and control of the police service by the Chief Constable.

How we deal with complaints

All complaints are recorded on our Case Handling System, even where they are later determined to be outside the remit of the Office.

A complaint from a member of the public will invariably include a number of allegations. For example, if a person alleges a police officer pushed them *and* was rude to them, it would be recorded as one complaint with two allegations on the system.

Once a complaint has been received, it will become subject of an initial assessment. This will involve logging it onto our system and making an assessment as to whether the matter is something the Police Ombudsman's Office can deal with and if so, how best to do so.

If the complaint is something we deal with, the Office will consider if the matter can be resolved informally rather than being sent straight for investigation. Before we decide to take the Informal Resolution approach, the person who made the complaint must agree. If this proves unsuccessful, the Police Ombudsman will refer the complaint for investigation.

When a matter is suitable for investigation, a complaints officer or an investigation officer will set about making the initial inquiries necessary before an investigation commences. This will involve getting more information from the complainant, such as an official statement of complaint.

When a formal investigation has been completed, if the evidence indicates that police officers may have committed a criminal offence or breached the police Code

of Ethics, the Police Ombudsman can recommend that they are prosecuted and/or disciplined.

Where the Police Ombudsman considers that a criminal offence may have been committed by a member of the police, he must send a copy of the investigation report to the PPS, making appropriate recommendations. The PPS then decides whether or not to prosecute the police officer under investigation.

If the Police Ombudsman decides that no criminal offence has been committed, he is required to consider whether it is appropriate to recommend disciplinary proceedings. If the Chief Constable is unwilling administer the recommended discipline, the Police Ombudsman may, direct him to do so.

APPENDIX 3: GLOSSARY OF TERMS

This glossary has been designed to assist users of our statistical information to understand the terms which we use to describe data contained in the statistical bulletin. The terms are listed in alphabetical order.

Advice and Guidance

This is an informal discipline sanction for officers.

Allegation

Each complaint can be broken down into one or more allegations. These are all the individual behaviours or issues being complained about. For example, if a person alleges a police officer pushed them *and* was rude to them, it would be recorded as one complaint with two allegations on the system.

Call in/Call out (no further action)

These are situations where the Police Ombudsman's Office is 'called in' to consider an incident but determines at an early stage that there is no requirement for any further investigation.

Conduct in custody suite

This is a Failure in Duty allegation category. It includes incidents where the complainant was denied access to legal advice or medical attention while they were detained in custody. In addition it covers instances where it is alleged the officer did not inform the detained person of their rights and entitlements, or the officer did not keep accurate custody records.

Conduct of police investigations / incident response

This is a Failure in Duty allegation category and includes allegations where the complainant has alleged that the unsatisfactory conduct of either ongoing or completed police investigations, including the inappropriate disclosure of information. Also included would be allegations that the police failed to carry out any investigation into an incident, or were excessively slow to respond to an incident.

Complaint

A complaint is an expression of dissatisfaction by or on behalf of a member of the public about a member of the police service or an officer of another service over which the Office has jurisdiction.

For the purpose of clarity of reporting, the term complaints refers to complaints made by members of the public, matters referred to the Office from other organisation, and matters that the Police Ombudsman has decided to investigate.

Failure in contact

This is a Failure in Duty allegation. It includes incidents where the complainant has alleged a police officer; failed to keep arranged appointments, return telephone calls, or reply to correspondence. It also includes incidents when an officer failed to keep the complainant updated with progress of an investigation or police enquiries.

Failure in duty of care

This is a Failure in Duty allegation. Where it is alleged that the police officer failed to take appropriate action to ensure the safety or well-being of the complainant or third party for whom they have responsibility.

Failure in record management

This is a Failure in Duty allegation. It involves a failure of police to keep accurate, complete or up to date police records. It also includes the failure of officers to provide information or documentation relating to the complainant or a third party.

Failure to act impartially

This is a Failure in Duty allegation. The complainant alleges an officer failed to adopt an independent approach and/or failed to act in a fair and impartial manner.

Historical Investigation

This is an investigation (potentially criminal and /or misconduct) into the actions of police where the allegation(s) made are considered Grave or Exceptional, "Troubles" related (1969-1998) and predates the establishment of the Good Friday Agreement, 10 April 1998.

Ill-founded

This is a type of complaint closure. These are cases where it became clear during initial inquiries that an allegation was without bases or foundation.

Incivility

This is a category within allegations. It refers to allegations such as the police officer being rude, showing a lack of respect, being abrupt or displaying a general lack of sensitivity.

Informally resolved (Informal Resolution)

This is a process offered to complainants who have made less serious allegations, e.g. rudeness or incivility. It involves a senior police officer speaking to both the officer(s) involved and the complainant with a view to reaching a satisfactory resolution of the complaint. It requires that a record of the outcome has been obtained from police confirming that the matter has been resolved.

Malpractice

These allegations can include any allegation in relation to perjury, other allegations of falsehood, any allegation that evidence was obtained in an irregular manner or under duress and allegations of concealment or tampering with evidence.

Management Discussion:

Management Discussion is an informal discipline sanction. It involves a discussion between the officer concerned and a more senior officer regarding the allegation.

Misconduct Hearing

This is a discipline action under the Police (Conduct) Regulations (NI) 2016 and came into force on 1 June 2016. It is a meeting where the officer may be dealt with by a disciplinary action up to and including a final written warning.

