

Annual Statistical Report of the Police Ombudsman for Northern Ireland, 2012/13

Published June 2013

Contents

Introduction..... 2

Key Findings..... 3

Findings..... 4

Background..... 20

Appendices:

1. Statistical Tables..... 26

2. Glossary of Terms..... 47

Introduction

This report presents trends and patterns in complaints and allegations received by the Office of the Police Ombudsman for Northern Ireland between 1 April 2012 and 31 March 2013. It also reports on trends in equality monitoring, public attitudes to the Police Ombudsman, complainant satisfaction and police officer satisfaction. This report was produced in accordance with the Code of Practice for Official Statistics, details of which can be found on the UK Statistics Authority website.

The information reported upon includes all data recorded on the Office's Case Handling System (CHS) until 15th April 2013. Given the 'live' nature of the Office's administrative system, the statistics presented in this report are subject to future revision. Revisions will usually be the result of more information coming to light during the natural course of the Office's work, but revisions may also be made as a result of the correction of human error.

The numbers of complaints and allegations received by the Office during 2012/13, as reported hereafter, are likely to rise by a small amount as information continues to be recorded on the system following the end of the reporting period. The Office's full strategy for revisions and errors can be found within the publications section of the Office website (www.policeombudsman.org).

KEY FINDINGS

- The Police Ombudsman received 3,265 complaints and 5,200 allegations in 2012/13, continuing the downward trend of the past four years.
- An increase in the number of complaints received regarding parades and demonstrations was attributable to the “flag protest” street demonstrations that took place across Northern Ireland following the Belfast City Council decision to fly the Union Flag on designated days only throughout the year.
- A high proportion of respondents to a Public Attitudes Survey were aware of the Police Ombudsman and the majority thought that he was independent of the police.
- Fifty-two percent of respondents to a Complainant Satisfaction Survey stated that they were satisfied or very satisfied with the service they received from the Police Ombudsman’s Office.
- Seventy-three percent of respondents to a Police Officer Satisfaction Survey stated that they were satisfied or very satisfied with the service they received from the Police Ombudsman’s Office.
- The trend continues that the greatest proportion of allegations are of Failure in Duty, followed by Oppressive Behaviour and then Incivility.
- The greatest proportion of allegations across Districts arose from District A.
- Most recommendations for the closure of an allegation were due to insufficient evidence, meaning that the allegation could not be substantiated. Five percent of allegations resulted in a recommendation for action to be taken against a police officer or designated civilian.
- The proportion of complaints considered suitable for referral for Informal Resolution has been falling in recent years. However, around three quarters of those referred continue to have successful outcomes.
- Two thirds of complainants are male; the proportion of complainants aged under 25 has fallen over the past two years; the religious belief of complainants is reflective of the most recent Census; and over 30% of complainants reported that they had a disability.

FINDINGS

Complaints and Allegations Received

Around 3,000 to 3,500 complaints per year are made about police officers in Northern Ireland. During 2012/13, 3,265 complaints were recorded, which was two percent fewer than the previous year and continued the downward trend of the last four years (Figure 1, Table 1).

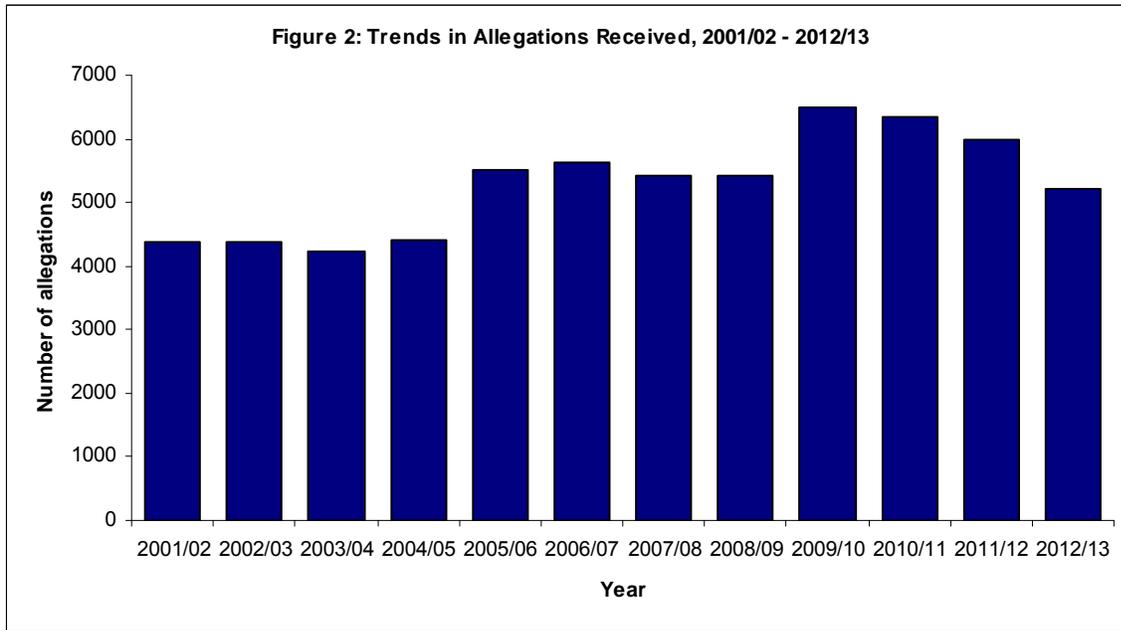


As may be expected, given that it is the largest of the organisations within the Office's remit, with the greatest workforce, the vast majority of complaints were in relation to the PSNI (Table 2).

The number of Chief Constable section 55 referrals fluctuates year-on-year, but has been stable at 30 this year and last (Table 4). The number of Police Ombudsman Call-ins has been increasing in recent years (albeit still small numbers) and 2012/13 saw the greatest number of Call-ins in the life of the Office, at 16. There were 12 Historical Enquiries Team (HET) referrals in 2012/13 (Table 4).

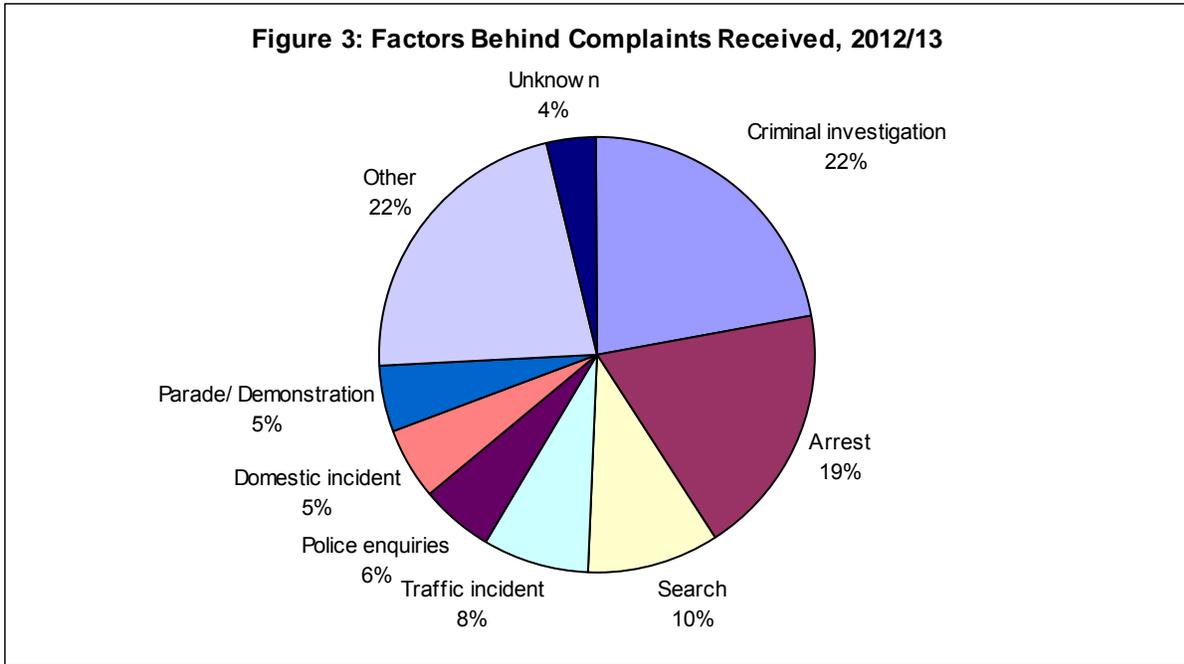
A complaint is comprised of one or more allegations (see glossary at Appendix 2). The trend in the number of allegations received has been less stable than that for complaints, varying from 4,200 to 6,500 annually. Increases occurred in 2005/06 and again in 2009/10. The latter increase coincided with the introduction of the new Police Ombudsman Complaints Handling System (CHS), which better catered for the recording of individual allegations and may account for some of this increase. The

numbers of allegations have been falling again since then, and currently stand at 5,200 for 2012/13, the lowest number recorded since 2004/05 and a 13% decrease on 2011/12 (Figure 2, Table 1).



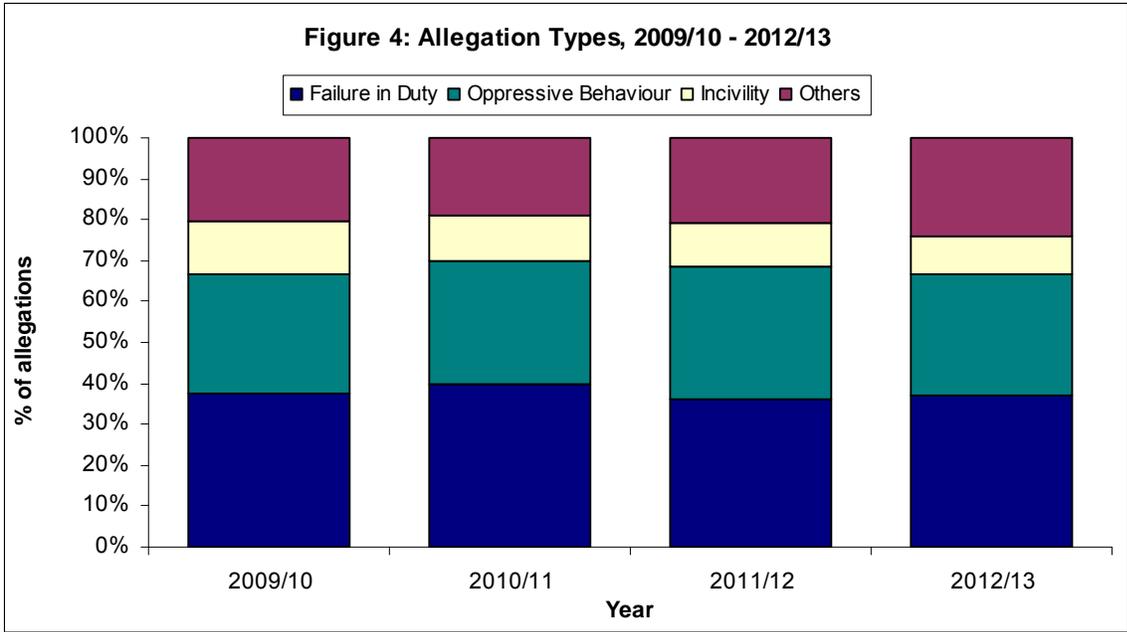
Complaint Factor

Where sufficient information is available, the Office records the factor underlying each complaint received. Annually, just over one fifth of complaints arise from criminal investigations and up to one fifth arise from arrests. Usually around one percent of complaints arise from parades or demonstrations, however this rose to five percent in 2012/13 (Figure 3, Table 5). Much of this increase was a result of the “flag protest” street demonstrations that took place across Northern Ireland following the Belfast City Council decision to fly the Union Flag on designated days only throughout the year.



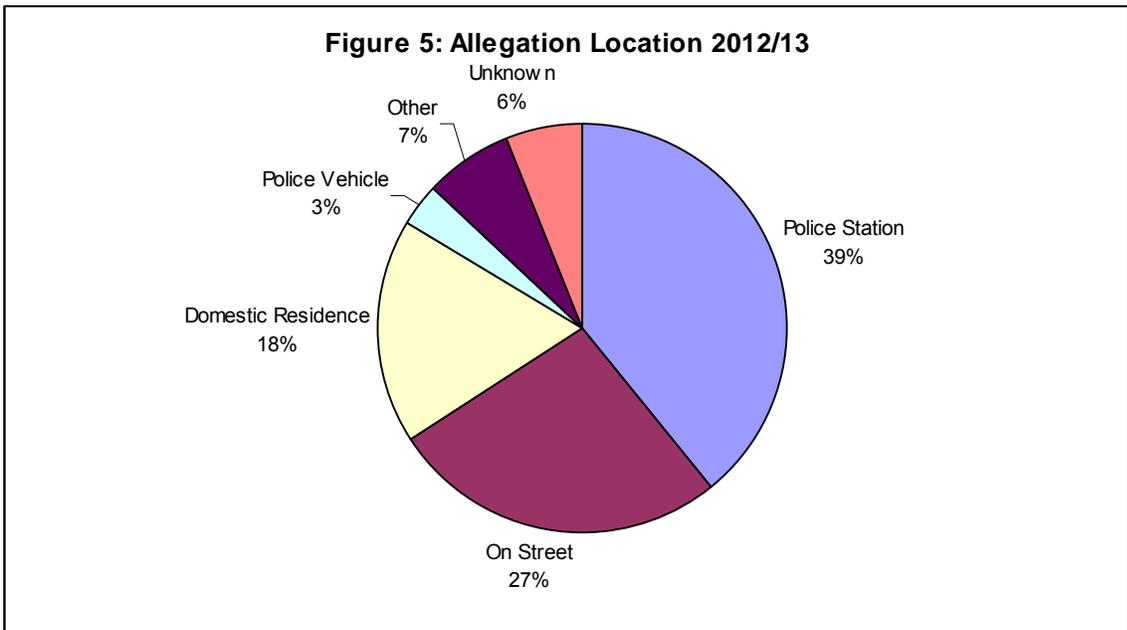
Nature of Allegations Received

Generally, the greatest proportion of allegations received are of Failure in Duty (Figure 4, Table 6) followed by Oppressive Behaviour. Following a focused PSNI Complaints Reduction Strategy in 2010, the number and proportion of Incivility allegations have been falling. Within the category of Failure in Duty, the greatest proportion were in relation to the conduct of police investigations (Table 7) and this proportion increased from 2009/10 to 2010/11. Within Oppressive Behaviour allegations, the greatest proportion were of 'other assault' (unjustified force or personal violence by the police).



