

Impact of the introduction of body-worn video by the PSNI on police complaints in Northern Ireland



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2. Police Ombudsman's Foreword

I am pleased to present this report, the first statistical analysis of the impact of the introduction of body-worn video on public complaints about police officers in Northern Ireland.

Much has been written about the effect of this technology on the nature of policing and much expected from its introduction by PSNI in June 2016.

This report looks at the effects of the new technology on the numbers and types of complaints received by my Office during the first year of its use. The report is in two parts – the first part contains quantitative analysis on the impact of body-worn video on complaint numbers, the type of complaints and the outcome of the investigation. The second part contains qualitative analysis on the effect of the new technology on the outcome of a complaint.

The available statistics confirm for the first time that, as expected, the cameras have contributed to an overall reduction in complaints in the 12-month period following their introduction.

The overall complaint reduction may not be at the level anticipated by some commentators. However, the decrease in numbers in particular types of complaints is more notable.

This report evidences a number of trends, but statistics alone cannot provide a complete explanation for those trends.

There is, in my view, a need for further discussion with criminal justice and the wider community and an in-depth qualitative study at some stage in the future.

Such a study ought also to examine developments in PSNI's use of body-worn video in the intervening period. A key development has been the recent introduction of comprehensive guidance for officers on circumstances where body-worn video must be used, which I welcome.

A significant trend is clearly emerging, however: the technology has greatly assisted the investigation of some of the matters of which members of the public complain to my Office. This report includes a wide variety of case studies to illustrate the value of body-worn video in the investigation and resolution of complaints about PSNI officers.

I wish to acknowledge with thanks the work of the Information Directorate, Mr Tim Gracey Director of Information and in particular Caroline Hickey for her dedication in completing this significant piece of work. To the complaints and investigating officers who contributed to the study. My thanks also to PSNI for co-operation in providing information on recent developments in service instructions to police officers and other key information.

I hope this publication is of interest to the reader and that it provides a sound evidential basis for further discussion on the value of body-worn video in police complaints.



Marie Anderson
Police Ombudsman for Northern Ireland

3. Executive Summary

Impact on the numbers of complaints and allegations

- There has been a 9% decrease in complaints received by the Police Ombudsman's Office (the Office) since the introduction of body-worn video by the PSNI.
 - Complaints arising from police searches and arrests decreased the most.
- There has been a 10% decrease in allegations received by the Office since the introduction of body-worn video by the PSNI.
 - Allegations of irregularities with a police search, incivility and oppressive behaviour had the largest decreases.

It is important to note that although the analysis found both complaints and allegations decreased following the introduction of body-worn video it is not possible to specify how much of this decrease was solely as a result of the new technology.

Types of complaints and allegations made following an incident where body-worn video was activated

- The results evidence that complaints received when body-worn video has been activated often include more serious allegations than a 'typical' complaint¹ received by the Office.
- They were most likely to be made following an arrest and the most frequent allegation made was about oppressive behaviour, more specifically about being assaulted by police.
- These complaints are more likely to be fully investigated by the Office and that the outcome of the investigation is less likely to find evidence to substantiate any of the allegations made than 'typical' complaints. Although, the lower substantiation rate is more likely to be due to the types of complaints made where body-worn video has been activated opposed to as a direct result of the footage being available.

¹ More information on 'typical' complaints received by the Office can be found in the Annual Statistical Bulletin on <https://www.policeombudsman.org>. For the purpose of this study 'typical' complaints refers to the profile of complaints received or closed by the Office during 2017/18.

Impact body-worn video had on the investigation of complaints made about the conduct of police officers.

- For nearly three-quarters of the initial complaints where body-worn video footage was viewed by the Police Ombudsman's investigating officers, the footage aided the investigation, commenting that the footage was either critical or helpful to the investigation.
- For nearly one-third of these complaints investigators commented that the footage speeded up the investigation.
- Investigators said that among the benefits of having body-worn video footage is that it can provide an early understanding of the incident and assist in refuting inaccurate versions of events while enabling clear identification of all individuals involved.
- However, body-worn video footage did not always aid an investigation. Sometimes the matter complained of was something not caught on camera and on other occasions the matter was not a separate incident capable of being recorded.

PART 1

4. Methodology

This study comprises two discrete sets of statistical analysis. Therefore, the methodology comprises two sections as different data has been used.

Methodology 1: The impact body-worn video had on the number of complaints and allegations received about police officers

This section relates to the analysis in section seven of the report where the study examines the impact the introduction of body-worn video had on the number of complaints and allegations received by the Office.

It compares the number of complaints and allegations received by the Office in the 12-month period before body-worn video was introduced with the 12-month period after they were introduced. The data was extracted from the case handling system on the 3rd August 2018. As the cameras were rolled out gradually across the police districts the 12-month period before and after their introduction is different for each district. See table below for the timeframe of data used for each police district.

| | One year BEFORE | One year AFTER |
|----------------------------------------|-----------------------------|-----------------------------|
| A – Belfast City | 15/11/2015 to 15/11/2016 | 16/11/2016 to 16/11/2017 |
| B – Lisburn & Castlereagh City | 09/05/2016 to 09/05/2017 | 10/05/2017 to 10/05/2018 |
| C – Ards & North Down | 11/06/2016 to 11/06/2017 | 12/06/2017 to 12/06/2018 |
| D – Newry, Mourne & Down | 29/01/2016 to 29/01/2017 | 30/01/2017 to 30/01/2018 |
| E – Armagh City, Banbridge & Craigavon | 11/12/2015 to 11/12/2016 | 12/12/2016 to 12/12/2017 |
| F – Mid Ulster | 02/07/2016 to 02/07/2017 | 03/07/2017 to 03/07/2018 |
| G – Fermanagh & Omagh | 05/03/2016 to 05/03/2017 | 06/03/2017 to 06/03/2018 |
| H – Derry City & Strabane | 19/06/2015 to 19/06/2016 | 20/06/2016 to 20/06/2017 |
| J – Causeway Coast & Glens | 19/03/2016 to 19/03/2017 | 20/03/2017 to 20/03/2018 |
| K – Mid & East Antrim | 28/06/2016 to 28/06/2017 | 29/06/2017 to 29/06/2018 |
| L – Antrim & Newtownabbey | 09/04/2016 to 09/04/2017 | 10/04/2017 to 10/04/2018 |

Section seven also presents five-year trend information for complaints and allegations. These data are taken from the 2017/18 Annual Statistical Bulletin and thus may be slightly different to those published in more recent years.

Limitations

There are a number of limitations to this study identified in this part of the report and these must be considered when assessing the identified trends arising from the data.

The reader should note that complaints about police officers in the 12-month period after the introduction of the cameras are not necessarily about incidents that have deployed a body-worn video camera. During that period PSNI officers were not required to activate body-worn video cameras for **all** interactions with members of the public, also of note is that fact that not all police officers in a district will have had access to a camera. Further it is possible that an officer dealing with a specific incident may have been deployed from another police district or police team where cameras had not yet been made available.

Some caution also needs to be exercised when considering the reporting period. The Office accepts complaints up to one-year after the incident complained of had occurred. Therefore, not all of these incidents will necessarily have occurred during the reporting period.

The reader should also note that there were many other changes and developments made to police policy, procedure and training during this time. Such as; new recruits were introduced to the police service during this period. These factors have not been examined as part of this study as they relate to the day-to-day policing operations. However, they may in part explain the downward trend in complaints and allegations about PSNI.

The reader should also avoid any assumptions as to the differences in numbers of complaints and allegations after the introduction of body-worn video from district to district. It would have been useful to compare this data with the uptake rate of the body-worn video activation by the police officers at district level. As it may have been that some police districts embraced the new technology earlier and other districts may have been more cautious in approach. If this information was available and could be correlated with the increase/decrease in complaints, it may help explain any differences and clarify whether the use of cameras is the sole cause of the identified decrease in complaints and allegations.

Methodology 2: the impact body-worn video had on Police Ombudsman investigations

In order to provide both a statistical and qualitative picture of the effect the availability of body-worn video on the numbers and types of complaints received by the Office, this study looked in detail at the first 120 complaints and investigations where footage was available.

This work provided a number of initial challenges, not least of which was arriving at an agreed dataset from which to draw information and make comparison. The PSNI and the Office operate on discrete and wholly separate information technology systems. However, a function to record when body-worn video footage was used in an investigation had not been fully populated during the earlier part of the reporting period. In support of this study the PSNI provided information on the first 120 requests made by the Office for such footage. This data was merged with data from the Police Ombudsman's systems. However, this exercise was problematic as both systems use different identification numbers for cases. Therefore, merging the PSNI's data with the Police Ombudsman's data was mostly completed manually.

The matching was successful for 117 of the 120 cases. The remaining three cases were deemed to be duplicate entries. For the 117 cases where data was successfully matched, additional data was extracted from the Police Ombudsman's system and merged to create a larger dataset. This exercise had advantages; it enabled, further analysis of the types of complaints and allegations made within the sample of cases where body-worn video had been requested and viewed; and also provided the Office with information of the case owner².