Misconduct Meeting

This is a discipline action under the Police (Conduct) Regulations (NI) 2016 and came into force on 1 June 2016. It is a hearing where the officer may be dealt with by a disciplinary action up to and including dismissal.

Mishandling of property

This allegation category includes any allegation involving theft or loss of property (including money), unreasonable retention of property, damage to property, failure to account for money or property and improper disposal of property.

Oppressive Behaviour

This is an allegation type and includes situations where the complainant alleged that the officer has behaved in an oppressive manner. They can include allegations of oppressive conduct, harassment, and assault, including sexual assault.

Performance

A recommendation to initiate unsatisfactory performance procedures for an officer.

Residual matters

A small number of residual matters are included in the number of allegations (usually 1-2% of allegations each year). A residual matter is one identified by the Office's Investigator, which has not been previously complained of by the complainant. Examples include failure to complete notebook records, anomalies in custody record, and failure to supervise situations adequately.

Section 55 referral

Not all matters the Police Ombudsman deals with come to us as complaints from members of the public. Certain public bodies, including the PSNI, the Policing Board, the Department of Justice and the Public prosecution Service can refer matters to us for consideration. This is done under section 55 of the Police (Northern Ireland) Act 1998.

Superintendent's Written Warning

This is a formal written warning from a police officer's Superintendent.

APPENDIX 4: DATA AVAILABILITY AND QUALITY

Statistical information on complaints and allegations is derived from the CHS, an integrated and comprehensive ICT system that covers all key aspects of receiving and processing a complaint. It captures data about the complainant, the complained against parties, the incident and allegations made. Data can be downloaded and exported to a number of commonly used software packages for analysis (Excel, Access, SPSS²⁴). In addition the Office uses the DI Diver reporting tool and the CHS has a number of management reports run directly from a menu on the system.

The data used for this publication was extracted from the CHS on the 7th April 2017, and thus includes all information recorded on the system up to the 6th April 2016.

Data quality

CHS data quality is considered to be high. The system has been designed to limit the incidence of inaccurate data through the use of measures such as logical validation checks, drop down menus for data input and a minimum of free text input. The Police Ombudsman has a dedicated team who assure the quality of CHS content. All data input is completely auditable and allows for an effective quality control procedure to review and, where necessary, amend key data for the purposes of accurate reporting. When considered necessary, focused data cleansing exercises of key fields are also conducted. Additionally, complete audits of fields with small numbers associated are conducted.

As stated above, substantial validation and quality control procedures are in place to ensure that the data derived from CHS are of high quality. However, there is still the possibility of a small number of errors arising from data input, missing data, failure to update data and errors in communication. The Police Ombudsman estimates that the level of this error is so small that it has no impact on the quality of statistical reporting. However, where errors are identified, corrections are made to reports as soon as practicable. Further details are set out in the Police Ombudsman [statement of revision and errors strategy](#).

Revisions

The statistics included in this bulletin are taken from a live system, and may be subject to future revisions. This means that total number of complaints and allegations may change slightly between those published in previous bulletins.

Revisions can be made for a number of reasons but are mainly due to more information coming to light during the natural course of the Office's work, and the

²⁴ SPSS is a statistical software package developed for use by social scientists.

system being updated accordingly. This includes the identification of residual matters; allegations identified by the Investigator that were not previously complained about by the member of the public, such as, the failure of a police officer to complete their notebook, anomalies in custody records or failure to supervise adequately. They typically account for fewer than 2% of all allegations (approximately between 60 to 100 residual allegations annually).

The table below shows the scale of revisions made between statistics in this bulletin and those in the previous bulletin in June 2015. It demonstrates that the revisions have little impact on the overall trends presented in this bulletin.

Table 26: Revisions made to the number of complaints and allegations received between this publication and the previous publication in June 2015.

	Previously Published Figures (June 16)	Current Published Figures (June 17)	Scale of Revision (number)	Scale of Revision (%)
Total number of complaints				
2012/13	3,272	3,276	+ 4	+0.12%
2013/14	3,739	3,738	- 1	-0.03%
2014/15	3,369	3,370	+ 1	+0.03%
2015/16	3,018	3,042	+ 24	+0.80%
Total number of allegations				
2012/13	5,285	5,289	+ 4	+0.08%
2013/14	6,177	6,176	- 1	-0.02%
2014/15	5,630	5,642	+ 12	+0.21%
2015/16	4,863	4,966	+103	+2.12%

The Office's full strategy for revisions and errors can be found within the publications section of the [Office's website](#).

Data limitations

Because of the nature of some of the highly sensitive material handled by the Police Ombudsman in the investigation of cases, a small proportion of cases will have only limited information available on the CHS. On balance, the Police Ombudsman considers that the assurance of the privacy of the information and individuals associated with this small number of sensitive cases outweighs the need for full access to the data. In practice, the number of cases is so small that the restriction has no impact on the quality of statistical reporting.

Publication

This is an annual statistical bulletin, and publishes information in accordance with the obligation for the Police Ombudsman's Office to report performance on a financial year basis.

As the statistics were taken from a 'live' case handling system, the figures in this bulletin supersede those previously published.

The next annual statistical report is due to be published in June 2018. The exact date will be announced on the website at least four weeks prior to publication.

In addition to the annual bulletin, quarterly updates are published throughout the year. They provide top level information on the number of complaints and allegations received.

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Website: www.policeombudsman.org



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