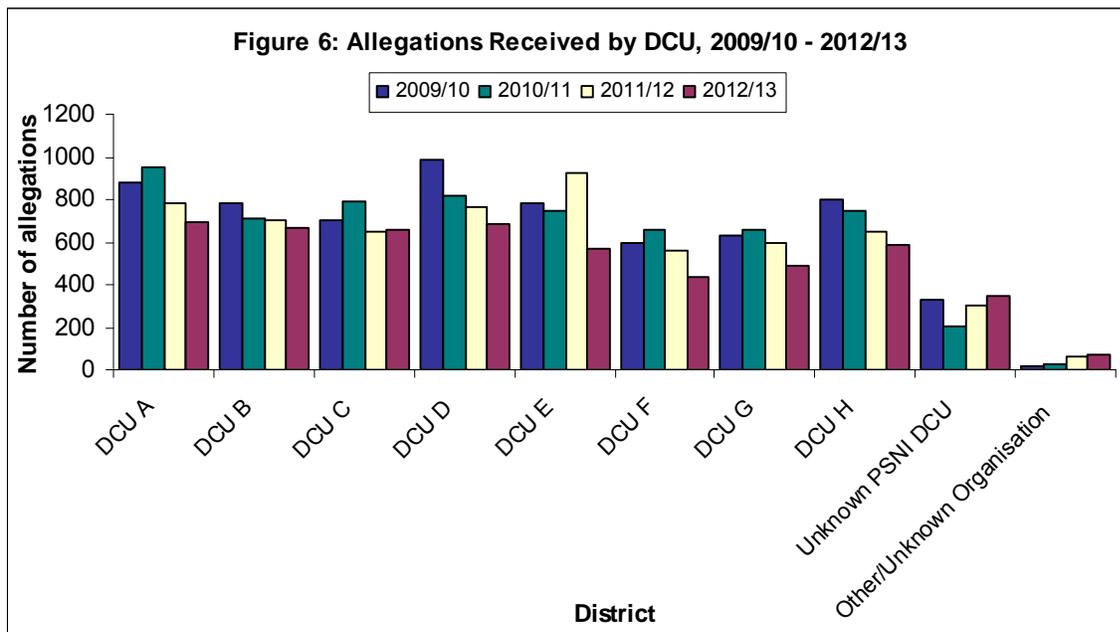
Allegation Location

The Police Ombudsman’s Office records the location of the incident or matter associated with each allegation made. Generally, the greatest proportion of allegations are associated with police stations (Figure 5, Table 8). This includes a substantial number of Failure in Duty allegations. Over a quarter of allegations arise from matters occurring on a street and just under half of these are Oppressive Behaviour allegations.



Allegations Received by DCU and ACU

Generally the more urban PSNI District and Area Command Units (DCU and ACU) receive higher numbers of allegations than rural DCUs and ACUs. Caution should be taken when interpreting increases or decreases in the number of allegations received; there are occasions when high numbers of allegations can be associated with the number and nature of policing operations in the Area. However, this is not always the case. In 2012/13 the highest number of allegations arose from District A (Figure 6, Table 9), where there were 691 allegations, followed by District D, with 688 allegations. Within Districts, the highest number of allegations arose from the South Belfast Area, which is in District B, followed by North Belfast in District A.



Rank of Officers Complained About

Approximately half of the complaints recorded have identified officers associated with them. There will not be any officers associated where the complaint is closed at too early a stage for the officers to be identified, e.g. through the withdrawal of the complaint, the non co-operation of the complainant, or when the complaint is closed as outside the remit of the Police Ombudsman. Generally each year about 8 out of 10 officers complained about are constables, with the remainder being of higher ranks (Table 10). This reflects the composition of the Police Service.

Officers with Multiple complaints

The Office supplies information to the Service Improvement Department of the PSNI on a monthly basis highlighting officers who have attracted three or more complaints in a rolling twelve month period. This information is then passed on to District Commanders who consider whether the police officer has an abnormally high number of complaints considering the policing environment and the nature of duties the individual police officer is engaged in. It should be noted that being the subject of a complaint does not necessarily mean that the officer will be investigated, for example, when the complainant fails to co-operate and a meaningful enquiry is not possible.

The number of officers who attracted three or more complaints decreased from 341 during the period April 2009-March 2010 to 213 during April 2012-March 2013 (Table 11).

Complaints and Allegations Closed

Although there was a slight rise in the number of complaints and allegations closed between 2009/10 and 2010/11, there was an overall decrease over the last four years. During this period the number of complaints closed fell by 8% and the number of allegations closed fell by 16% (Table 12).

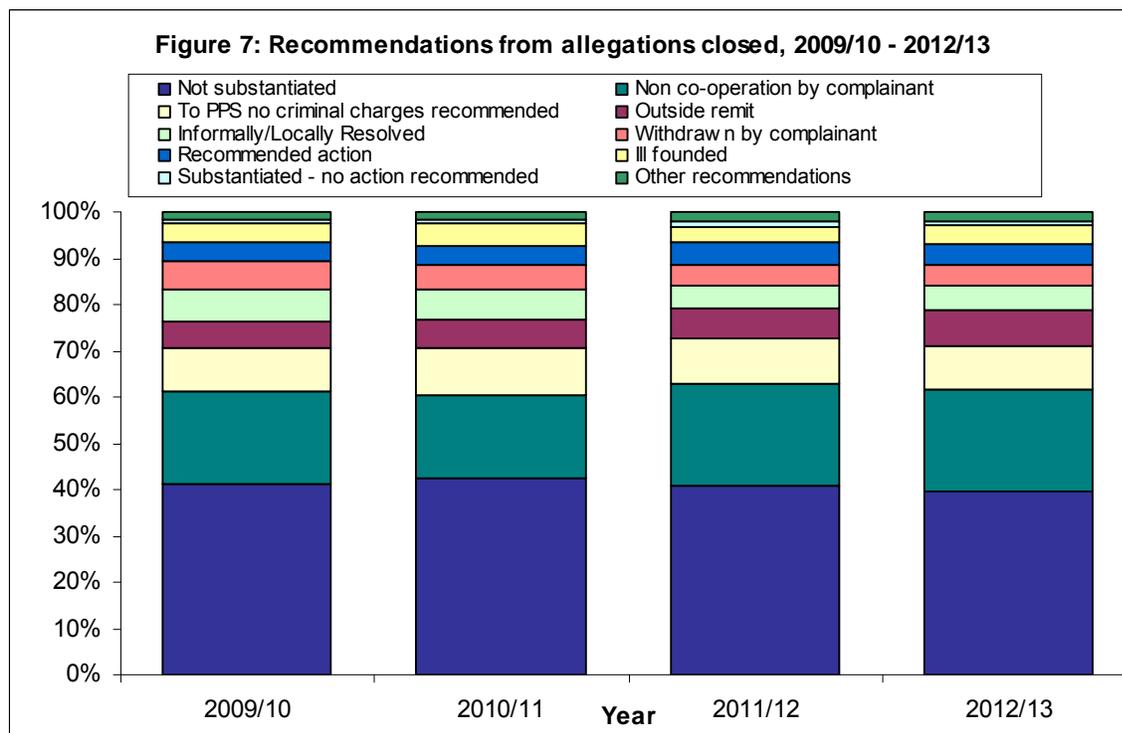
Recommendations Arising from Allegations Closed

The Office has concluded that the presentation of information regarding “recommendations” is the most appropriate method to present information regarding the outcome of complaints. When the investigation of an allegation is complete, a recommendation for allegation closure is made. It should be noted that one allegation may have more than one associated recommendation, for example, when there are a number of police officers linked to an allegation, a recommendation for allegation closure is made for each one of the officers.

Thus, the number of recommendations for closures made is greater than the number of complaints and allegations closed by the Office. This reflects the likelihood that a complaint may have a range of outcomes for each allegation.

In 2012/13, 7,556 recommendations for closure were made against 5,463 allegations closed and 3,257 complaints closed in the same period. The number of recommendations for closure has fallen over the last two years, which reflects the decrease in the number of allegations closed. The largest proportion of recommendations were to not substantiate the allegation due to insufficient evidence (39% in 2012/13). Over one fifth of recommendations were made to close the allegation following non co-operation of the complainant. Five percent recommended some form of action. Over the last four years the proportions of each type of recommendation made

by the Office were fairly consistent, although in 2010/11 allegations were less likely to be closed due to non co-operation (Table 13, Figure 7).



Recommendations Made to the Public Prosecution Service (PPS)

If, during an investigation, the Police Ombudsman determines that a criminal offence may have been committed by a police officer, he sends a copy of the report to the Director of Public Prosecutions together with the recommendations the Police Ombudsman considers appropriate. This file will contain a recommendation as to whether, based on the evidence on the case, the Police Ombudsman believes the officer should be prosecuted.

The number of recommendations made to the PPS for no prosecution, in respect of ongoing and closed investigations, has fallen by 38% over the last four years, with the largest fall over the last year (Table 14). However, this reflects to some extent the fall in the number of allegations closed.

Recommendations Made to the Chief Constable/Chief Officer

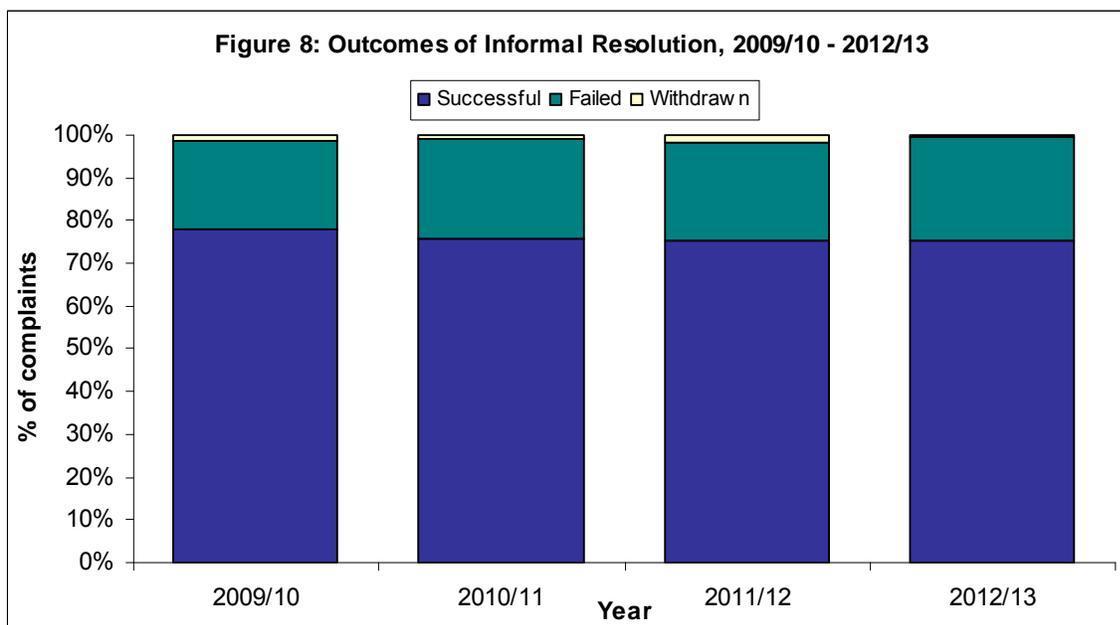
Following the conclusion of any criminal proceedings or investigations which relate to misconduct matters, the Police Ombudsman will make a recommendation to the Chief Constable/Chief Officer, who will consider whether action should be taken against the police officers subject of the complaint.

Over the last four years the majority of recommendations made to the Chief Constable/Chief Officer, in respect of ongoing and closed investigations, were that the officer received Advice and Guidance, although the proportion has been decreasing over this time period. The rise in the number of recommendations of Superintendent's Written Warnings in 2011/12 and 2012/13 is partly the result of two investigations (Table 17). At the time of writing, the majority of the recommendations to the Chief Constable/Chief Officer have been accepted or are still awaiting a decision (Table 18).

Informal Resolution

The proportion of complaints considered to be suitable for Informal Resolution (IR) has been falling in recent years (14% in 2012/13, Table 19). This will be partly as a result of reductions in Incivility and certain Failure in Duty type allegations following the implementation of the PSNI Complaints Reduction Strategy. Also, during 2012/13, 37 complaints were referred for Local Resolution (LR) in District D, and these would have been considered for IR had the LR project not continued there.

The proportion of complainants agreeing to participate in the IR process has also been falling in recent years (59% in 2012/13). Of those complainants who did not consent, more than half failed to respond to the request to participate. Around three quarters of complaints referred to IR each year are successful (Table 20, Figure 8) and this is mainly because the officer in question has been made aware of the issue, has been given advice, or other action has been taken which satisfied the complainant (Table 21).