The primary focus of this part of the study was to ascertain what impact the footage had on the investigation process. Therefore, two areas of potential impact were examined: firstly, did the footage alter the conclusion of the case and secondly, did it speed up the investigation process? This process was conducted by email and the questions and the answer options are detailed below:

1. How instrumental was the body-worn video footage in drawing conclusion to the case?

- a. **Critical** - the only evidence available and without it a different conclusion to the case would be likely
- b. **Helpful** – one of many strands of evidence but did not alter the final conclusion
- c. **Unhelpful** – the footage did not help the investigation
- d. **Hindered** – the footage raised more questions than it answered so more investigation work was required than if no footage had not been available

² The case owner is either the complaints officer or investigations officer who the complaint was assigned to for investigation. Referred to as the "investigator" throughout this paper.

2. Did the body-worn video footage impact on the time taken to complete the investigation?

- a. **Quicker** – the footage provided so much evidence that it speeded up the investigation*
- b. **No impact** – the investigation took the same length of time as it would have without having the footage*
- c. **Slower** – the footage opened up more lines of enquiry and thus the case took longer to investigate.*

The first emails were sent out to the Police Ombudsman investigators during January 2018 with reminders forwarded in early 2019. Some answered the questions by email, others responded by email providing more details of the cases and others chose to discuss their cases either face to face or by telephone.

There were a small number of cases where the Police Ombudsman investigator either did not respond to the emails or had since left the Office before or during the time of this analysis. For these cases, the author examined all of the cases on the Office's case handling system and decided on potential impact the footage had on the investigation process.

Limitations

The main limitation to this part of the study is that the survey questions are subjective in nature. How helpful you feel something has been and the impact it has had on the speed of your investigation could be answered differently by different Police Ombudsman investigators.

In some instances, the Police Ombudsman investigator did not complete the survey, as mentioned above, and therefore conclusions were drawn based on the information recorded on the case handling system. In some cases, more detailed information was available on that system to make this assessment; in other cases the available information was less detailed.

5. International Studies and Reports on the Use/Impact of Body-Worn Video

The effect body-worn video had on other police services globally has been the subject of much academic research and media comment, some of which has been included in this section of the report. Generally, there are high expectations of the benefits of this technology – one study even suggested that following the introduction of body-worn video, complaints about police officers reduced by 93%.

The use of body-worn video is spreading across more public services. In Northern Ireland, not only are they used by police officers but also by prison officers and Driver and Vehicle Agency (DVA) enforcement officers.

The information below provides summaries of some of the published research and media articles.

“Contagious Accountability”, a Global Multisite Randomised Trial on the Effect of Police Body-Worn Cameras on Citizens’ Complaints against the Police

(Ariel, Sutherland, Henstock, Young, Sykes, Megicks & Henderson: cjb.sagepub.com)

This paper expands upon the Rialto experiment which covered one medium-sized police force in America comparing complaints made against police officers pre and post the introduction of body-worn video. Their study was conducted by Ariel, Farrar & Sutherland in 2015 at the University of Cambridge. It followed the same methodology but was extended to cover seven police forces/departments in four jurisdictions, lasting for 12 months. The jurisdictions covered a population of around 2,000,000 citizens. One of the police services selected to be part of the study was the PSNI (in Derry/Londonderry).

The study encompassed 1,429,868 officer hours across 4,264 shifts. Two groups were studied: officers with cameras and those without. They were randomly selected weekly to one of the two groups. This provided a ‘control’ to compare the results with.

The study concluded that there was a 93% reduction in complaints between the 12 months before and after the introduction of the body-worn video.

Across the seven sites, 1,539 complaints were lodged against police officers in the 12 months preceding the study or 1.20 complaints per officer. The number of complaints lodged against the police then dropped in the 12 months during the experiment to 113 or 0.08 complaints per officer - a reduction in complaints of 93%, which is a statistically significant reduction.

However, the difference in the number of complaints between the two groups (officers with cameras and officers without cameras) was not found to be statistically significant. The researchers offered two potential explanations for this: that it might be influenced by the results from one of the experimental sites or, as the same officers participated in both the

'camera on' shifts and the 'no camera' shifts, they may have adapted their behaviour regardless of which shift they were on.

The study found that there was sufficient evidence to conclude that the body-worn video had a more pervasive effect on the officers than the suspect. This conclusion was based on the contagious accountability effect of the interaction across all sites. Because they detected a reduction in complaints against the police officers in the before and after analysis, researchers concluded that officers changed their behaviour in both encounters when they had a camera and when they did not.

Limitations of this experiment:

- The study did not take into account any changes in policies on how complaints were handled or processed during the time of the experiment.
- The analysis was conducted on the total number of complaints received, it did not explore any differences between different types of complaints, allegations or the units the officers were assigned to. It could be that the introduction of the cameras only reduced certain types of complaints.
- The study also did not examine the situations from which the complaints arose. Are there certain situations where cameras reduce complaints and other situations where the camera has no or little impact on complaints?

Feeling the Benefit ([www. PoliceProfessional.com](http://www.PoliceProfessional.com))

This paper, which was published in August 2017 reported that almost 48,000 body-worn video cameras had been rolled out by police forces across England and Wales in a £22.7 million exercise designed to increase transparency and bring speedier justice for victims. The article summaries several studies and quotes many officers, see paragraphs below:

It reported that the London Metropolitan University questioned 149 City of London Police officers and that more than four out of five were emphatic about compulsory wearing of cameras, finding the technology "empowering". More than nine out of ten interviewed said the cameras help with evidence gathering. The study reported that the number of complaints from the public about 'incivility or oppressive conduct' halved over a two-year period. It concluded that body-worn video can significantly reduce the number of allegations against officers and their use does temper people's behaviour, both officers and public alike, when the cameras are switched on.

The Mayor's Office of Policing and Crime (MOPAC) found that the use of cameras reduced some types of complaints and allegations against police officers and that 92% of the public questioned agreed that the technology improved police accountability. This study was part of the world's largest trial of video cameras across the London boroughs over a 12-month period.

The City of London Police Chief Superintendent David Lawes stressed that video footage often provides more information than any written account. He was quoted to have said one of his officers put it even more succinctly: “video enables one to feel the emotions of an incident”.

The North Wales Police has said that since its introduction of body-worn video in 2014, complaints against its officers have dropped by a fifth, “mitigating malicious complaints” say the force.

The Kent Police and Crime Commissioner who evaluated their force’s body-worn video use concluded numerous benefits including “quicker and more efficiently” dealing with complaints.

Dr Ariel, who conducted one of the largest randomised-controlled experiments in the history of criminal justice research states that “the cameras create an equilibrium between the account of the officer and the account of the suspect about the same event – increasing accountability on both side”.

Dr Ready, who led a study with Arizona’s Mesa Police Department in 2011 to test the impact on the social dynamic between police and the public and the effect on use of force. Initial negative feedback from the officers quickly fell away and he now wonders whether that response has swung too far in the other direction. “It is widely believed that body-worn video gives a clear picture of police/citizens interactions. However, this is not entirely true. Because the footage appears objective, it can instil false confidence in the absolute truth of its contents – despite just being one piece of what actually happens in any given incident” said Dr Ready.

Science Daily: Police body-worn cameras reduce reports of misconduct, use of force (University of Nevada, 2017)

This study on the effects of police body-worn video concluded that the technology is associated with significant reductions in complaints of police misconduct and police use of force incidents. It was conducted by University of Nevada’s Centre for Crime and Justice Policy. According to study authors, “these results are consistent with the perceived benefits of the body-worn video technology and support the notion that body-worn video can help to improve relations between police and communities”.

Using a randomised controlled trial, approximately 400 officers were assigned into one of two groups (one group using the video cameras and the other group not using the video cameras).

After one year in the trial, the number of officers with at least one complaint of misconduct had decreased by 30% for officers with body-worn video but had decreased by only 5% for officers who were not using body-worn video. Similarly, the number of officers with at least one use of force incident had decreased by 37% for those with body-worn video, but incidents increased for officers not using the video.

Science Direct: Evaluating the impact of police officer body-worn cameras on response-to-resistance and serious external complaints: Evidence from the Orlando police department experience utilizing a randomised controlled experiment. (Journal of Criminal Justice 2015)

The results from this study suggested that body-worn videos are an effective tool to reduce response-to-resistance and serious external complaints. Pre and post comparisons demonstrated that the reduction in external complaints was 65.4% for officers who wore the body-worn video.

BBC News

In March 2018, the BBC reported West Yorkshire Police had introduced body-worn video in 2016. It reported that one of the effects of the technology was that the force had 27% fewer incidents where a TASER was discharged in 2017. It reported Assistant Chief Constable, Andy Battle as explaining that people “modify their behaviour” when the cameras are switched on.

The Economist

On 1st July 2018, The Economist magazine published an article which looked at the widespread use of body-worn video in Britain, especially in the public sector. It reported that the Department of Health and Social Care had announced that the crews of more than 500 ambulances would be equipped with body-worn video in a pilot study that could be expanded to all ambulances and even hospital wards. It said the move was intended to cut the rising number of attacks on paramedics.

The article noted that body-worn video is being given to all prison officers and waste-site inspectors who often encounter threats from fly-tippers. It said that in 2016 more than half of local authorities in Britain had issued body-worn video to some of their staff, including traffic wardens, dog catchers, health and safety inspectors, bus drivers and rubbish collectors. In the private sector, the technology was being used by nightclub bouncers, football match stewards, building management firms and car park attendants, among others.

Department of Infrastructure NI (DOI): Driver and Vehicle Agency enforcement officers to wear body-worn video cameras

From the 19th February 2019, Driver and Vehicle Agency enforcement officers will use body-worn video when they are on duty. This move was designed to reduce unacceptable behaviour experienced by staff as they go about their work and if necessary, used to aid prosecutions.

The agency's Chief Executive said "Our enforcement officers play an important role in protecting the public from the use of roadworthy drivers on our roads. The Agency has a responsibility for the health and welfare of its staff and their safety is our priority. At times our staff are subjected to unacceptable behaviour and the deployment of body-worn video will help deter such behaviour and ensure that disputes can be addressed quickly and fairly".

The statement from DOI also concluded that other studies have shown that body-worn video has a significant impact in reducing instances of abuse and aggression and that people are less likely to contest evidence in a case when they know their alleged offending has been captured on camera. The cameras can be activated in situations where the use of the device may help moderate behaviour, avert confrontation or secure evidence of offending.

6. Introduction of Body-Worn Video Cameras across the PSNI

Body-worn video cameras were first introduced into the PSNI during a pilot in Derry City & Strabane Police District. The pilot was deemed successful and the cameras were provided across all districts on a gradual basis. The table below shows the order and date in which the cameras were introduced to each police district.

| Police District | | Roll Out Date |
|-------------------------------|-----|--------------------------------|
| Derry City & Strabane | (H) | 20 th June 2016 |
| Belfast City | (A) | 16 th November 2016 |
| Armagh, Banbridge & Craigavon | (E) | 12 th December 2016 |
| Newry, Mourne & Down | (D) | 30 th January 2017 |
| Fermanagh & Omagh | (G) | 6 th March 2017 |
| Causeway Coast & Glens | (J) | 20 th March 2017 |
| Antrim & Newtownabbey | (L) | 10 th April 2017 |
| Lisburn & Castlereagh City | (B) | 10 th May 2017 |
| Ards & North Down | (C) | 12 th June 2017 |
| Mid & East Antrim | (K) | 29 th June 2017 |
| Mid Ulster | (F) | 3 rd July 2017 |

During 2016 and 2017 as well as the introduction of cameras into all districts, they were provided to operational policing units. These units include; Local Policing Teams (LPT), Neighbourhood Policing Teams (NPT), Road Policing Units, Dog Section, District Support Teams, Hostage Crisis Teams and the Armed Response Unit (ARU).

Additional information on the PSNI's use of body-worn video has been published by the PSNI on their website: https://www.psni.police.uk/advice_information/body-worn-video/

7. Impact on the numbers of Complaints and Allegations

What impact has PSNI's introduction of body-worn video had on numbers of complaints and allegations received by the Police Ombudsman?

This section of the report seeks to answer the above question, looking for evidence that either proves or disproves the theory that the introduction of body-worn video to police officers in Northern Ireland would result in a significant reduction in complaints and allegations from members of the public. There is an expectation that the introduction of these cameras would result in a reduction of complaints. There is also an expectation that the introduction of the cameras would result in a decline in allegations about oppressive behaviour, incivility and irregularities of a police search.

As police officers are more likely to deploy their cameras during stop and searches, police searches of vehicles or houses and in dealing with domestic incidents; it is anticipated that reductions would occur mainly in complaints arising from these types of incidents.

For more information on the methodology of this section and the limitations of the study see section three above.

Impact on Complaints & Allegations

There has been a 9% decrease in complaints received by the Office since the introduction of body-worn video and a 10% decrease in allegations.

This report provides statistical information which indicates that the technology has contributed to a reduction in complaints and allegations. However, this is a complex picture and it cannot be stated for sure how much the decrease in both complaints and allegations is a result of the new technology.

In some areas the reduction in the types of complaints and allegations has been substantial and is across most of the police districts. In other areas, there was a substantial reduction, but it was not consistently across all of the police districts.

The key findings are:

- Complaints arising from police searches decreased by 28%
- Complaints arising from arrests decreased by 17%
- Allegations about irregularities in police searches decreased by 21%
- Allegations about incivility decreased by 19%
- Allegations about oppressive behaviour decreased by 16%
- Allegations about unlawful arrests or detentions decreased by 12%

The following sections of this report provide additional detail and information on these results.

However, these findings should be considered carefully against a backdrop of other potentially contributing factors. The PSNI introduced the cameras into 'real world' policing. This was not the controlled environment favoured by researchers, where there would be a comparison between officers using the technology and those who were not and where all other factors relating to policing in the community remained unchanged during the timeframe of the study. With the introduction of the cameras, the police complaint reduction strategies and measures were seen as being successful. Changes were made to police training, procedures and the level of public engagement.

These variables make the overall contribution of the new technology to complaints reduction more difficult to fully assess.

Impact on Complaints

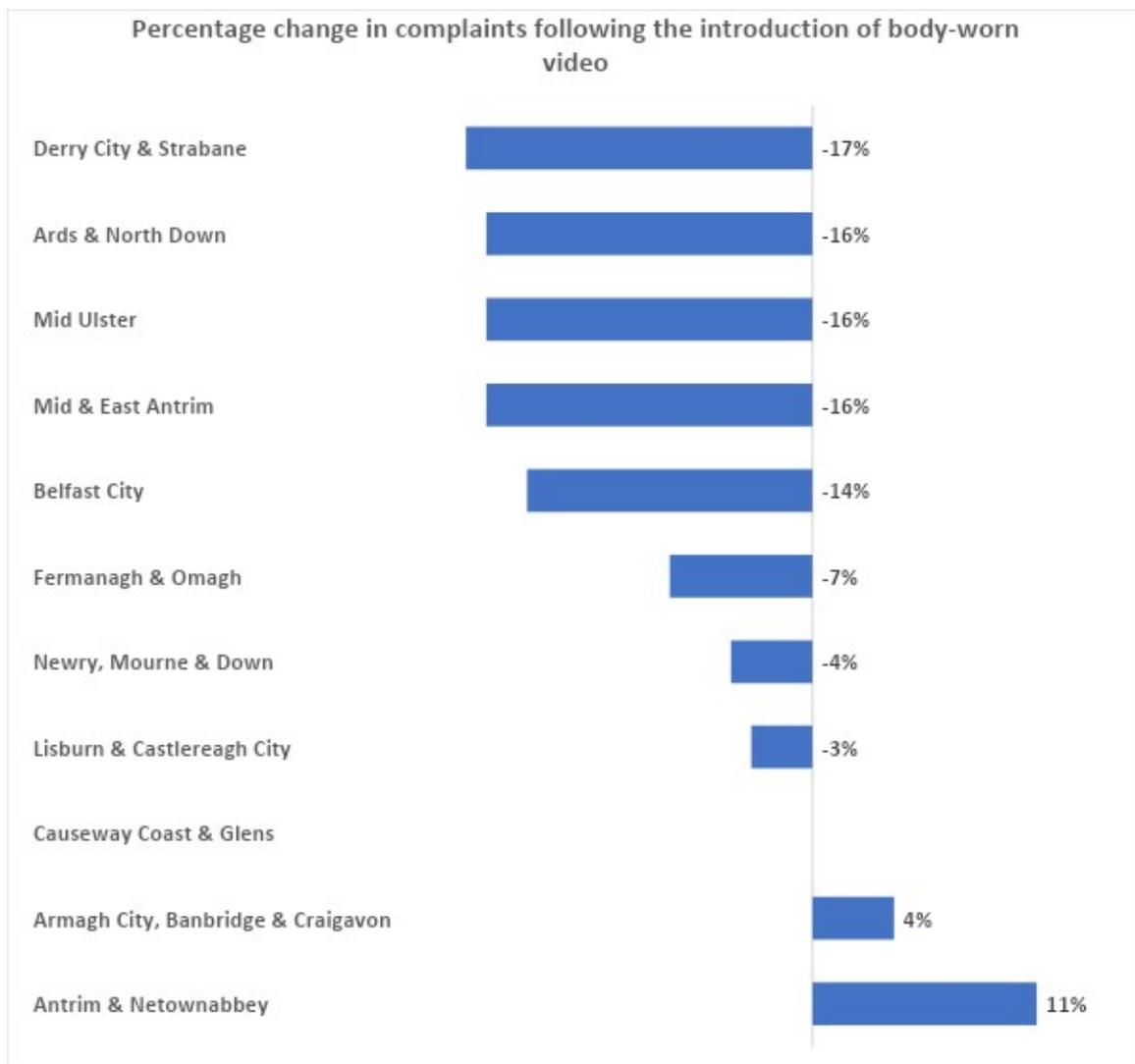
Over the five-year period ending in 2017/18, complaints have been decreasing by around 10% year on year. As this trend has been fairly consistent over this time period and as it commenced before the roll out of the cameras it suggests there are other factors as well as potentially the introduction of the video cameras behind the downward trend.



The data below highlights a 9% decrease in complaints between the 12-month period before the cameras were introduced and the 12 months after their introduction.