Equality Monitoring

To fulfil its obligations under Section 75 of the Northern Ireland Act (1998) the Office conducts an equality monitoring survey of all complainants.

More than two thirds of complainants in 2012/13 were male, which continued the established trend (Table 22). The proportion of complainants aged under 25 has been falling in recent years (Table 23). The religious belief of complainants was reflective of the most recent Census (Table 24). There were stable trends in the relative proportions of complainants' racial background (Table 31), political opinion (Table 27), dependants (Table 29) and sexual orientation (Table 30). There continues to be a high proportion of complainants with self-reported disability (Table 28). Police Ombudsman Equality Monitoring Reports discuss these findings in detail and are available at www.policeombudsman.org.

Public Attitudes to the Police Ombudsman

As part of a programme of research, the Office has carried out annual surveys of public awareness of the police complaints system since October 2000.

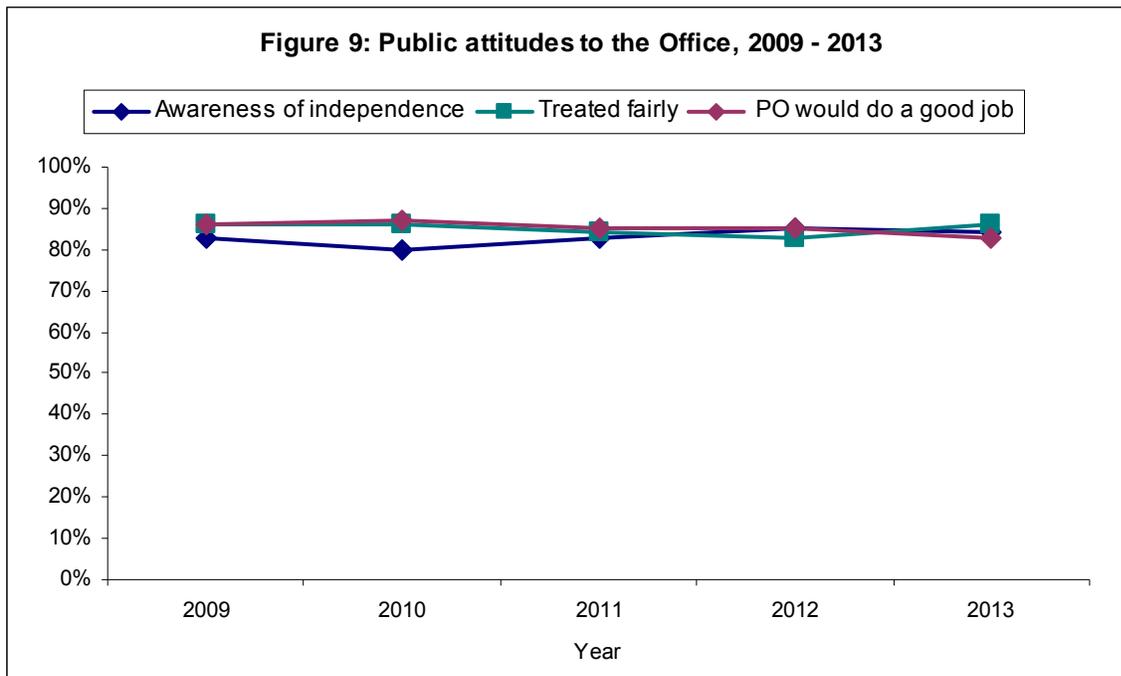
This section details findings from the last five years of the survey, which was carried out between January and February 2013. The detailed results will be published in December 2013. The data were collected through a module in the Northern Ireland Statistics & Research Agency's (NISRA) Omnibus Survey.

It is recognised that many factors, some of which are outside the control of the Office, may influence the attitudes and perceptions of the public. Some of these factors could fall within the remit of community safety. Past experience of the work of the Office could also influence attitudes to the Office. Over recent times there has been some adverse publicity surrounding the Office and a number of external reports have been published around the issues facing the Office. The authors of these reports made a number of recommendations for improvement. These covered a range of issues from the governance of the organisation, the quality of its 'historical' investigations and the Office's internal and external communication. The surveys, however, provide an indicator of public attitudes to the Office and provide useful information on trends over time.

In 2013, the majority of respondents (84%) stated that they had heard of the Police Ombudsman for Northern Ireland. Awareness levels have been consistently high in the last five years, although the 2013 awareness level is lower than in 2009 and 2010 (Table 32).

In 2013, the awareness level among the 16 - 24¹ age group was lower than older age groups (Table 34). Protestant respondents were more likely to be aware of the Police Ombudsman than Catholic respondents (Table 35).

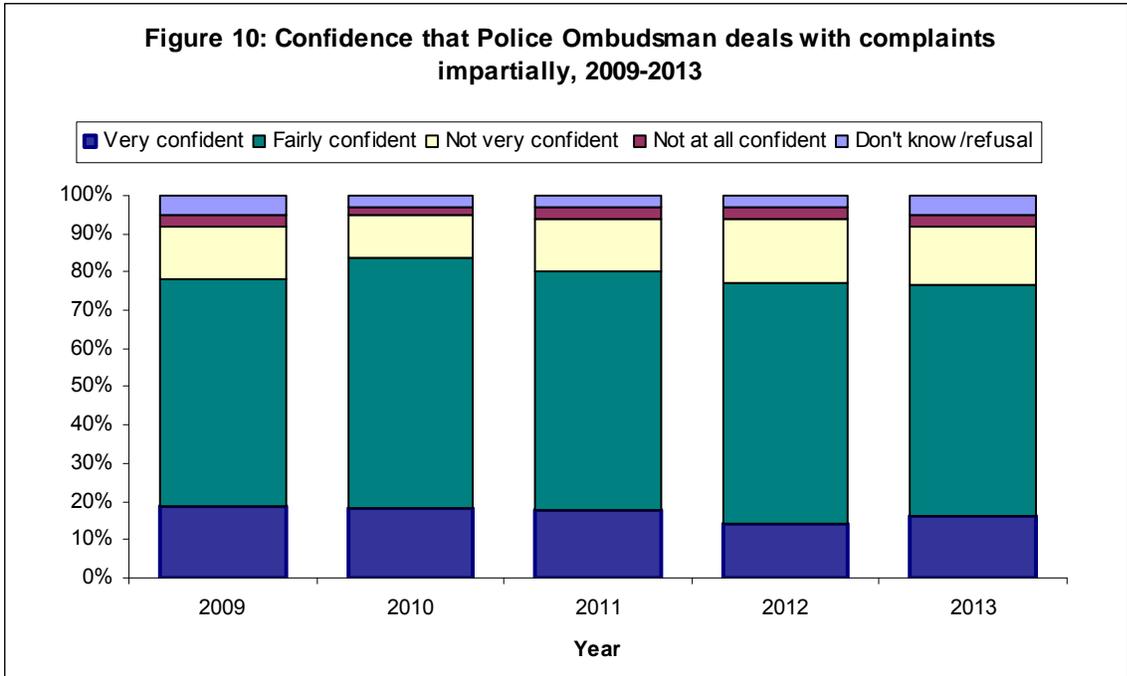
Respondents who had heard of the Police Ombudsman were asked for their opinion on whether or not the Police Ombudsman was independent of the police or part of the police. In 2013, the majority of respondents (84%) who had heard of the Police Ombudsman thought that the Police Ombudsman was independent of the police. The proportion who thought that the Police Ombudsman was independent of the police has been consistently high since 2009 (Table 36, Figure 9).



Respondents aged 16 - 24 showed a lower level of awareness of the independence of the Police Ombudsman than other age groups (Table 38). Awareness of independence was higher among Protestants than Catholics (Table 39).

In 2013, the majority of those respondents who had heard of the Police Ombudsman were fairly confident or very confident that the Police Ombudsman deals with complaints in an impartial way. Since 2010, confidence levels have decreased from 83% to 76% (Table 40, Figure 10).

¹ Caution should be exercised when interpreting results from the 16 – 24 age group, due to the small numbers of respondents.



When respondents were asked if they thought that they would be treated fairly if they made a complaint, 86% responded positively. Over the last five years, this proportion has been consistently high (Table 44, Figure 9).

Respondents were also asked whether they thought the Police Ombudsman would contribute to effective policing in Northern Ireland. In 2013, the majority (83%) of respondents felt that the Police Ombudsman would help ensure that the police in Northern Ireland do a good job. Although this proportion has remained consistently high the proportion of respondents who answered positively has fallen since 2010 (Table 48, Figure 9).

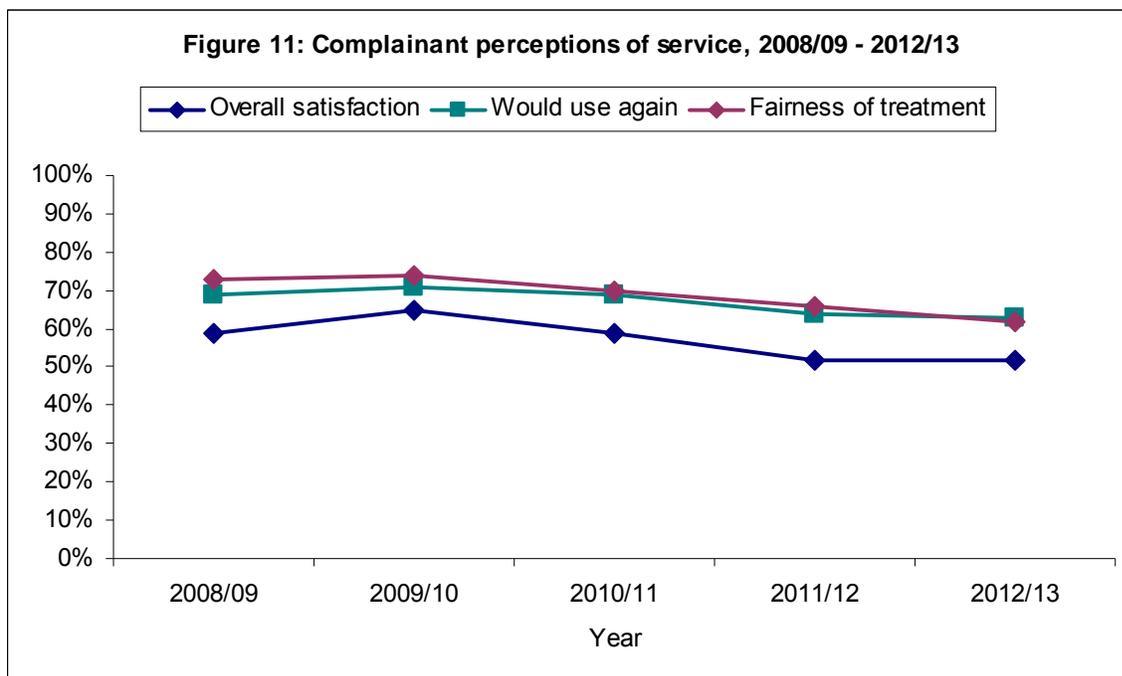
Complainant Satisfaction

The Complainant Satisfaction Survey allows complainants to the Police Ombudsman’s Office to express their views on services provided by the Office. This section presents the data from questionnaires issued to complainants who had complaints closed from April 2012 to March 2013 and also presents trend data for key questions, where information is available, from 2008/09.

Respondents were asked – ‘Overall taking everything into account, how satisfied or dissatisfied were you with the service you received from the Police Ombudsman’s Office?’ In 2012/13, 52% of respondents stated that they were satisfied or very satisfied with the service they received from the Office. The overall satisfaction level has decreased since 2009/10 when 65% of complainants were satisfied with the service provided (Table 52, Figure 10).

The level of satisfaction with outcome may be related to the types of recommendations arising from allegations. When OPONI staff complete the investigation of an allegation made by a complainant they can make a number of recommendations for allegation closure. In 2012/13, the largest proportion of recommendations made was to close the allegation as 'not substantiated' (39%), due to insufficient evidence to support the allegation. Five percent recommended some form of action, for example that the police officer receive Advice and Guidance.

Respondents were also asked – 'If you had a new complaint about the police, would you use the complaints system again?' In 2012/13, 63% of complainants said that they would use the complaints system again. This proportion has dropped since 2009/10 (Table 53, Figure 11).