A decrease in complaints was evident in most of the police districts (8 out of 11). Five of the police districts had a decrease in complaints of more than 10%. Derry City & Strabane had the largest decrease (17%). Complaints decreased by 16% in the following three police districts: Ards & North Down, Mid Ulster and Mid & East Antrim. Belfast City was the police district with the fourth largest decrease (14%).

In total five of the police districts had relatively small or no change in complaints following the introduction of the cameras. In Antrim & Newtownabbey district complaints increased by 11%, this is the only police district to have an increase in complaints by more than 10%.



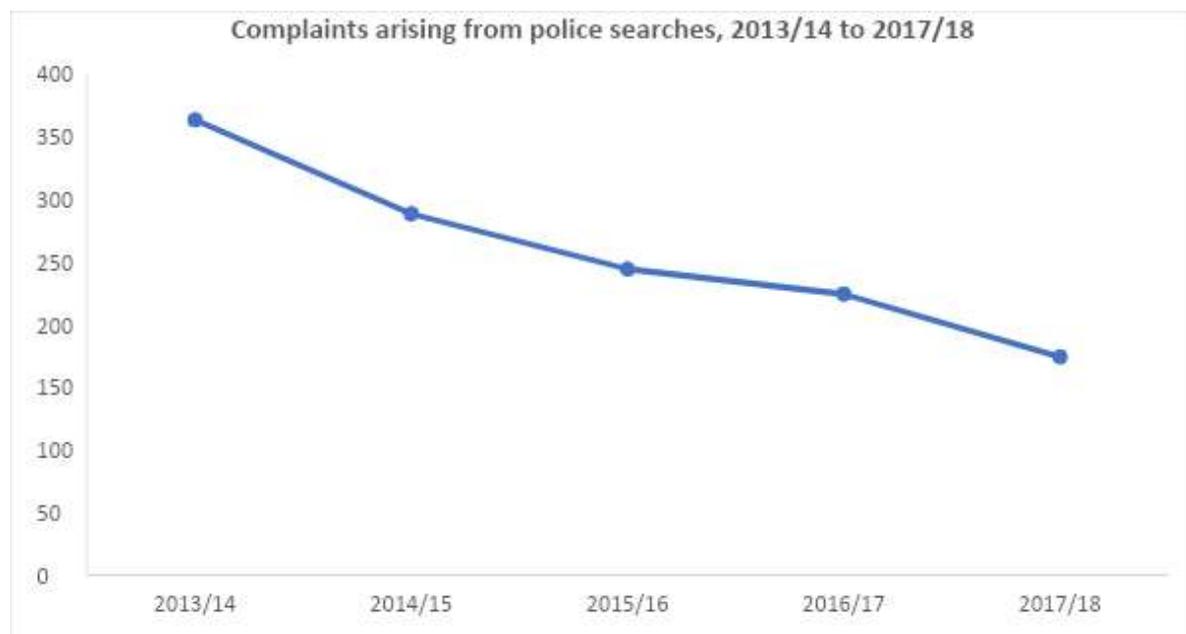
The difference in trends for each police district is evidenced in the above chart. The results range from a 17% decrease to an 11% increase. It is not possible from this data alone to explain the difference between the districts. Differences could potentially be due to a number of factors such as: the number of cameras available in each district; the uptake or engagement with the cameras; different policing priorities between districts due to demographics; specific

police operations being conducted at district level; or variations due to unknown factors. As these factors are currently unmeasurable, the author cannot comment further.

A more in-depth analysis has been undertaken on the types of complaints which are most likely to be affected by the introduction of the cameras, commencing with complaints arising from police searches.

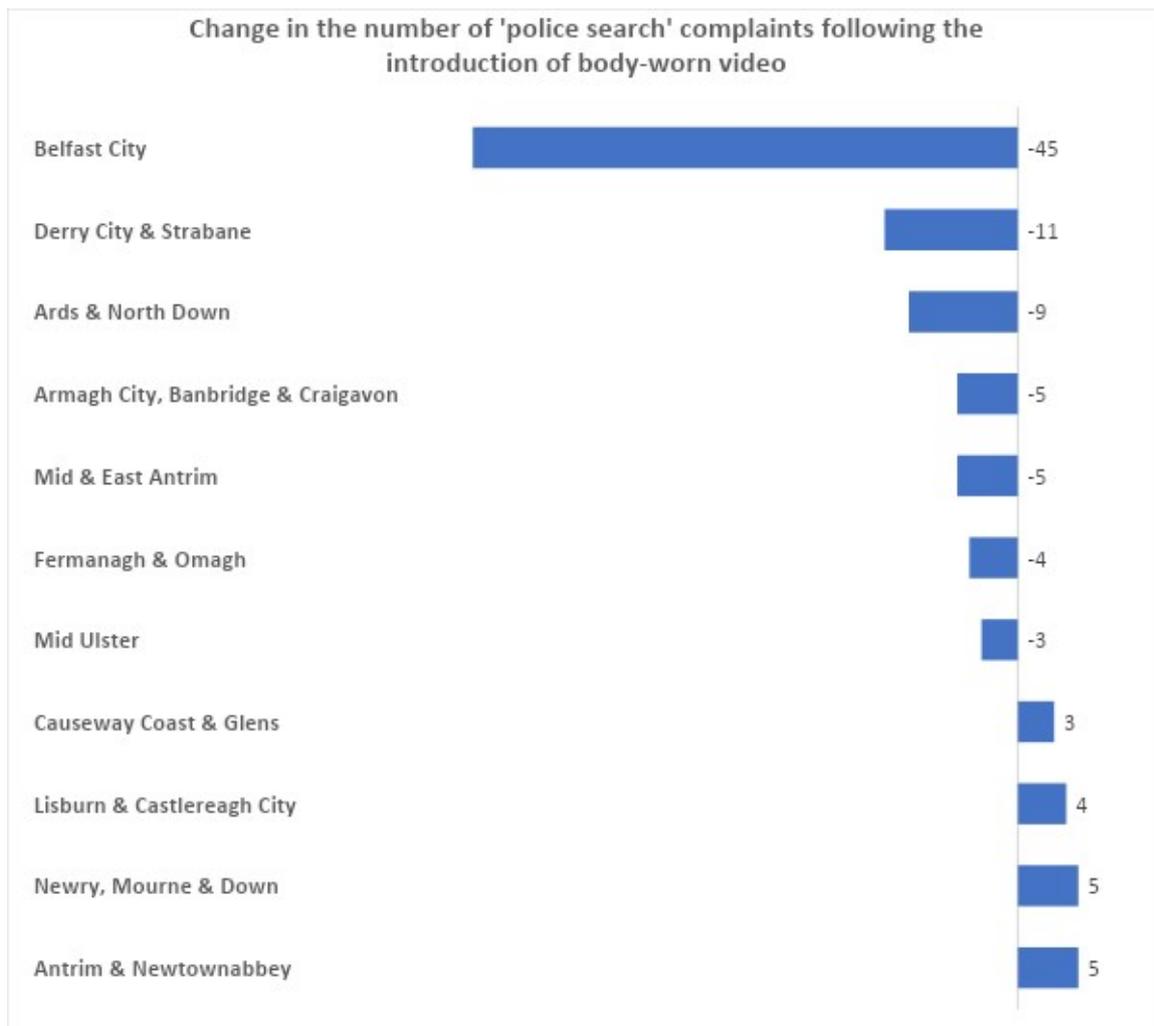
The impact on complaints arising from police searches

Complaints arising from police officers conducting stop and searches, searches of vehicles or dwellings/premises have decreased in the five-year period ending in 2017/18. As the decrease commenced prior to the cameras being rolled out it is likely that factors other than the technology alone are causing this trend.



Overall, there has been a 28% decrease in complaints received after the introduction of the cameras.

Since a number of police districts attract only a small number of complaints from members of the public, it is not possible to compare the percentage change between districts. Therefore, the chart below highlights the numerical (as opposed to percentage) change in complaints received by the Office.



A decrease in complaints arising from police searches has been particularly evident in three police districts; Belfast City, Derry City & Strabane and Ards & North Down. In Belfast City, complaints have more than halved (decreased by 55%) post the introduction of body-worn cameras.

Complaints about police in the remaining districts have increased or decreased to a lesser extent (five or fewer). It should be noted that for some of these police districts a small number of complaints about police searches were received in the one-year period before the cameras were introduced: for example, there were four complaints about police searches in Antrim & Newtownabbey district in the year before the introduction of cameras.

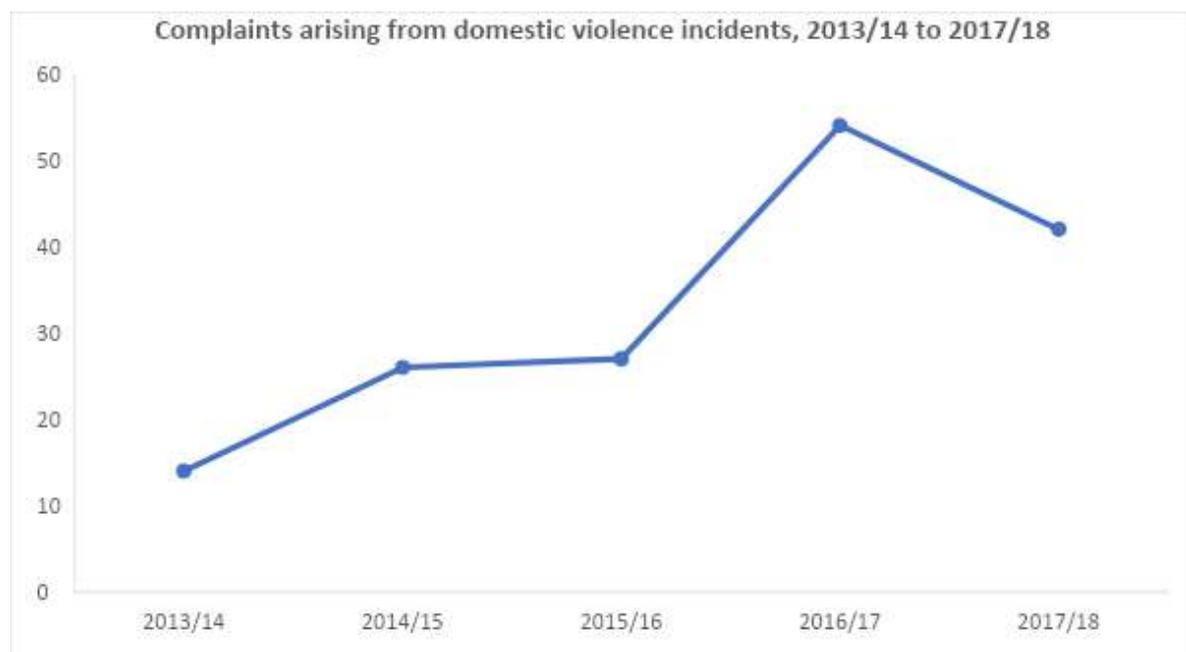
Arguably for many districts these types of complaints were already at such a low level that the introduction of the cameras could only have had a minimal impact, if any, on the number of complaints being made.

It is noteworthy that PSNI had refocused training for officers conducting police searches. The College of Policing (the College) had been invited to look at PSNI 'search' training and found it to be in line with other services in England and Wales. The College made a number of

recommendations including the need to add legitimacy and procedural justice as a topic; revised training for probationers; and that PSNI supervisors sample their officers search records to ensure that the search was lawful and also undertaken with fairness and respect for the individual. In conclusion, it is likely that these changes along with the introduction of the cameras has contributed to the evidenced decrease in complaints.

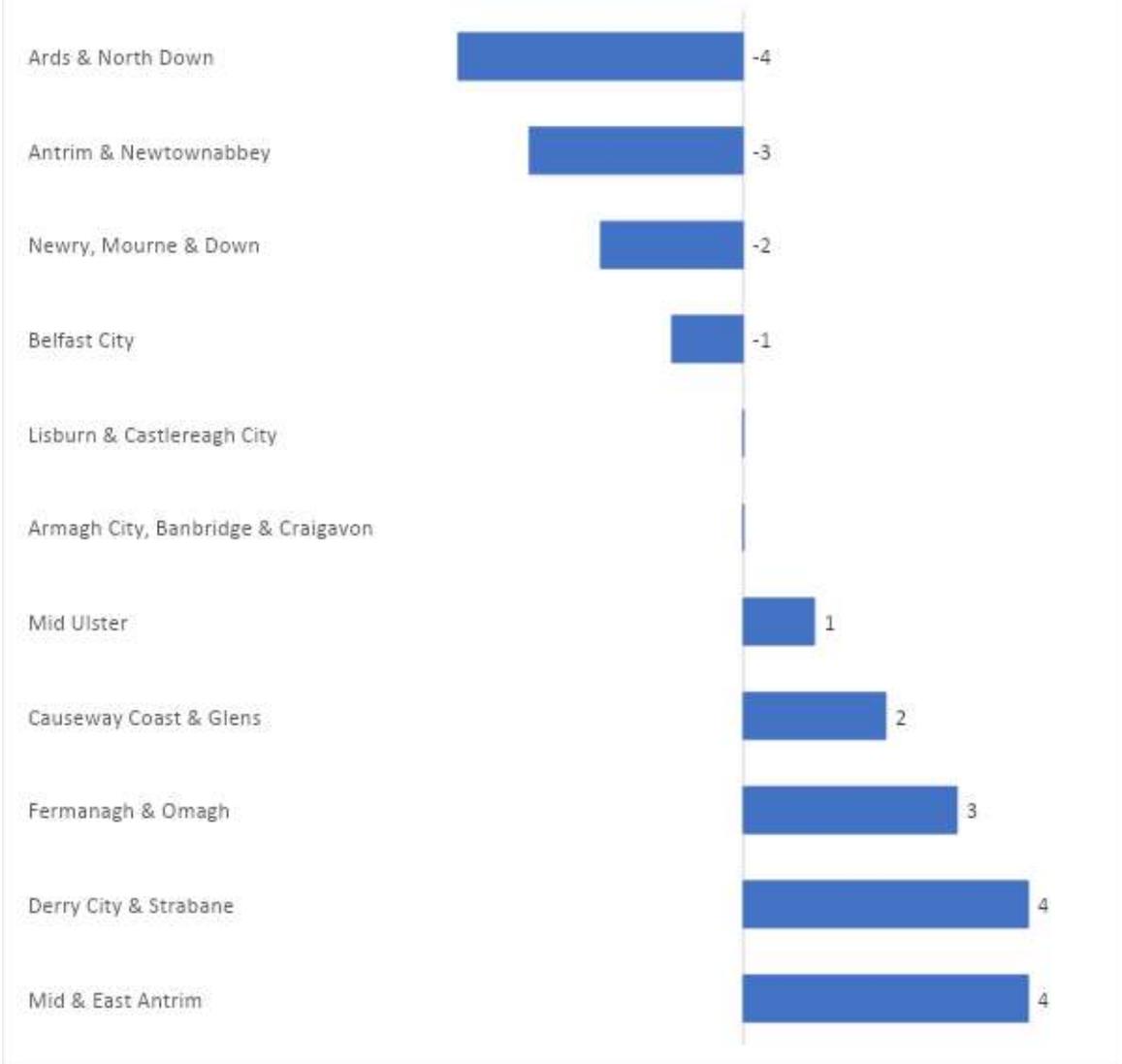
Impact on complaints arising from incidents of domestic violence

Complaints arising from police officers dealing with incidents of domestic violence are generally small in number. However, over the five-year period ending in 2017/18 these types of complaints have increased. The chart below highlights the increase during 2016/17. This increase coincides with a change in recording practices by the Police Ombudsman’s Office. Therefore, it is unclear if this is a ‘true’ increase or if it is a consequence of the change in the recording procedures. It is difficult to conclude whether or not the introduction of body-worn video has had a significant impact on the number of complaints received by the Office following a domestic violence incident.



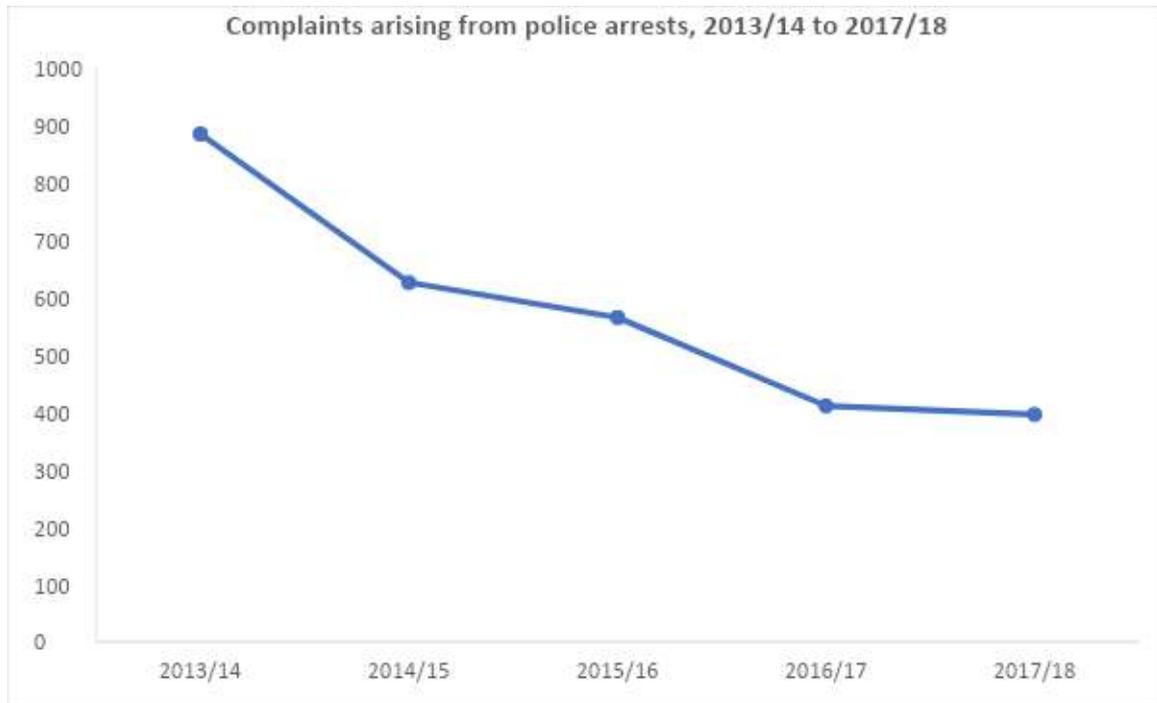
Following the introduction of cameras there was a slight increase in complaints arising from domestic violence incidents (4 more complaints). Overall, it would appear that the cameras have had little impact on complaints arising from domestic violence incidents. Complaint numbers have not significantly changed in any police district (all of the increases and decreases are fewer than 5 complaints). Arguably this may in part be due to the number of these types of complaints at district level being minimal. Therefore, the introduction of the new technology appears not to have caused significant impact.