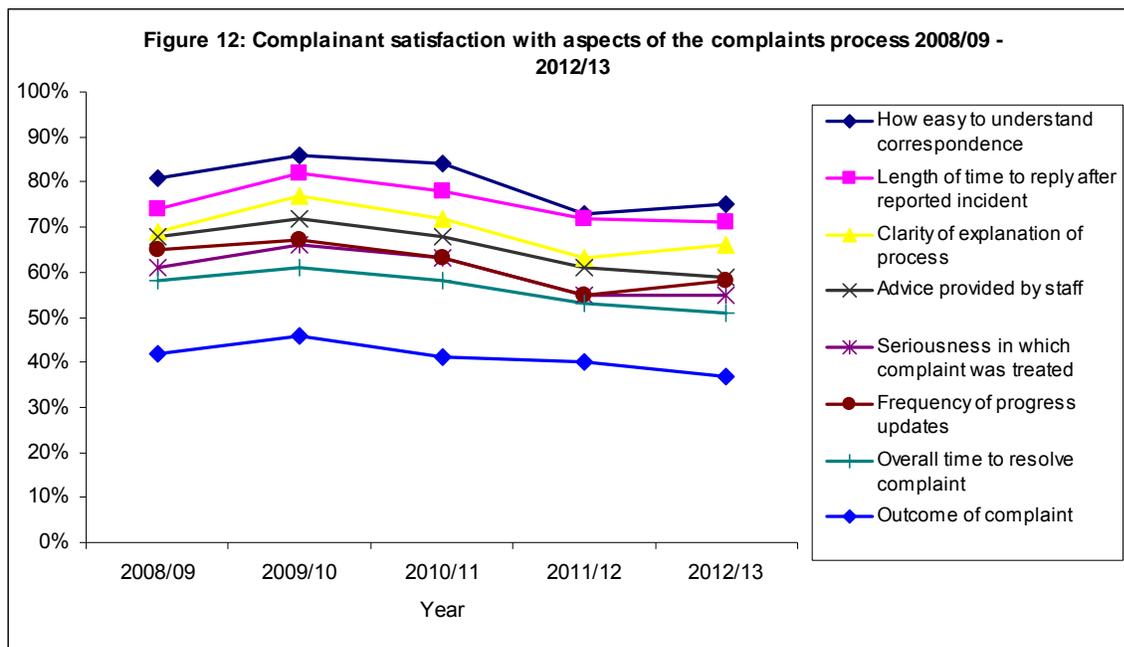


Complainants who had spoken to a member of staff were asked how staff had appeared to them in relation to a number of positive and negative characteristics. In 2012/13, the majority of respondents had a positive view of staff (Table 54).

Since 2008/09, complainants' perceptions of Ombudsman staff have generally been positive. Approximately, eight to nine out of ten complainants thought that staff were polite, easy to understand, friendly, patient and professional. However, the proportion of respondents who thought that staff were professional or knowledgeable has decreased over the last number of years. Whilst the majority of complainants thought that staff were impartial, results were not as positive as for other areas. However, over

the last three years, the proportion of respondents who thought that staff were impartial has increased from 67% in 2008/09 to 75% in 2012/13.

Complainants were also asked to comment on how satisfied or dissatisfied they were with aspects of the complaints process. Figure 12 (Table 55) shows that complainants were most likely to be satisfied with: how easy the correspondence was to understand; and the length of time taken to respond after the incident was reported to the Office. Complainants were least likely to be satisfied with the overall time to resolve the complaint and the outcome of the complaint. Generally, satisfaction rates have fallen since 2009/10 for all aspects of service.

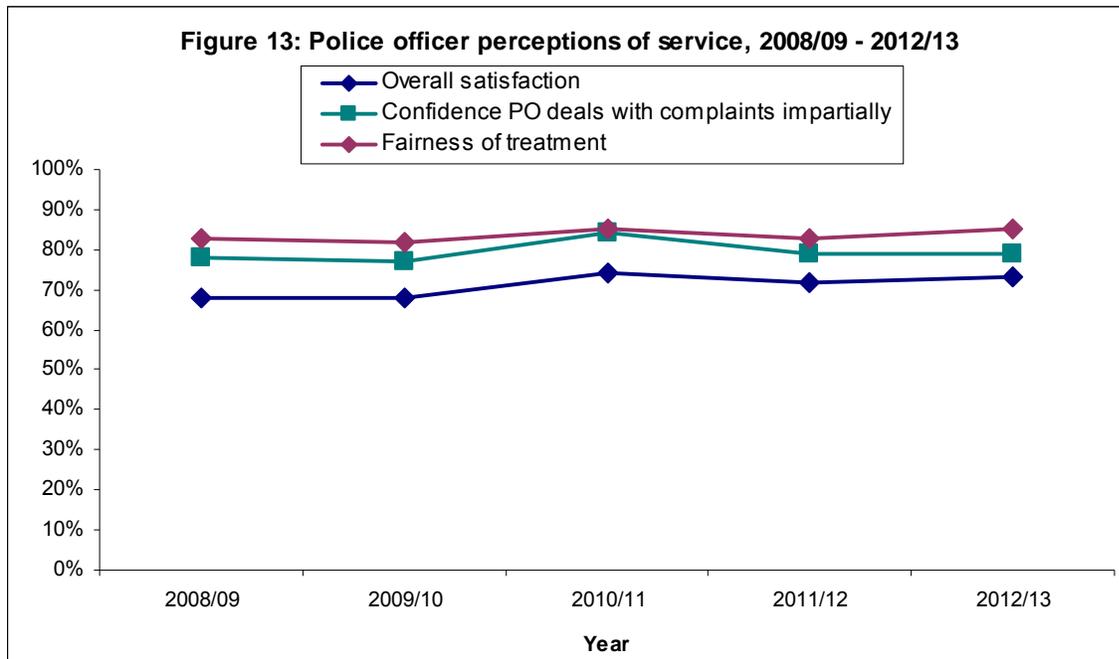


It should be noted that the Office has set ‘service commitment’ targets, a number of which relate to responsiveness, prompt service and timely processes. Two of these targets state that ‘85% of complainants to be updated every 6 weeks’ and ‘90% of complaints, not subject of investigation or Informal Resolution, to be dealt with within 40 working days’. In 2012/13, the Office surpassed both targets, achieving 89% and 95% respectively, despite results from this survey showing that satisfaction with these aspects of the complaints process remains lower than for other aspects.

When complainants were asked if they felt they were treated fairly by the Office, 62% of them responded positively during 2012/13. This proportion has decreased since 2009/10 when 74% of respondents felt that they were treated fairly (Table 56, Figure 11).

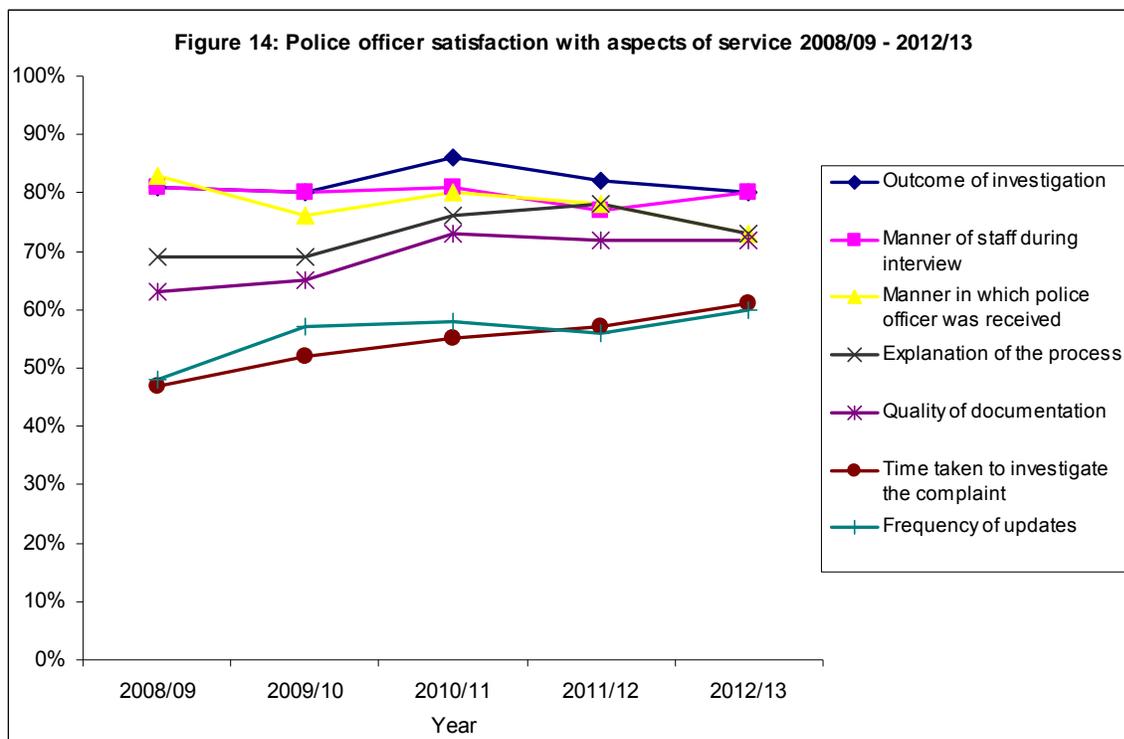
Police Officer Satisfaction

Police officers have consistently displayed high levels of satisfaction with the service provided by the Ombudsman's Office (Table 57, Figure 13). In 2012/13, 73% of officers stated that they were satisfied with the service provided. Generally, satisfaction levels were similar over the last five years, although there was an increase in the satisfaction level from 2009/10 to 2010/11.



Police officers who had spoken to an Investigating Officer (IO) were asked how they perceived investigation staff. Over nine out of ten respondents said that they found the IO patient, polite, professional or impartial. Just under nine out of ten found investigation staff to be knowledgeable, although this proportion has fallen since 2010/11 (Table 58). A minority of police officers said that they found staff to be rude, not interested or in a hurry.

Respondents were also asked how satisfied or dissatisfied they were with different aspects of the investigation process (Table 59, Figure 14). In 2012/13, police officers displayed a high level of satisfaction with most aspects of the investigation process. Lower levels of satisfaction were expressed with the frequency of updates and the time it took for the complaint to be investigated.



Police officers' satisfaction with the outcome of the investigation was highest in 2010/11, but has fallen since then. Police officers' satisfaction with the quality of documentation they received increased in 2010/11 and has remained stable since then. Although the level of satisfaction with the length of time taken to investigate complaints was lower than the levels reported for other aspects of the investigation, satisfaction levels have gradually increased over time. Police officers were also less satisfied with the frequency of updates provided compared with other aspects of the investigation process, although satisfaction increased in 2009/10, and has remained stable since then.

The Office is committed to providing good customer service to both complainants and police officers. As a result of this commitment, the Office sets various 'service commitment' targets, a number of which relate to responsiveness, prompt service and timely processes. One of these targets is that '85% of police officers are updated every 6 weeks'. In 2012/13, 82% of police officers were updated every 6 weeks.

Eighty-five percent of respondents thought that the Office treated them fairly. This proportion has remained consistently high since 2008/09 (Table 60, Figure 13).

Officers were asked how confident they were that the Police Ombudsman had dealt with complaints in an impartial way. In 2012/13, 79% of respondents said that they were confident, including 30% who were very confident (Table 61). The proportion of police

officers who were confident that the Police Ombudsman had dealt with complaints in an impartial way has remained high over the last five years.

Officers were also asked if they felt the police complaints system makes the police more accountable. In 2012/13, 73% of officers responded positively to this question (Table 62).

Background to the Police Ombudsman's Office

The Police Ombudsman's Office (the 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 calculated 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 Office is committed to accountability.

Prior to the establishment of the Office in 2000, public complaints against the police in Northern Ireland were recorded and investigated by police officers of the Complaints and Discipline Department of the Royal Ulster Constabulary (RUC). Unless the complaint was resolved informally by the police, it was referred to the Independent Commission for Police Complaints (ICPC) for a determination as to whether or not it should supervise the police investigation. Where the allegation against police was of a criminal nature, the complaint was referred to the Director of Public Prosecutions (DPP). After the conclusion of any related criminal proceedings, or where the DPP directed "no prosecution", the case was referred back to the police to consider whether disciplinary action should be taken against the police officer. The ICPC then considered the police recommendation on discipline and could recommend/direct that disciplinary proceedings be brought against the officer. If an officer was found guilty at a disciplinary hearing, the Chief Constable determined the sanction.

In November 1995, the Government appointed Dr Maurice Hayes to undertake a review of the police complaints system in Northern Ireland. In January 1997 Dr Hayes published a report containing proposals for a new police complaints system designed to secure the confidence of the people of Northern Ireland, and of the police. The principal recommendation, that there should be a full-time Police Ombudsman in Northern Ireland to investigate complaints against the police, was accepted by government.

The Belfast Agreement (1998) addressed the concept of oversight of the police. It stated that the Independent Commission on Policing for Northern Ireland should include proposals designed to ensure that there would be an "open, accessible and independent means of investigating and adjudicating upon complaints against the police". The decision to create a Police Ombudsman was endorsed in the report of the Commission (1999) ('The Patten Report').

The decision by Parliament to constitute the Police Ombudsman for Northern Ireland was taken on 24 July 1998. Part VII of the Police (Northern Ireland) Act 1998 established the Office and set out its statutory duties, powers and responsibilities. The Office is an executive non-departmental public body funded by grant in aid from the

Department of Justice and is accountable to the Northern Ireland Assembly through the Department. The Police Ombudsman's principal duty is to secure the efficiency, effectiveness and independence of the police complaints system in Northern Ireland, and to secure the confidence of the public and the police in that system. The Office opened on 6 November 2000, marking the beginning of an entirely new system for investigating complaints against police officers in Northern Ireland.

Counting Complaints

By law the Police Ombudsman must keep a register of complaints. A complaint does not need to be communicated in writing, nor does it need to explicitly say that it is a complaint for it to be recorded as such. All complaints are recorded on the Police Ombudsman's Case Handling System (CHS), even where they are later determined to be outside of the remit of the Office.

However, a matter which from the outset clearly does not involve a body for which the Office has oversight responsibility will not be logged as a complaint and will not be included in the official statistics on complaints.

If made to the Chief Constable, the Northern Ireland Policing Board, the Department of Justice or to the Public Prosecution Service, complaints must immediately be referred to the Police Ombudsman. The Police Ombudsman is then responsible for recording the complaint and for notifying the PSNI and any named officer.

The Police Ombudsman has jurisdiction in respect of six organisations with police powers which operate in Northern Ireland: the Police Service of Northern Ireland including Designated Civilians; the Larne Harbour Police; the Belfast Harbour Police; the Belfast International Airport Police; the Ministry of Defence Police; and the Serious and Organised Crime Agency.