Change in the number of 'domestic violence' complaints following the introduction of body-worn video

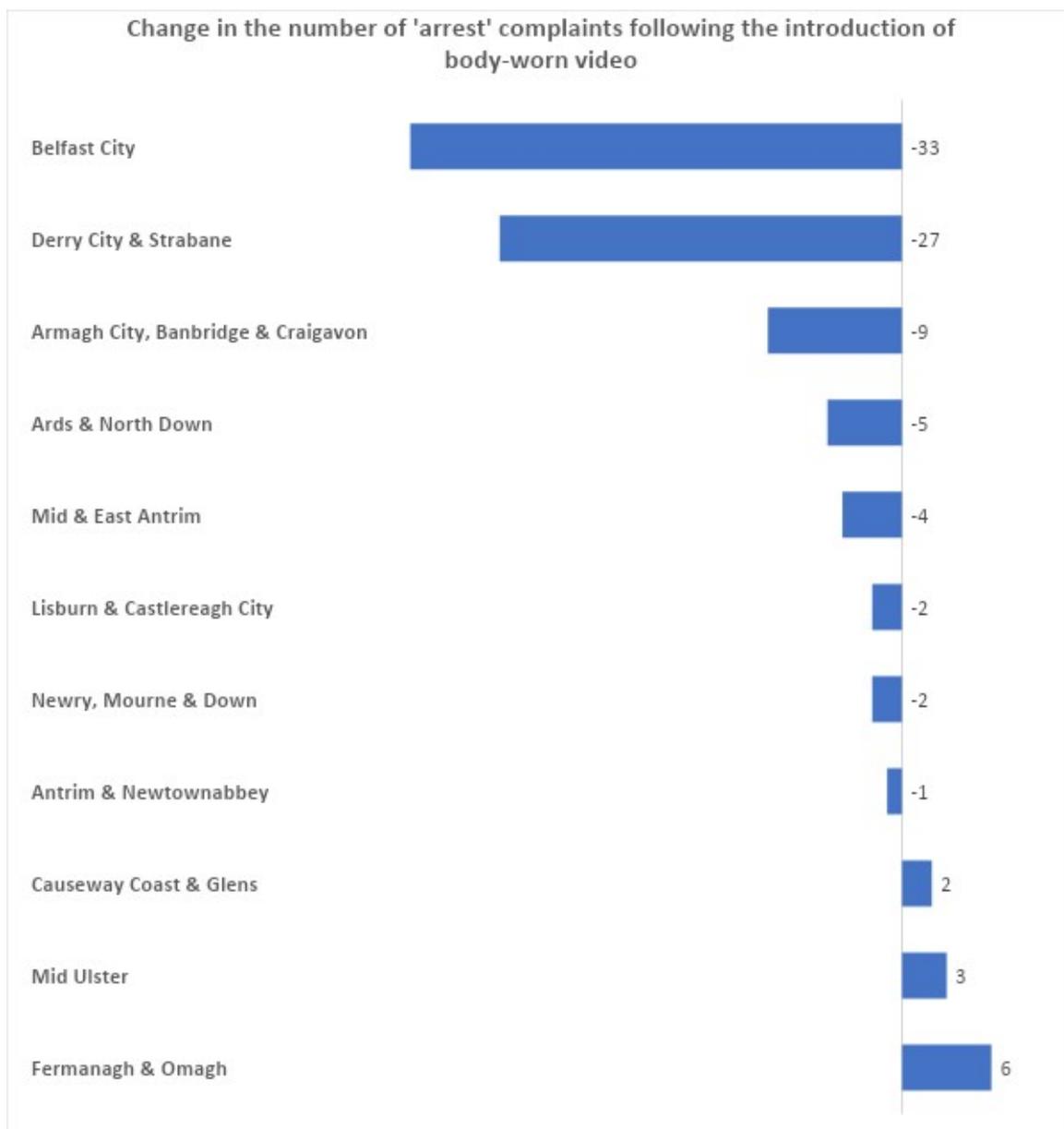


Impact on complaints arising from arrests

Complaints arising from arrests have decreased year on year between 2013/14 and 2017/18. As the decrease started before the introduction of the cameras it suggests that there are other factors other than just the technology impacting upon this trend.



Complaints arising from arrests have decreased by 17% following the introduction of the cameras. They have decreased in all but three of the police districts. The largest decreases were in Belfast City police district (21% decrease) and Derry City & Strabane (49% decrease). All other police districts had smaller decreases or slight increases in complaints.

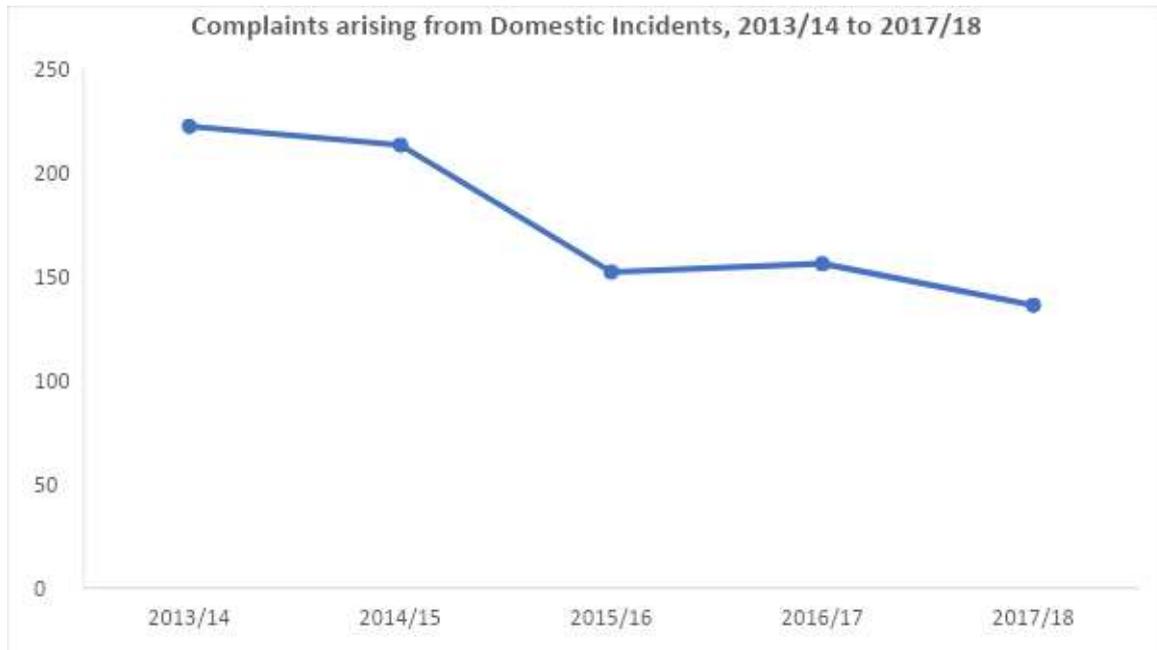


The change in complaints arising from arrests has been relatively minor in most of the police districts (8 out of the 11) since the introduction of the cameras. It should be noted, however, that for these police districts fewer than 40 complaints were made following an arrest in the 12-month period before the cameras were introduced. It could therefore be argued that the number of complaints in these districts were at such low levels that the introduction of the cameras could only at best have a marginal impact.

For example, in Mid Ulster police district there were only eight complaints arising from arrests in the 12-month period prior to the introduction of the cameras.

Impact on complaints arising from domestic incidents

Complaints arising from domestic incidents (such as police dealing with disputes between neighbours) have remained fairly stable between 2015/16 and 2017/18, at around 150 complaints per financial year. Although these complaints have decreased since 2013/14 and 2014/15 this trend would indicate that the introduction of body-worn video had little impact on



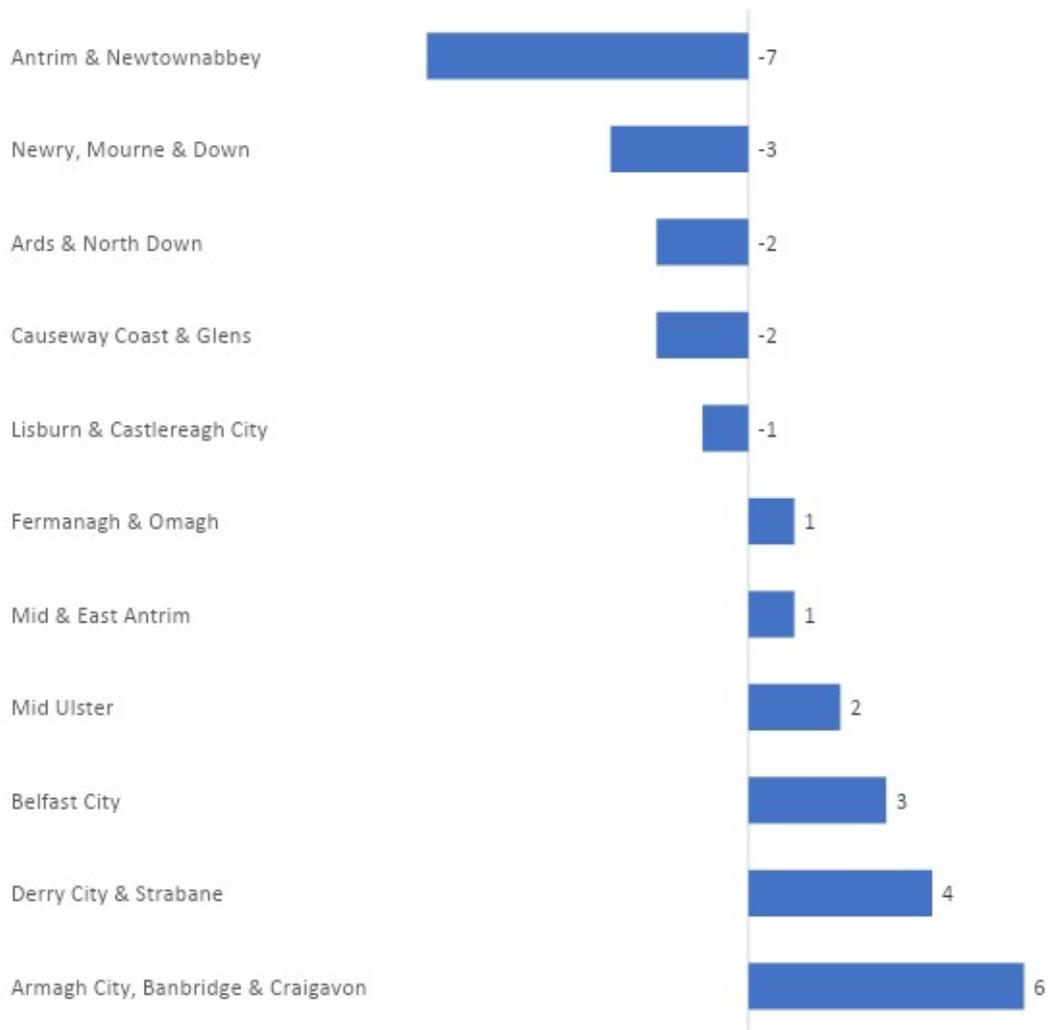
these types of complaints.

In the 12-month period following the introduction of body-worn video two more complaints were received arising from the police dealing with domestic incidents. This suggests that the cameras have had minimal impact on these types of complaints.

The results at police district level also showed little change in the number of complaints pre and post the introduction of the cameras, with the difference in complaints being fewer than ten for each of the police districts.

As with some of the other types of complaints examined as part of this study, a number of the districts received small numbers of these complaints, such as, Fermanagh & Omagh received four complaints arising from a domestic incident in the 12-month period prior to the cameras being introduced. This suggests that the numbers are already at such low levels that it would be difficult to reduce them further for most of the districts.

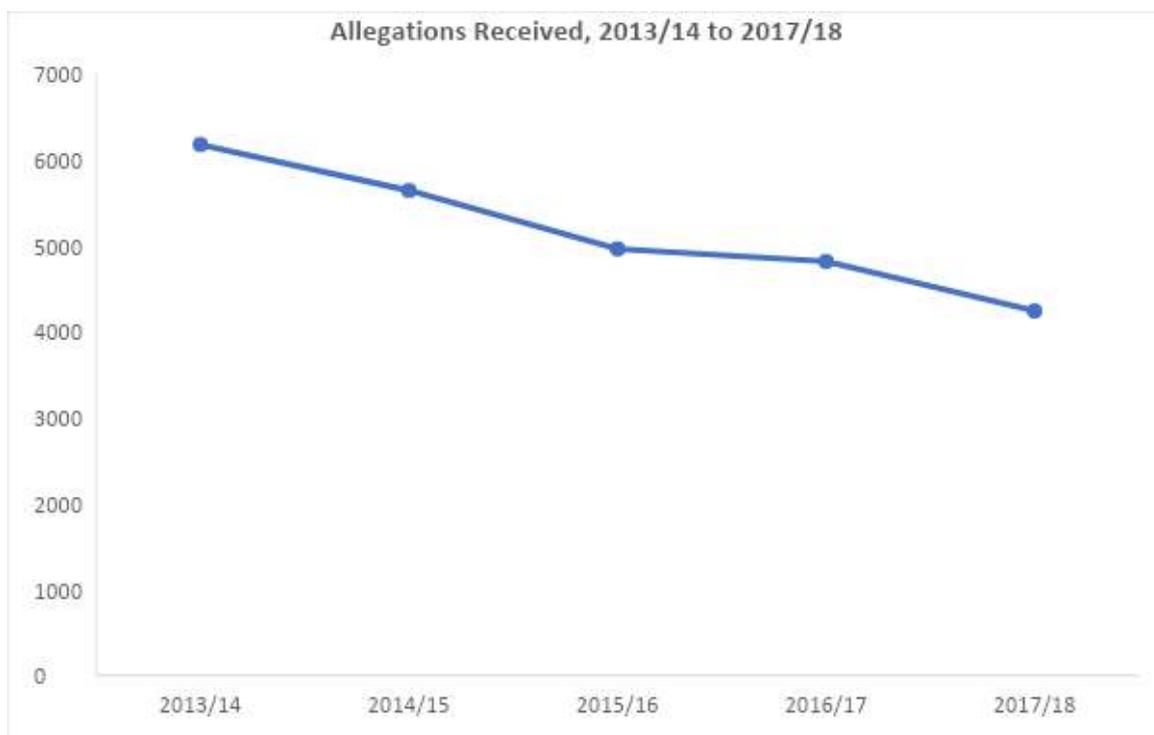
Change in the number of 'domestic incident' complaints following the introduction of body-worn video



Impact on allegations

Allegations are the individual components making up each complaint. Therefore, each complaint is made up of one or more allegations. An example of this would be if a complainant alleges: they were unlawfully arrested *and* that the arresting officer had been rude to them. This would be two allegations made within one complaint.

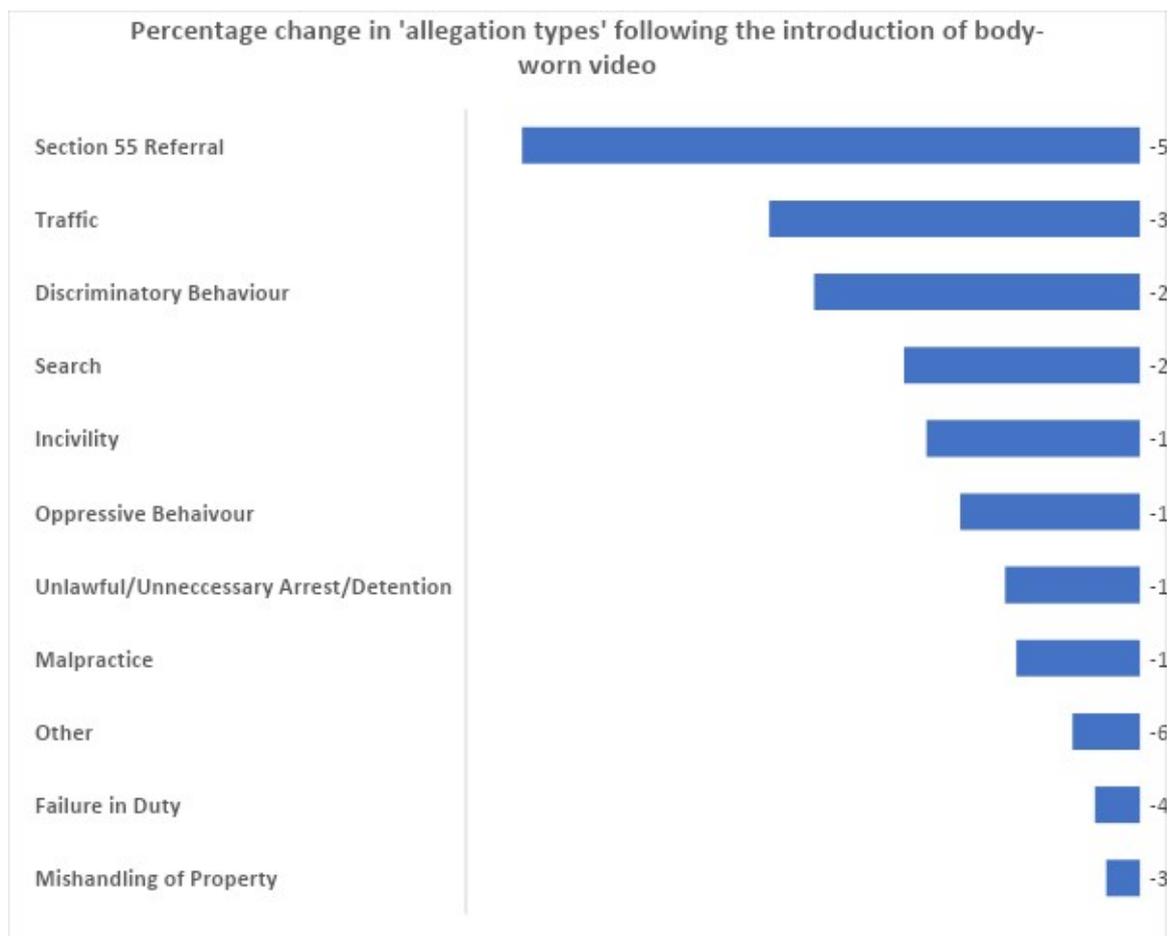
Similar to the decrease in complaints there was a 10% decrease in the number of allegations following the introduction of body-worn video. As with complaints, allegations have been decreasing over the five-year period ending in 2017/18, suggesting that there is more to the



decline than just the introduction of the cameras.