Types of Complaints Investigated

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. As a result, the Police Ombudsman has investigated many complaints from the relatives of people who died during 'the Troubles' (the conflict in Northern Ireland between 1968 and 1998).

The Police Ombudsman does not investigate complaints against officers whose conduct has been the subject of disciplinary or criminal proceedings; 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.

Section 55 Referrals

Under section 55 of the Police (Northern Ireland) Act 1998, the Northern Ireland Policing Board and the Department of Justice may refer matters of concern to the Office of the Police Ombudsman where no complaint has been made. The Chief Constable can, and in some cases must, also refer certain non-complaint matters for investigation. 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 (referred to as a “Call-in”). The Justice (Northern Ireland) Act 2004 (section 6) amended section 55 to the effect that the Director of Public Prosecutions must also refer certain non-complaint matters to the Police Ombudsman.

The Police Ombudsman automatically investigates:

- all discharges of police firearms (including those used in riot situations);
- all fatal road traffic collisions involving police officers;
- any death which may have occurred as a result of the actions of a police officer; and
- any other serious allegation.

In addition to the Troubles-related complaints from families, mentioned above, the Office is also considering a large number of cases as part of the historic cases review of all Troubles-related deaths between 1968 and 1998. The law requires that all cases in which the actions of a police officer may have led to a death must be independently investigated. As a result, many cases have been referred to this Office under section 55 by the PSNI’s Historical Enquiries Team (HET).

Allegations

A single complaint consists of one or more allegations. Each allegation describes the separate issues or types of behaviour about which there is a complaint. For example, a complainant may allege that a police officer pushed him and was rude to him. This would be recorded as two separate allegations forming one complaint. Allegations are categorised into allegation main types and sub-types (see Tables 6 and 7).

Informal Resolution

Once the Police Ombudsman receives a complaint, he must consider whether it can be resolved informally and, if so, refer the complaint to the appropriate disciplinary authority. The Northern Ireland Policing Board is the disciplinary authority for senior officers of the PSNI (Assistant Chief Constable and above), and the Chief Constable is the disciplinary authority for all other members of the police. A complaint is not suitable for Informal Resolution (IR) unless the complainant gives his consent to participate and the complaint is not deemed serious. Where the Policing Board or the Chief Constable attempts to resolve a complaint informally and this proves impossible, or where the complaint is unsuitable for informal resolution, they must notify the Police Ombudsman

and refer the complaint to him. If the complainant co-operates with the IR process, but it subsequently fails then the matter shall be referred for Police Ombudsman investigation.

Formal Investigation

The Police Ombudsman will appoint an Investigating Officer (IO) to conduct the formal investigation of a complaint. When the investigation is completed, the IO will submit a report to the Police Ombudsman. The Police Ombudsman is able to refer a complaint to the Chief Constable for formal investigation by a police officer and can supervise that investigation if he believes that it is in the public interest to do so. He can also impose conditions about how the investigation should be carried out. To date, the Police Ombudsman has not referred any complaints to the PSNI for investigation.

Criminal or Disciplinary Proceedings

Following an investigation, 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 or disciplined. Currently about 5% of recommendations are in respect of some form of sanction against officers, the majority of which is informal action.

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 Public Prosecution Service (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 may have been committed, he is required to consider whether it is appropriate to recommend disciplinary proceedings and to send a memorandum to the relevant disciplinary authority, recommending whether or not such proceedings should be brought and stating the reasons for his decision.

The Northern Ireland Policing Board is required to inform the Police Ombudsman of the action it has taken in response to a recommendation for disciplinary action in respect of senior officers. If the Police Ombudsman recommends to the Chief Constable that disciplinary proceedings should be brought in relation to a particular investigation and the Chief Constable is unwilling to bring disciplinary proceedings, the Police Ombudsman may, after consultation with the Chief Constable, direct him to do so.

Explanatory information on the range of other possible outcomes of complaints is contained in the Glossary to this report at Appendix 2.

Factors which Influence the Numbers of Complaints and Allegations Received

This report presents trends in the number of complaints and allegations received since the Office opened. It is not possible to explain with certainty the reasons for the variations in the numbers of complaints received over time and by District. There are a range of factors which may influence whether or not a person makes a complaint. It is therefore very important not to take a simplistic view of trends and to consider the following factors when drawing any conclusions.

An increase in the number of complaints received could be interpreted in a number of different ways. For example, an increase in public confidence in the Office could mean that people are more likely to use the complaints system and be more willing to make a complaint, resulting in an increase in the numbers of complaints received.

Also, the greater the level of interaction a police officer has with the public, the more likely it is that he or she will be involved in situations which give rise to complaints.

There is also considerable variation in the number of complaints and allegations received by Districts. The extent of major planned and unplanned policing operations within the District may influence the number of allegations made in the area. For example, in District E during 2011/12 there was a number of major incidents involving police searches which contributed to a rise in the number of allegations received during that year.

The population demographic of the policing Area will most likely influence the number of complaints and allegations received in the Area. Table 63 shows the average number of allegations received over the last four years per 1,000 population. South Belfast Area Command Unit (ACU) had the highest average rate of allegations received per 1,000 of population over the four year period.

The numbers of police officers based within a District may also influence the number of allegations made in the District. In order to compare allegations across Districts, the number of allegations received in 2012/13 per 100 officers was calculated for each District. However, this data should be interpreted with caution, as police officers are attributed to the Districts within which they are managed. A significant number of police officers, whilst physically based in police stations within a District may carry out duties across several Districts and whilst complaints may be made against these officers, they are not included in the calculation of rates of allegations per 100 officers per District. Table 63 shows that in 2012/13, H District had the highest rate of allegations per 100 police officers.

Background to reporting on outcomes

The Case Handling System (CHS) was introduced in December 2008. This system enables accurate and complete information to be captured in respect of the officers and allegations within a complaint, and for these multiple outcomes to be reflected at

closure. The CHS also encourages the capturing of recommendations throughout the lifetime of the case, rather than just at closure, allowing the Office to report on a contemporaneous basis. Finally, the CHS allows for accurate recording and reporting of, not only the recommendations made by this office, but also the final outcome after submission of a file to the PPS or PSNI (as appropriate). The CHS allows the Office's reporting to reflect the complexity of casework and recommendations made throughout the investigation process.

Prior to December 2008, the Office operated a complaint rather than allegation based case handling system which was limited in the reporting of outcomes.

Comparing numbers of complaints and allegations

It is difficult to make valid comparisons around the number of complaints and allegations received across Northern Ireland, England and Wales and Scotland. Each area uses different systems to record complaints, records and investigates different types of complaints, and uses different mechanisms for counting complaints. These factors also impact on all subsequent comparisons e.g. comparisons regarding outcomes to investigations, length of investigations or investigation method.

Comparing public attitudes to the systems for dealing with complaints

Each area conducts surveys to measure public attitudes to the systems for dealing with complaints. Despite the differences around the systems for handling complaints it is possible to make some key comparisons around public attitudes to the systems for dealing with complaints although the reader should be aware of the differences outlined above.

Statistics for England and Wales can be accessed at www.ipcc.gov.uk .

Appendix 1 – Statistical Tables

Table 1: Complaints and allegations received, 1997/98 - 2012/13

Year	Complaints	Allegations
1997/98*	4037	-
1998/99*	3555	-
1999/2000*	3031	-
2000/01**	3436	-
2001/02	3600	4368
2002/03	3214	4389
2003/04	2979	4238
2004/05	2887	4401
2005/06	3140	5515
2006/07	3283	5615
2007/08	2997	5435
2008/09	3091	5415
2009/10	3542	6501
2010/11	3335	6330
2011/12	3341	6001
2012/13	3265	5200

*Reflects complaints received to the RUC/PSNI before the Office opened. Allegations were not recorded separately until the Office opened.

**1905 of these complaints were received by the RUC/PSNI before the Office opened; the remaining 1531 were received by the Office.

Table 2: Complaints and allegations received, by organisation, 2009/10 - 2012/13

Organisation	Complaints				Allegations			
	09/10	10/11	11/12	12/13	09/10	10/11	11/12	12/13
Police Service of Northern Ireland (PSNI)	3528	3316	3289	3212	6480	6299	5936	5132
Designated Civilian	6	10	34	32	6	13	44	37
Northern Ireland Airport Constabulary	1	0	2	2	2	0	5	8
Harbour Police	1	4	2	2	7	12	2	3
Serious and Organised Crime Agency	1	1	0	0	1	1	0	0
Other / Unknown	5	4	14	17	5	5	14	20
Total	3542	3335	3341	3265	6501	6330	6001	5200

Table 3: Source of complaints received, 2009/10 - 2012/13

Source	2009/10	2010/11	2011/12	2012/13
Direct to the Office	68%	69%	63%	65%
Via Representative	15%	19%	20%	20%
Via PSNI	17%	12%	17%	15%
Other	0%	0%	0%	0%
Total	3542	3335	3341	3265

Table 4: Section 55 matters, 2009/10 - 2012/13

Referral Type	2009/10	2010/11	2011/12	2012/13
Chief Constable Referral	36	40	30	30
Police Ombudsman Call-In	2	5	11	16
DPP Referral	3	0	4	1
HET Referral	0	0	3	12
Total	41	45	48	59

Table 5: Factors underlying complaints, 2009/10 - 2012/13

Complaint Factor	2009/10	2010/11	2011/12	2012/13
Criminal investigation	21%	24%	23%	22%
Arrest	17%	17%	20%	19%
Search	9%	10%	10%	10%
Traffic incident	13%	11%	9%	8%
Police enquiries (No investigation)	15%	9%	7%	6%
Domestic incident	5%	5%	5%	5%
Parade/Demonstration	1%	1%	1%	5%
Other	15%	19%	21%	22%
Unknown	4%	3%	4%	4%
Total	3542	3335	3341	3265

Table 6: Main allegation types, 2009/10 – 2012/13

Allegation Type	2009/10	2010/11	2011/12	2012/13
Failure in Duty	37%	40%	36%	37%
Oppressive Behaviour	29%	30%	33%	29%
Incivility	13%	11%	10%	10%
Others	20%	19%	21%	24%
Total	6501	6330	6001	5200

Table 7: Allegations by type and sub-type, 2009/10 - 2012/13

Allegation Type	Allegation Sub Type	2009/10	2010/11	2011/12	2012/13
Failure in Duty	Conduct of Police Investigations	271	560	564	535
	Failure to Investigate	578	412	310	226
	Failure to Update	285	218	175	133
	Failure to return t/calls and / or Reply to correspondence	0	131	147	124
	Improper Disclosure of Information	91	92	109	98
	Detention, Treatment and Questioning	96	87	102	87
	Failure / Refusal to identify self	1	70	44	61
	Failure to attend appointments / Undue delay in police response	1	64	41	31
	Procedural Irregularity	56	53	53	26
	Denied Access to Medical Attention	27	40	24	21
	Denied Access to Legal Advice	23	16	5	12
	Failure to provide / refer appropriate documentation	0	40	19	10
	Other Failure in duty	1008	730	571	566
Sub-Total		2437	2513	2164	1930
Oppressive Behaviour	Oppressive Conduct (OC Not Involving Assault)	721	742	755	572
	Harassment (Series of Like Incidents)	213	243	241	181
	Sexual Assault	24	35	36	36
	Serious non-sexual assault	31	28	33	28
	Other Assault	895	858	889	710
Sub-Total		1884	1906	1954	1527
Incivility	Incivility At Domestic Residence	164	132	137	95
	Incivility By Officer On The Telephone	124	98	92	76
	Incivility At Police Station	132	91	73	62
	Incivility When Stopped For A Traffic Offence	135	98	58	46
	Incivility To Person Under 18 Years	22	14	15	8
	Other incivility	279	263	248	216
Sub-Total		856	696	623	503
Search	Irregularity re - Search Of Premises	123	103	102	124
	Irregularity re - Stop/Search of Person	70	78	76	48
	Seizure Of Property	32	41	28	33
	Damage To Property	21	17	35	28
	Irregularity re - Stop/Search Of Vehicle	39	56	30	25
Sub-Total		285	295	271	258

Allegation Type	Allegation Sub Type	2009/10	2010/11	2011/12	2012/13
Unlawful/Unnecessary Arrest/Detention	Unlawful/Unnecessary Arrest/Detention	230	245	224	198
Sub-Total		230	245	224	198
Malpractice	Irregularity re Evidence/Perjury	116	76	93	56
	Corrupt Practice	37	39	31	48
Sub-Total		153	115	124	104
Mishandling Of Property	Mishandling of Property	68	105	107	102
Sub-Total		68	105	107	102
Discriminatory Behaviour	Sectarian Discriminatory Behaviour	25	31	31	27
	Racially Discriminatory Behaviour	23	20	31	25
	Disability Discriminatory Behaviour	2	6	3	8
	Homophobic Discriminatory Behaviour	10	7	3	5
	Gender Discriminatory Behaviour (including sexist remarks)	3	9	9	4
	Trans-phobic Discriminatory Behaviour	0	1	0	0
	Other Discriminatory Behaviour	7	0	3	5
	Other Religious Discriminatory Behaviour	1	0	1	3
Sub-Total		71	74	81	77
Traffic	Driving of Police Vehicles	62	56	53	63
	Other Traffic Irregularity	6	15	12	5
Sub-Total		68	71	65	68
Section 55 Referral	Section 55 (Chief Const Referral)	36	40	30	30
	Section 55 (OPONI call in)	2	5	11	16
	Section 55 (HET Referral)	0	0	3	12
	Section 55 (PPS Referral)	3	0	4	1
Sub-Total		41	45	48	59
Other	Other Allegation	263	200	218	225
	Other – insufficient detail	135	48	94	116
	OPONI Call In/Out NFA	10	17	28	33
Sub-Total		408	265	340	374
Total		6501	6330	6001	5200

Table 8: Location of allegations received, 2009/10 - 2012/13

Location	2009/10	2010/11	2011/12	2012/13
Police Station	38%	41%	37%	39%
On Street	27%	29%	26%	27%
Domestic Residence	18%	16%	20%	18%
Police Vehicle	4%	4%	4%	3%
Other	7%	8%	8%	7%
Unknown	5%	3%	5%	6%
Total	6501	6330	6001	5200

Table 9: Allegations received by DCU and ACU, 2009/10 - 2012/13

PSNI DCU and ACU		2009/10	2010/11	2011/12	2012/13
A DCU	North Belfast	543	600	431	388
	West Belfast	337	354	352	303
	A DCU Sub-total	880	954	783	691
B DCU	East Belfast	299	241	237	199
	South Belfast	484	472	462	470
	B DCU Sub-total	783	713	699	669
C DCU	Ards	153	167	139	146
	Castlereagh	174	187	166	138
	Down	172	179	143	185
	North Down	206	262	205	191
	C DCU Sub-total	705	795	653	660
D DCU	Antrim	209	194	196	198
	Carrickfergus	90	80	37	32
	Lisburn	485	311	333	283
	Newtownabbey	199	233	198	175
	D DCU Sub-total	983	818	764	688
E DCU	Armagh	141	119	160	90
	Banbridge	166	158	167	89
	Craigavon	275	287	340	210
	Newry & Mourne	196	183	257	180
	E DCU Sub-total	778	747	924	569
F DCU	Cookstown	94	79	87	75
	Dungannon & South Tyrone	140	137	159	106
	Fermanagh	173	250	166	111
	Omagh	186	196	146	143
	F DCU Sub-total	593	662	558	435
G DCU	Foyle	316	396	346	285
	Limavady	145	121	124	77
	Magherafelt	100	65	70	60
	Strabane	72	77	59	65
	G DCU Sub-total	633	659	599	487

PSNI DCU and ACU		2009/10	2010/11	2011/12	2012/13
H DCU	Ballymena	288	174	191	158
	Ballymoney	24	53	49	52
	Coleraine	382	413	331	297
	Larne	93	77	63	71
	Moyle	13	27	18	11
	H DCU Sub-total	800	744	652	589
Unknown PSNI DCU		325	207	304	344
PSNI Sub-Total		6480	6299	5936	5132
Designated Civilian		6	13	44	37
Harbour Police		7	12	2	3
Northern Ireland Airport Constabulary		2	0	5	8
Serious and Organised Crime Agency		1	1	0	0
Other/Unknown Organisations		5	5	14	20
Other Organisation Sub-Total		21	31	65	68
Total		6501	6330	6001	5200

Table 10: Rank of officers complained about, 2009/10 - 2012/13*

Rank	2009/10	2010/11	2011/12	2012/13
Constable	82%	82%	82%	83%
Sergeant	15%	14%	15%	13%
Inspector and Above	4%	4%	3%	4%

*Where rank is known.

Table 11: Number of police officers attracting three or more complaints, 2009/10 - 2012/13

Year	Number of officers who attracted three or more complaints
2009/10	341
2010/11	277
2011/12	266
2012/13	213

Table 12: Complaints and Allegations closed, 2009/10 - 2012/13

	2009/10	2010/11	2011/12	2012/13
Complaints	3535	3585	3326	3257
Allegations	6489	6884	6065	5463

Table 13: Recommendations arising from allegations closed, 2009/10 - 2012/13

Recommendation	2009/10	2010/11	2011/12	2012/13
Not substantiated	41%	42%	41%	39%
Non co-operation by complainant	20%	18%	22%	22%
To PPS no criminal charges recommended	10%	10%	10%	9%
Outside remit	6%	6%	7%	8%
Informally/Locally Resolved	7%	6%	5%	5%
Withdrawn by complainant	6%	6%	5%	5%
Recommended action	4%	4%	5%	5%
Ill founded	4%	5%	3%	4%
Substantiated - no action recommended	1%	1%	1%	1%
Other recommendations	2%	2%	2%	2%
Total	9822	9898	8879	7556

Table 14: Recommendations made to the Public Prosecution Service, 2009/10 - 2012/13

Recommendation	2009/10	2010/11	2011/12	2012/13
Recommendations for no prosecution	1041	975	917	642
Recommendations for prosecution	5	14	6	13
Number of charges recommended	7	18	9	19

Table 15: Nature of charges recommended to the Public Prosecution Service, 2009/10 - 2012/13

Charge	2009/10	2010/11	2011/12	2012/13
Assault Occasioning Actual Bodily Harm	1	1	0	0
Careless Driving	0	3	1	1
Causing Death By Dangerous Driving	0	1	0	0
Common Assault	2	1	2	2
Conspiracy to pervert the course of justice	0	1	0	0
Disorderly Behaviour	0	0	0	1
Fabrication of False Evidence	0	0	1	0
Grievous Bodily Harm	0	1	0	0
Intent to pervert the course of Public Justice	0	0	3	1
Misconduct in a Public Office	1	2	2	0
Offence against the Data Protection Act	0	0	0	4
Offences under the Computer Misuse Act	0	0	0	4
Perjury	2	1	0	0
Perverting The Course Of Justice	1	5	0	0
Resisting a police officer in execution of duty	0	0	0	2
Threats to Kill	0	1	0	3
Unlawful Disclosure Of Information (Data Protection Act)	0	0	0	1
Total	7	17	9	19

Table 16: Outcomes of charges recommended to PPS, 2012/13

PPS Direction	2012/13
No Prosecution Directed*	8
Prosecution Directed	1
Awaiting Direction	10
Total	19

* One direction for no prosecution resulted in an informed warning being given to the officer concerned.

Table 17: Recommendations made to Chief Constable/Chief Officer, 2009/10 - 2012/13

Recommendation	2009/10	2010/11	2011/12	2012/13
Advice and Guidance	85%	65%	63%	51%
Management Discussion	3%	16%	11%	22%
Superintendent's Written Warning	9%	13%	23%	24%
Formal Disciplinary Proceedings	3%	6%	4%	3%
Training/Ops/Supervision	0%	<1%	<1%	0%
Total	419	327	508	308

Table 18: Recommendations accepted, 2012/13

	Accepted	Not Accepted	Awaiting decision	Total
Advice and Guidance	132	4	22	158
Management Discussion	55	1	11	67
Superintendent's Written Warning	41	3	29	73
Formal Disciplinary Proceedings	3	0	7	10
Total	231	8	69	308

Table 19: Consent level for complaints suitable for Informal Resolution (IR), 2009/10 - 2012/13

Complaints referred for IR	2009/10	2010/11	2011/12	2012/13
Number of complaints/referrals	3542	3335	3341	3265
Complaints suitable for IR	859	620	504	460
Complaints with consent given	588	384	309	271
Successful	414	277	211	166
Failed	126	80	69	52
Ongoing	4	3	2	40
Withdrawn	16	9	8	5
Outside Remit	5	6	8	5
Unsuitable	23	9	11	3
Complaints with consent not given	271	236	195	189
Declined	113	109	83	73
No response	128	114	100	100
Withdrawn	15	7	7	4
Further Enquiries	15	6	5	12
Total	859	620	504	460

Table 20: Outcome of Informal Resolution, 2009/10 - 2012/13

Outcome	2009/10	2010/11	2011/12	2012/13
Successful	78%	76%	75%	75%
Failed	20%	23%	23%	24%
Withdrawn	2%	1%	2%	0%
Total	531	414	278	272

Table 21: Outcomes of successful Informal Resolutions, 2009/10 - 2012/13

Outcome	2009/10	2010/11	2011/12	2012/13
Brought to officer(s) attention	88	69	43	60
Action taken accepted	111	71	52	53
Constructive advice	94	72	48	32
Apology from officer	43	33	24	21
Apology on behalf of PSNI	28	34	18	20
Explanation accepted	23	16	8	9
Face to face meeting with officer	10	6	10	7
Accept nothing further could be done	7	3	2	2
Expression of regret	2	6	3	1
Brought to attention of DCU Commander	1	2	0	0
Brought to senior officer(s) attention	8	1	1	0
Total	415	313	209	205

EQUALITY MONITORING

Table 22: Gender of complainants, 2008/09 - 2012/13

Gender	2008/09	2009/10	2010/11	2011/12	2012/13
Male	68%	68%	70%	69%	70%
Female	31%	30%	28%	29%	28%
Not Applicable	1%	1%	2%	2%	3%
Total survey respondents	3037	3492	3297	3295	3176

Table 23: Age of complainants, 2008/09 - 2012/13

Age Group	2008/09	2009/10	2010/11	2011/12	2012/13
16-17	4%	3%	4%	3%	2%
18-24	19%	18%	21%	17%	16%
25-34	19%	20%	21%	25%	25%
35-44	26%	24%	24%	22%	24%
45-54	19%	21%	18%	20%	20%
55-64	9%	9%	7%	9%	8%
65+	4%	4%	5%	4%	4%
Total survey respondents	1717	1879	1622	2173	2101

Table 24: Religious belief of complainants, 2008/09 - 2012/13

Religious Belief	2008/09	2009/10	2010/11	2011/12	2012/13
Catholic	39%	34%	40%	42%	41%
Presbyterian	20%	23%	19%	20%	19%
Church Of Ireland	20%	21%	17%	15%	15%
Methodist	4%	2%	3%	4%	3%
Other Christian	6%	6%	7%	6%	6%
Other Religion	2%	2%	1%	1%	2%
No Religion	9%	11%	13%	12%	14%
Total survey respondents	1062	967	830	708	484

Table 25: Marital status of complainants, 2008/09 - 2012/13

Marital Status	2008/09	2009/10	2010/11	2011/12	2012/13
Single	39%	36%	44%	41%	42%
Married/Co-Habiting/Civil Partnership	43%	42%	38%	37%	40%
Divorced/Separated	15%	19%	15%	18%	16%
Widowed	3%	3%	3%	4%	2%
Total survey respondents	1070	980	837	707	483

Table 26: Employment status of complainants, 2008/09 - 2012/13

Employment Status	2008/09	2009/10	2010/11	2011/12	2012/13
Working part-time/full-time	32%	35%	29%	31%	29%
Unemployed	16%	15%	20%	20%	19%
Not working as permanently sick	15%	13%	15%	16%	18%
Self-Employed	11%	13%	12%	10%	11%
Retired	10%	9%	10%	9%	9%
Looking after family/home	8%	10%	8%	8%	6%
Student	5%	4%	4%	3%	4%
Other	3%	2%	2%	2%	3%
Total survey respondents	1073	973	818	689	467

Table 27: Political opinion of complainants, 2008/09 - 2012/13

Political Opinion	2008/09	2009/10	2010/11	2011/12	2012/13
No Political Party	48%	47%	50%	50%	48%
Democratic Unionist Party	18%	17%	16%	17%	15%
Sinn Fein	9%	8%	7%	11%	7%
Ulster Unionist Party	8%	7%	8%	8%	9%
Social Democratic and Labour Party	7%	7%	7%	6%	8%
Others	7%	11%	8%	6%	8%
Alliance Party	4%	3%	4%	3%	5%
Total survey respondents	792	760	630	542	376

Table 28: Disability Status of complainants, 2008/09 - 2012/13

Disabled (Y/N)	2008/09	2009/10	2010/11	2011/12	2012/13
Not Disabled	73%	77%	76%	69%	68%
Disabled	27%	23%	24%	31%	32%
Total survey respondents	1016	929	808	699	478

Table 29: Dependant Status of complainants, 2008/09 - 2012/13

Dependants	2008/09	2009/10	2010/11	2011/12	2012/13
Without dependants	57%	58%	56%	53%	54%
With dependants	43%	42%	44%	47%	46%
Total survey respondents	957	953	800	685	466

Table 30: Sexual Orientation of complainants, 2008/09 - 2012/13

Sexual Orientation	2008/09	2009/10	2010/11	2011/12	2012/13
Heterosexual	98%	98%	97%	95%	97%
Lesbian/Gay/Bi-Sexual/Other	2%	2%	3%	5%	3%
Total survey respondents	972	886	770	653	450

Table 31: Ethnic Origin of complainants, 2008/09 - 2012/13

Ethnic Origin	2008/09	2009/10	2010/11	2011/12	2012/13
White	96%	97%	98%	95%	96%
All Other	4%	3%	2%	5%	4%
Total survey respondents	1044	941	818	685	472

PUBLIC ATTITUDES TO THE OFFICE OF THE POLICE OMBUDSMAN

Table 32: Respondents who had heard of the Police Ombudsman for Northern Ireland, 2009 - 2013

	Jan-09	Jan-10	Feb-11	Jan-12	Jan-13
Aware	88%	88%	84%	85%	84%
Not aware	12%	12%	15%	15%	16%
Total survey respondents	1126	1216	1109	1141	1154

Table 33: Respondents who had heard of the Police Ombudsman for Northern Ireland by gender, 2009 – 2013

Gender	Jan-09	Jan-10	Feb-11	Jan-12	Jan-13
Male	92%	89%	85%	89%	86%
Female	84%	87%	83%	81%	82%

Table 34: Respondents who had heard of the Police Ombudsman for Northern Ireland by age group, 2009 - 2013

Age group	Jan-09	Jan-10	Feb-11	Jan-12	Jan-13
16-24	61%	65%	(43/91)	(52/93)	51%
25-44	86%	89%	87%	83%	86%
45-64	96%	95%	93%	95%	91%
65+	93%	88%	86%	87%	90%

Table 35: Respondents who had heard of the Police Ombudsman for Northern Ireland by community background, 2009 - 2013

	Jan-09	Jan-10	Feb-11	Jan-12	Jan-13
Catholic	84%	87%	82%	84%	80%
Protestant	93%	91%	86%	88%	88%

Tables 36-51 reflect responses from only those complainants who stated they were aware of the Police Ombudsman for Northern Ireland.

Table 36: Respondents who think the Police Ombudsman for Northern Ireland is part of the police or independent of the police, 2009 – 2013

	Jan-09	Jan-10	Feb-11	Jan-12	Jan-13
Independent of the police	83%	80%	83%	85%	84%
Part of the police	14%	17%	15%	12%	13%
Don't know/refusal	3%	2%	2%	3%	4%
Total survey respondents	999	1068	939	978	977

Table 37: Respondents aware of independence by gender, 2009 - 2013

Gender	Jan-09	Jan-10	Feb-11	Jan-12	Jan-13
Male	85%	82%	86%	85%	86%
Female	82%	79%	81%	86%	82%

Table 38: Respondents aware of independence by age group, 2009 - 2013

Age Group	Jan-09	Jan-10	Feb-11	Jan-12	Jan-13
16-24	(42/67)	(41/70)	(19/43)	(32/52)	(34/54)
25-44	86%	86%	84%	85%	83%
45-64	85%	84%	87%	90%	89%
65+	85%	76%	86%	84%	83%

Table 39: Respondents aware of independence by community background, 2009 - 2013

	Jan-09	Jan-10	Feb-11	Jan-12	Jan-13
Catholic	84%	80%	83%	82%	80%
Protestant	84%	81%	83%	87%	85%

Table 40: Respondents confident/not confident that the Police Ombudsman deals with complaints against the police impartially, 2009 - 2013

	Jan-09	Jan-10	Feb-11	Jan-12	Jan-13
Very confident	19%	18%	18%	14%	16%
Fairly confident	60%	65%	62%	63%	60%
Not very confident	14%	11%	14%	17%	15%
Not at all confident	3%	2%	3%	3%	3%
Don't know/refusal	5%	3%	3%	3%	5%
Total survey respondents	999	1068	939	978	977

Table 41: Respondents confident/not confident that the Police Ombudsman deals with complaints against the police impartially by gender, 2009 - 2013

	Jan-09		Jan-10		Feb-11		Jan-12		Jan-13	
	Male	Female								
Very confident	20%	17%	20%	16%	19%	17%	15%	13%	16%	16%
Fairly confident	57%	63%	59%	71%	62%	63%	57%	68%	59%	61%
Not very confident	14%	14%	14%	9%	15%	13%	20%	14%	16%	15%
Not at all confident	4%	1%	3%	1%	3%	3%	4%	2%	5%	2%
Don't know/refusal	5%	5%	3%	3%	2%	5%	3%	3%	4%	6%

Table 42: Respondents confident/not confident that the Police Ombudsman deals with complaints against the police impartially by age group, 2009 - 2013

Age group		Jan-09	Jan-10	Feb-11	Jan-12	Jan-13
16-24	Very confident	(4/67)	(8/70)	(5/43)	(4/52)	(5/54)
	Fairly confident	(42/67)	(47/70)	(27/43)	(31/52)	(32/54)
	Not very confident	(15/67)	(11/70)	(9/43)	(12/52)	(14/54)
	Not at all confident	(4/67)	(2/70)	(2/43)	(2/52)	(2/54)
	Don't know/refusal	(2/67)	(2/70)	(0/43)	(3/52)	(1/54)
25-44	Very confident	19%	18%	16%	14%	14%
	Fairly confident	62%	63%	63%	64%	63%
	Not very confident	12%	14%	16%	17%	17%
	Not at all confident	1%	2%	2%	4%	3%
	Don't know/refusal	5%	3%	3%	2%	3%
45-64	Very confident	18%	18%	18%	15%	19%
	Fairly confident	62%	67%	62%	62%	58%
	Not very confident	12%	9%	12%	17%	13%
	Not at all confident	3%	3%	4%	4%	4%
	Don't know/refusal	4%	2%	3%	2%	6%
65 and over	Very confident	25%	20%	22%	15%	14%
	Fairly confident	50%	65%	61%	63%	61%
	Not very confident	16%	9%	11%	15%	15%
	Not at all confident	2%	1%	1%	2%	3%
	Don't know/refusal	7%	5%	5%	6%	7%

Table 43: Respondents confident/not confident that the Police Ombudsman deals with complaints against the police impartially by community background, 2009 - 2013

	Jan-09		Jan-10		Feb-11		Jan-12		Jan-13	
	Catholic	Protestant								
Very confident	22%	17%	18%	18%	17%	17%	15%	13%	16%	17%
Fairly confident	59%	61%	64%	67%	65%	61%	55%	68%	61%	59%
Not very confident	12%	15%	11%	12%	12%	15%	22%	14%	13%	17%
Not at all confident	3%	2%	3%	1%	3%	3%	5%	2%	4%	3%
Don't know/refusal	4%	4%	3%	3%	3%	4%	3%	3%	6%	4%

Table 44: Respondents who felt that they would/would not be treated fairly by the Police Ombudsman if they made a complaint, 2009 - 2013

	Jan-09	Jan-10	Feb-11	Jan-12	Jan-13
Fairly treated	86%	86%	84%	83%	86%
Not fairly treated	9%	9%	11%	12%	9%
Don't know/refusal	4%	5%	5%	5%	5%
Total survey respondents	999	1068	939	978	977

Table 45: Respondents who felt they would be treated fairly by the Police Ombudsman by gender, 2009 - 2013

Gender	Jan-09	Jan-10	Feb-11	Jan-12	Jan-13
Male	86%	84%	85%	82%	86%
Female	87%	89%	83%	84%	87%

Table 46: Respondents who felt they would be treated fairly by the Police Ombudsman by age group, 2009 - 2013

Age Group	Jan-09	Jan-10	Feb-11	Jan-12	Jan-13
16-24	(54/67)	(57/70)	(31/43)	(33/52)	(45/54)
25-44	87%	87%	84%	81%	86%
45-64	88%	86%	84%	84%	87%
65+	84%	88%	88%	88%	84%

Table 47: Respondents who felt they would be treated fairly by the Police Ombudsman by community background, 2009 - 2013

	Jan-09	Jan-10	Feb-11	Jan-12	Jan-13
Catholic	86%	85%	83%	78%	85%
Protestant	87%	87%	84%	87%	86%

Table 48: Respondents who think the Police Ombudsman for Northern Ireland will/will not help ensure that the police do a good job, 2009 - 2013

	Jan-09	Jan-10	Feb-11	Jan-12	Jan-13
Yes	86%	87%	85%	85%	83%
No	8%	9%	10%	11%	11%
Don't know/refusal	6%	4%	4%	4%	6%
Total survey respondents	999	1068	939	978	977

Table 49: Respondents who think the Police Ombudsman for Northern Ireland will help ensure that the police do a good job by gender, 2009 - 2013

Gender	Jan-09	Jan-10	Feb-11	Jan-12	Jan-13
Male	85%	86%	83%	83%	82%
Female	87%	89%	88%	88%	84%

Table 50: Respondents who think the Police Ombudsman for Northern Ireland will help ensure that the police do a good job by age group, 2009 - 2013

Age Group	Jan-09	Jan-10	Feb-11	Jan-12	Jan-13
16-24	(52/67)	(60/70)	(36/43)	(42/52)	(44/54)
25-44	84%	88%	81%	86%	84%
45-64	87%	86%	85%	83%	81%
65+	88%	91%	89%	90%	84%

Table 51: Respondents who think the Police Ombudsman for Northern Ireland will help ensure that the police do a good job by community background, 2009 - 2013

	Jan-09	Jan-10	Feb-11	Jan-12	Jan-13
Catholic	89%	88%	85%	87%	82%
Protestant	84%	87%	84%	86%	83%

COMPLAINANT SATISFACTION

Table 52: Overall complainant satisfaction with the service provided by the Office, 2008/09 - 2012/13

Satisfaction level	2008/09	2009/10	2010/11	2011/12	2012/13
Very satisfied	31%	36%	30%	23%	31%
Satisfied	28%	29%	29%	29%	21%
Neither satisfied nor dissatisfied	11%	8%	10%	12%	9%
Dissatisfied	7%	9%	10%	14%	8%
Very dissatisfied	23%	18%	22%	23%	31%

Table 53: Would you use the complaints system again?, 2008/09 - 2012/13

	2008/09	2009/10	2010/11	2011/12	2012/13
Yes	69%	71%	69%	64%	63%
No	31%	29%	31%	36%	37%

Table 54: Complainant perception of Ombudsman staff, 2008/09 - 2012/13

Perception	2008/09	2009/10	2010/11	2011/12	2012/13
Polite	96%	97%	96%	95%	94%
Easy to understand	90%	92%	90%	90%	91%
Friendly	94%	94%	93%	92%	90%
Patient	91%	91%	89%	89%	86%
Professional	89%	91%	89%	89%	84%
Knowledgeable	85%	86%	87%	83%	80%
Impartial	67%	67%	78%	76%	75%
Not interested	21%	20%	19%	20%	24%
In a hurry	13%	13%	14%	18%	17%
Rude	5%	7%	7%	7%	8%

Table 55: Complainant satisfaction with aspects of the complaints process, 2008/09 - 2012/13

Aspect	2008/09	2009/10	2010/11	2011/12	2012/13
How easy to understand correspondence	81%	86%	84%	73%	75%
Length of time to respond after incident reported	74%	82%	78%	72%	71%
Clarity of explanation of process	68%	77%	72%	63%	66%
Advice provided by staff	68%	72%	68%	61%	59%
Frequency of progress updates	65%	67%	63%	55%	58%
Seriousness with which complaint was treated	61%	66%	63%	55%	55%
Overall time to resolve complaint	58%	60%	58%	53%	51%
The outcome of the complaint	42%	46%	41%	40%	37%

Table 56: Overall, do you think you were treated fairly by the Office?, 2008/09 - 2012/13

	2008/09	2009/10	2010/11	2011/12	2012/13
Yes	73%	74%	70%	66%	62%
No	27%	26%	30%	34%	38%

POLICE OFFICER SATISFACTION

Table 57: Overall police officer satisfaction with the service provided, 2008/09 - 2012/13

	2008/09	2009/10	2010/11	2011/12	2012/13
Very satisfied	20%	26%	29%	30%	29%
Satisfied	48%	42%	45%	42%	44%
Neither satisfied nor dissatisfied	15%	16%	12%	10%	10%
Dissatisfied	8%	9%	6%	10%	8%
Very dissatisfied	8%	8%	8%	8%	9%

Table 58: Police officer perception of Ombudsman Investigation staff, 2008/09 - 2012/13

Staff characteristics	2008/09	2009/10	2010/11	2011/12	2012/13
Polite	98%	96%	96%	98%	96%
Patient	94%	94%	96%	97%	94%
Professional	93%	92%	93%	94%	92%
Impartial	91%	88%	93%	93%	91%
Knowledgeable	92%	88%	94%	92%	88%
In a hurry	6%	7%	4%	3%	7%
Not interested	8%	9%	8%	3%	5%
Rude	4%	6%	7%	4%	5%

Table 59: Police officer satisfaction with investigation process, 2008/09 - 2012/13

Aspect	2008/09	2009/10	2010/11	2011/12	2012/13
Outcome of investigation	81%	80%	86%	82%	80%
Manner of staff during interview	81%	80%	81%	77%	80%
Manner in which police officer was received	83%	76%	80%	78%	73%
Explanation of the process	69%	69%	76%	78%	73%
Quality of documentation	63%	65%	73%	72%	72%
Time taken to investigate the complaint	47%	52%	55%	57%	61%
Frequency of updates	48%	57%	58%	56%	60%

Table 60: Fairness of treatment, 2008/09 - 2012/13

Treated Fairly?	2008/09	2009/10	2010/11	2011/12	2012/13
Yes	83%	82%	85%	83%	85%
No	17%	19%	15%	17%	15%

Table 61: Confidence that the Police Ombudsman deals with complaints impartially, 2008/09 - 2012/13

Confidence level	2008/09	2009/10	2010/11	2011/12	2012/13
Very confident	21%	23%	31%	30%	30%
Fairly confident	58%	54%	53%	49%	49%
Not very confident	13%	13%	8%	10%	13%
Not at all confident	9%	10%	9%	11%	8%

Table 62: Confidence that the Police Complaints System makes the police more accountable, 2008/09 - 2012/13

Year	%
2008/09	69%
2009/10	68%
2010/11	68%
2011/12	69%
2012/13	73%

Table 63: Average Rate of Allegations Received 2008/09 - 2012/13 by District Command Unit and Area Command Unit per 1,000 population

PSNI DCU and ACU		Average rate of allegations (2008-2013) per 1,000 of population	Allegations (2012/13) per 100 Officers, 2012/13
DCU A	North Belfast	6	113
	West Belfast	6	
	A DCU Sub-total	6	
DCUB	East Belfast	3	119
	South Belfast	7	
	B DCU Sub-total	5	
DCU C	Ards	2	119
	Castlereagh	2	
	Down	2	
	North Down	3	
	C DCU Sub-total	2	
DCU D	Antrim	4	104
	Carrickfergus	2	
	Lisburn	3	
	Newtownabbey	2	
	D DCU Sub-total	3	
DCU E	Armagh	2	73
	Banbridge	3	
	Craigavon	3	
	Newry & Mourne	2	
	E DCU Sub-total	3	
DCU F	Cookstown	2	83
	Dungannon & South Tyrone	2	
	Fermanagh	3	
	Omagh	3	
	F DCU Sub-total	3	
DCU G	Foyle	3	79
	Limavady	3	
	Magherafelt	2	
	Strabane	2	
	G DCU Sub-total	3	
DCU H	Ballymena	3	127
	Ballymoney	1	
	Coleraine	6	
	Larne	2	
	Moyle	1	
	H DCU Sub-total	3	

Appendix 2 – Glossary of Terms

This glossary is designed to assist users of our statistical information to understand the terms which we use to describe data contained in the statistical bulletin. Terms are listed in the order in which they appear in the report.

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. This could be about the way the individual was treated or the service they received.

Allegation

This describes the types of behaviour being complained about or the separate issues being complained about. A single complaint can contain one or many allegations. For example, a complainant may allege that a police officer pushed him or her and was rude. This would be recorded as two separate allegations forming one complaint. Allegations are categorised into main allegation types and subtypes. These subtypes facilitate greater understanding of what the allegation relates to.

Section 55 referral

Under section 55 of the Police (Northern Ireland) Act 1998 the Police Ombudsman can investigate matters about which no complaint has been made.

The Chief Constable, The Director of Public Prosecutions (DPP), The Historical Enquiries Team (HET), the Northern Ireland Policing Board (NIPB) and the Department of Justice can refer non complaint matters to the Office.

In addition the Police Ombudsman may investigate a non complaint matter if it appears to him that a police officer may have committed a criminal offence or behaved in a manner which would justify disciplinary proceedings and it is considered desirable in the public interest to do so.

Factor behind complaint

The Office also records information on the type of situation which has led to the complaint. When the Complaints Officer determines that there are several factors that have led to the complaint, the main factor behind the complaint is recorded. Factors behind complaints are categorised into a number of subtypes as follows:

Criminal investigation - where the main burden of the complaint relates to the police conduct of a criminal investigation.

Arrest - where the main burden of the complaint relates to events taking place during or immediately after the complainant's arrest.

Search - where the main burden of the complaint relates to an incident involving a search. This may be a police stop and search of a person, usually the complainant; a police search of premises; or a police search of a vehicle

Traffic related incident - where the main burden of the complaint relates to any incident involving police where traffic is a relevant factor, encompassing road traffic collisions, breath tests, parking offences and the manner of police driving.

Police enquiries (no investigation) - where the main burden of the complaint relates to an incident where police carried out preliminary enquiries but no formal investigation took place.

Domestic incident - where the main burden of the complaint relates to a domestic incident including incidents of domestic violence or neighbour disputes.

Parade/Demonstration - where the main burden of the complaint relates to an incident which took place during a parade and/or demonstration.

Other category - where the main burden of the complaint relates to other situations including, for example, incidents during the interview or detention of the complainant; a death in custody or following other types of police contact; police attempting to recruit complainant as an informer; police response or lack of response; lack of investigation by police; issues around records management or the disclosure of information; seizure, return or disposal of property; other operational / policy matters; or some other off duty incidents.

Allegation types and Subtypes

Failure in duty

This allegation type includes situations where the complainant alleged that the officer failed in his or her duty as a police officer. Failure in duty allegations are categorised into a number of subtypes as follows:

Conduct of police investigations - where the alleged failure in duty is specific to the conduct of an ongoing or completed police investigation.

Failure to investigate - where the complainant alleges a failure of police to carry out any investigation into an incident.

Failure to update - where the complainant alleges that the police have failed to update him or her appropriately on the progress of a police investigation or other enquiries.

Failure to return telephone calls and/or reply to correspondence - where the complainant alleges that police have failed to return telephone calls and / or reply to correspondence sent.

Improper disclosure of information - where the complainant alleges that one or more police officers have disclosed information inappropriately.

Detention, treatment & questioning - where an alleged failure in duty has occurred while the complainant has been subject to detention, for example, failure to inform detained persons of their rights and entitlements or failure to maintain accurate custody records.

Failure / refusal to identify self - where the complainant alleges that police have failed to identify themselves when dealing with the complainant or have refused to do so when asked.

Failure to attend appointments / undue delay in police response - where the complainant alleges that police have either failed to keep arranged appointments or have been excessively slow to attend / failed to attend a reported incident.

Procedural irregularity - where the complainant alleges any other procedural irregularity in relation to police adherence to established procedures.

Denied access to medical attention - where the complainant is alleging that he or she was denied access to medical attention. This may be either in custody or at the scene of an incident.

Denied access to legal advice - where the complainant is alleging that he or she was denied access to legal advice whilst in custody.

Failure to provide requested documentation - e.g. where the complainant alleges that police have failed to provide documentation which has been requested e.g. a Road Traffic Collision report.

Other failure in duty - A failure in duty not otherwise covered in the existing failure in duty subtypes.

Oppressive Behaviour

This allegation type includes situations where the complainant alleged that the officer has behaved in an oppressive manner. Oppressive Behaviour allegations are categorised into a number of subtypes as follows:

Oppressive conduct - where the complainant is alleging misconduct by a police officer in relation to oppressive conduct not involving assault. Police Ombudsman Call-ins are matters which the Police Ombudsman decides to investigate in the public interest.

Harassment - where the complainant is alleging that he or she was harassed, for example, where he or she was repeatedly stopped by police and searched for no legitimate reason.

Sexual assault - where the complainant is alleging an assault by a police officer which is of a sexual nature.

Serious non sexual assault - where the complainant is alleging that the conduct of a police officer resulted in serious injury, for example, an allegation that the complainant sustained a broken bone as a result of the actions of police.

Other assault - where the complainant is alleging unjustified, excessive force or violent conduct on the part of a police officer, for example an allegation that the complainant was being pushed or otherwise physically abused without justification.

Incivility

This term covers allegations such as the police officer being rude, showing a lack of respect, being abrupt or displaying a general lack of sensitivity.

Search

This allegation type covers situations where the complainant alleged that the officer has behaved in an irregular manner during a search.

Irregularity re Search of Premises - where the complainant alleges an irregularity specific to a police search of premises.

Irregularity re Stop/Search of person - where the complainant alleges an irregularity specific to a police stop and search of a person.

Seizure of property - where a complainant alleges police misconduct specific to a police seizure of property occurring as a result of a police search.

Damage to property - where the complainant alleges damage to property specific to a police search of premises, person or vehicle.

Irregularity re Stop/Search of vehicle - where the complainant alleges an irregularity specific to a police stop and search of a vehicle.

Unlawful / Unnecessary Arrest / Detention

This allegation type relates to situations where unlawful / unnecessary arrest / detention
Is alleged.

Malpractice

This allegation type relates to situations where the complainant alleged that the officer has been involved in malpractice. This category is subdivided into the following sub types.

Irregularity re evidence / perjury - includes 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.

Corrupt practice - any criminal allegation of corruption made by a complainant.

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.

Discriminatory behaviour

This allegation type includes situations where the complainant alleged that the officer has displayed some form of discriminatory behaviour. Discriminatory behaviour allegations are categorised into a number of subtypes as follows:

Sectarian discriminatory behaviour - where the complainant perceives that he or she has been discriminated against on the basis of his or her religious or political identification within the Northern Ireland context.

Other religious discriminatory behaviour - where the complainant perceives that he or she has been discriminated against on the basis of his or her religion, where the religion is not one traditionally associated with the sectarian context within Northern Ireland.

Racially discriminatory behaviour - where the complainant perceives that he or she has been discriminated against on the basis of his or her race.

Disability discriminatory behaviour - where the complainant perceives that he or she has been discriminated against on the basis of a disability.

Homophobic discriminatory behaviour - where the complainant perceives that he or she has been discriminated against on the basis of his or her sexuality.

Gender discriminatory behaviour - where the complainant perceives that he or she has been discriminated against on the basis of his or her gender.

Trans-phobic discriminatory behaviour - where the complainant perceives that he or she has been discriminated against on the basis of his or her decision to identify with the opposite gender from that of his or her birth.

Other discriminatory behaviour - where the complainant perceives that he or she has been discriminated against on the basis of a factor not covered in the other subtypes.

Traffic

This allegation type includes situations where the complainant alleges that the officer has been involved in a traffic irregularity and is sub divided as follows:

Driving of police vehicles - where an allegation of misconduct is made specific to the driving of a vehicle on police business.

Other traffic irregularity - where an allegation of a traffic infringement by a police officer has been made e.g. use of mobile phone while driving, parking on double yellow lines.

Section 55 Referral

Section 55 referrals (see explanation above) are recorded under the following

Section 55 (Chief Constable Referral) - where the matter being investigated arises from a Chief Constable Referral.

Section 55 (HET Referral) - where the matter being investigated arises from a referral from the Historical Enquiries Team.

Section 55 (OPONI Call In) - where the matter being investigated arises from a Police Ombudsman call in.

Section 55 (Policing Board Referral) - where the matter being investigated results from a referral by the Policing Board.

Section 55 (PPS Referral) - where the matter being investigated results from a referral by the Public Prosecution Service.

Section 55 (Minister of Justice Referral) - where the matter being investigated results from a referral by the Minister of Justice.

Other

The remaining allegations are recorded under the following sub types:

Other allegation - any other allegation made by a complainant, where the nature of the allegation is clear but it does not fit appropriately into any other allegation subtype.

Other (Insufficient detail) - where the complainant has not provided sufficient information to allow accurate categorisation of his or her complaint.

OPONI Call In/Out NFA - where the Investigating Officer (IO) has determined at an early stage that there is no requirement for any further investigation at an incident to which he or she was called out. For example where an IO was contacted in relation to the police shooting of a dangerous dog. During preliminary enquiries the IO determines that there is no suggestion of any police misconduct and determines there is no requirement for any investigation by the Office.

Location

The Office also records the location of the incident which led to the allegation. It should be noted that for some failure in duty allegations, for example, failure to update or failure to investigate, the incident is recorded as occurring in a police station.

The Office also records the location of the police station closest to the incident. This information is used to determine the Area Command Unit (ACU) and District Command Unit (DCU) of the allegation.

Recommendations arising from allegations closed

The Office has concluded that presentation of outcomes at recommendation level is the most appropriate method to present information regarding the outcome of complaints.

When the investigation of an allegation is complete a recommendation for allegation closure is made. It should be noted that one allegation may have more than one associated recommendation, for example, when there is a number of police officers linked to an allegation a recommendation is made for allegation closure for each one of the officers.

Recommendation types are recorded under the following subtypes:

Not substantiated – where the Investigating Officer has completed an investigation and is satisfied that there is insufficient evidence to substantiate the allegation.

Non co-operation by complainant – where the failure of a complainant to co-operate or provide reasonable assistance for the purpose of a Police Ombudsman investigation makes a meaningful enquiry impracticable.

To PPS no Criminal Charges recommended – where a recommendation and a file is to be submitted to the Public Prosecution Service, recommending no criminal prosecution.

Outside remit – where the allegation falls outside the Office’s legislative remit, for example if the alleged incident occurred outside of the twelve month period prior to the allegation being made.

Informally/Locally Resolved – where a complaint of a less serious nature has been subject to an informal or local resolution process following the consent of the complainant. This closure type requires that a record of the outcome has been obtained from police confirming that the matter has been resolved. The Local Resolution process currently operates in District D only.

Withdrawn by complainant – where the Office receives written confirmation from the complainant, his or her solicitor or other authorised agent acting on his or her behalf to the effect that he or she wishes to withdraw the complaint or does not wish any further steps to be taken in consequence of it.

Recommended action – where criminal or misconduct action is recommended in respect of officers concerned. The following action can be recommended by the Office:

- Advice and Guidance: where the Office recommends an informal discipline sanction of Advice and Guidance for the officer concerned.
- Management Discussion: this also involves the Office recommending that a discussion take place between the officer concerned and a more senior officer regarding the allegation.
- Training/Operations/Supervision: where a recommendation is made that the officer concerned receives additional training or operational supervision based on the nature of the allegation.
- Superintendent’s Written Warning: this involves the officer receiving a formal written warning from their Superintendent.
- Disciplinary / Misconduct Charges: where a recommendation is submitted to PSNI recommending formal disciplinary proceedings.
- Criminal Charges: where a recommendation and a file is submitted to the PPS recommending criminal charge(s) in respect of an officer associated with a particular allegation(s).

Ill founded – where it becomes clear during preliminary enquiries that an allegation is without basis or foundation.

Substantiated (no action recommended) – where the investigation process has substantiated the allegation but no further action is appropriate or can be taken by the Police Ombudsman. There may be a number of reasons why no action can be taken including that it has not been possible to identify the officer concerned.

Other – encompasses a range of other recommendations which are generally used less frequently than those described above. These could include cases where further enquiries or investigation is not possible due to the complainant’s

failure to provide personal details; where the effort and resources involved in pursuing an allegation further is disproportionate to any likely outcome; or where the complaint is repetitive.

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 satisfactory resolution of the complaint.

Additional copies of this and other publications are available from:

Research and Performance Directorate
Police Ombudsman for Northern Ireland
New Cathedral Buildings
11 Church Street
Belfast
BT1 1PG

Telephone: 028 9082 8648

Fax: 028 9082 8605

Textphone: 028 9082 8756

Witness Appeal Line: 0800 0327 880

Email: research@policeombudsman.org

This publication 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