Two separate comparisons have been made: the pre and post analysis by the types of allegations and by police district.

Following the introduction of body-worn video there was a decrease in all of the allegation categories. As this is across all allegation types and not just those ones you would expect to be influenced by the introduction of the cameras, this again suggests that there is more to the decrease than just the introduction of the new technology.



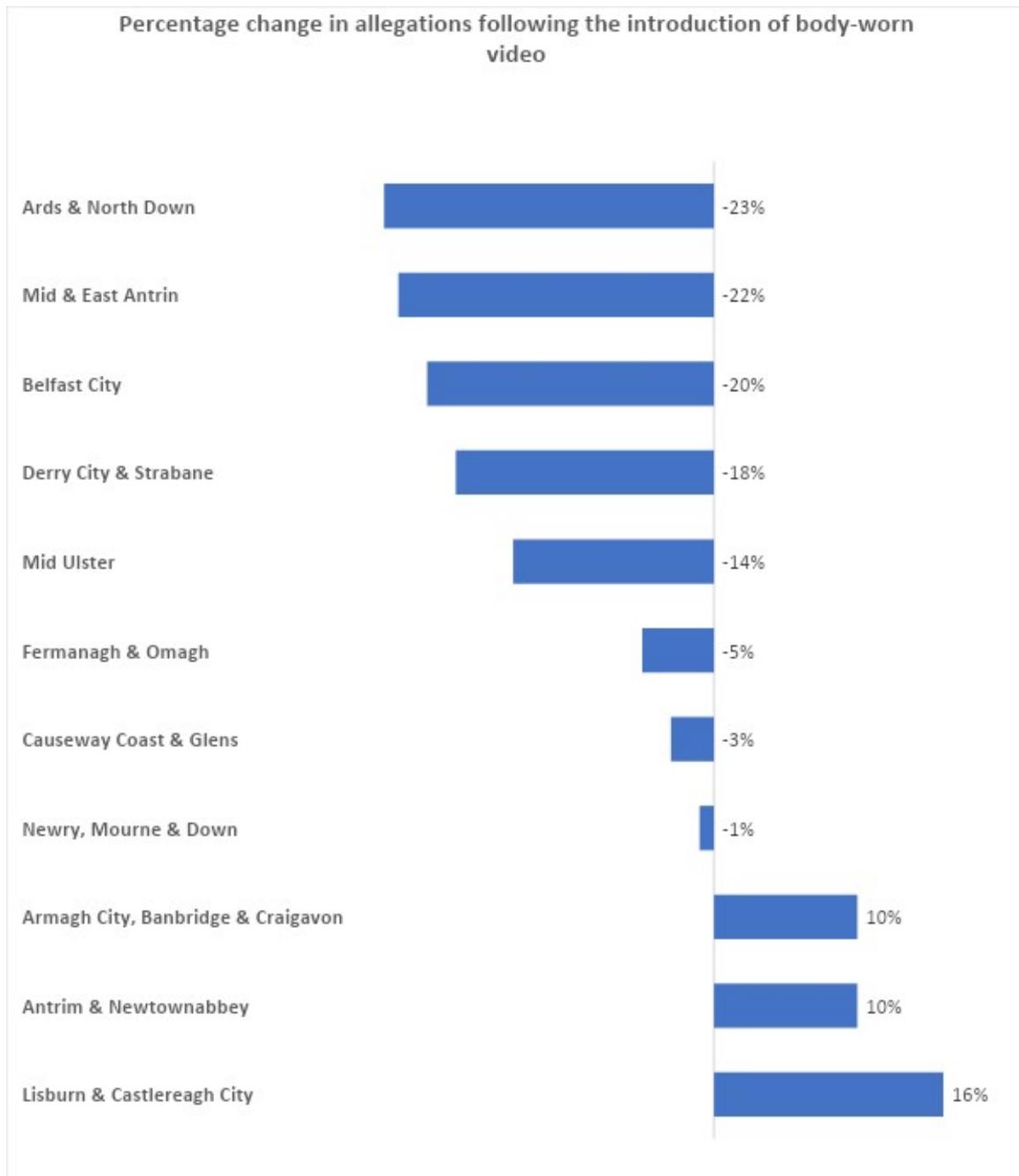
The largest decrease was in allegations attached to a referral to the Police Ombudsman pursuant to section 55 of the Police (Northern Ireland) Act 1998³. These include referrals from the Chief Constable and the Director of Prosecutions, as well as occasions when the Police Ombudsman decides to investigate a matter as it is in the public interest to do so. Although this is the largest percentage decrease, the numbers are relatively small. The decrease is more likely to be caused by a change in recording procedures than as a result of the introduction of body-worn video.

The above chart illustrates that most of the allegation types where the introduction of body-worn video would have been expected to have an impact, in fact have had significant decreases. In particular categories of allegations of discriminatory behaviour, irregularities in police searches, incivility and oppressive behaviour by police have reduced significantly.

Further analysis on each of these allegation types are outlined later in this section of this report.

³ <http://www.legislation.gov.uk/ukpga/1998/32/section/55>

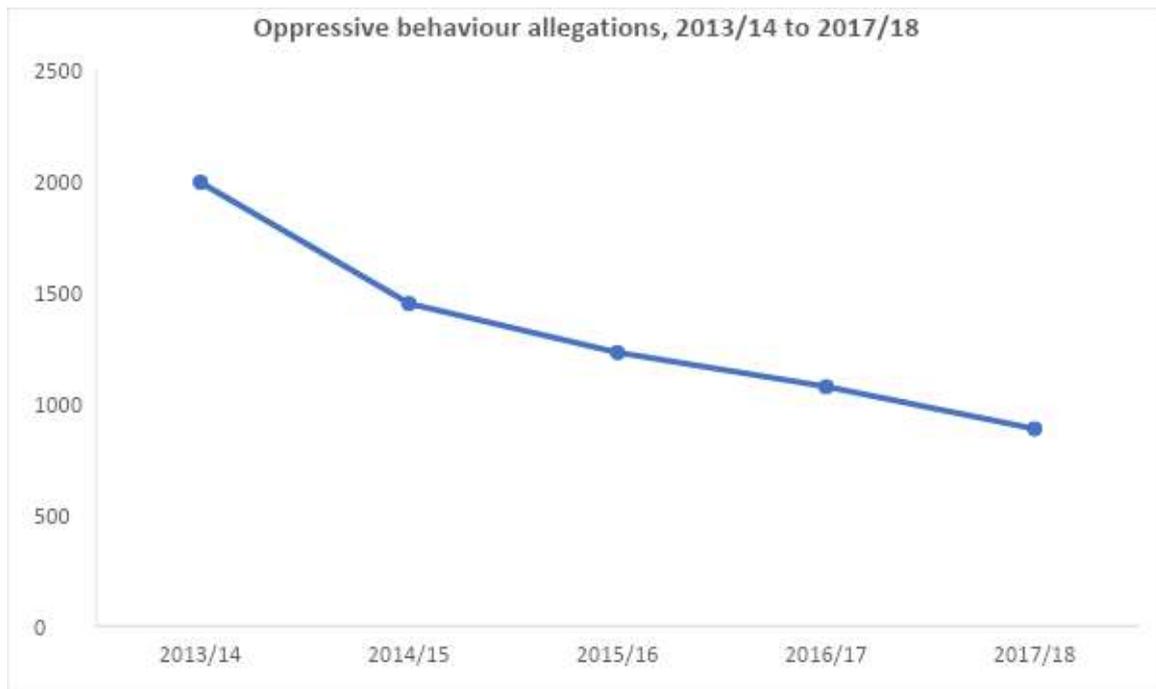
The results at police district level again are similar to those in the impact on complaints section. Five of the eleven police districts had fairly large decreases following the introduction of the cameras, a further three police districts had smaller decreases while, three police districts had a



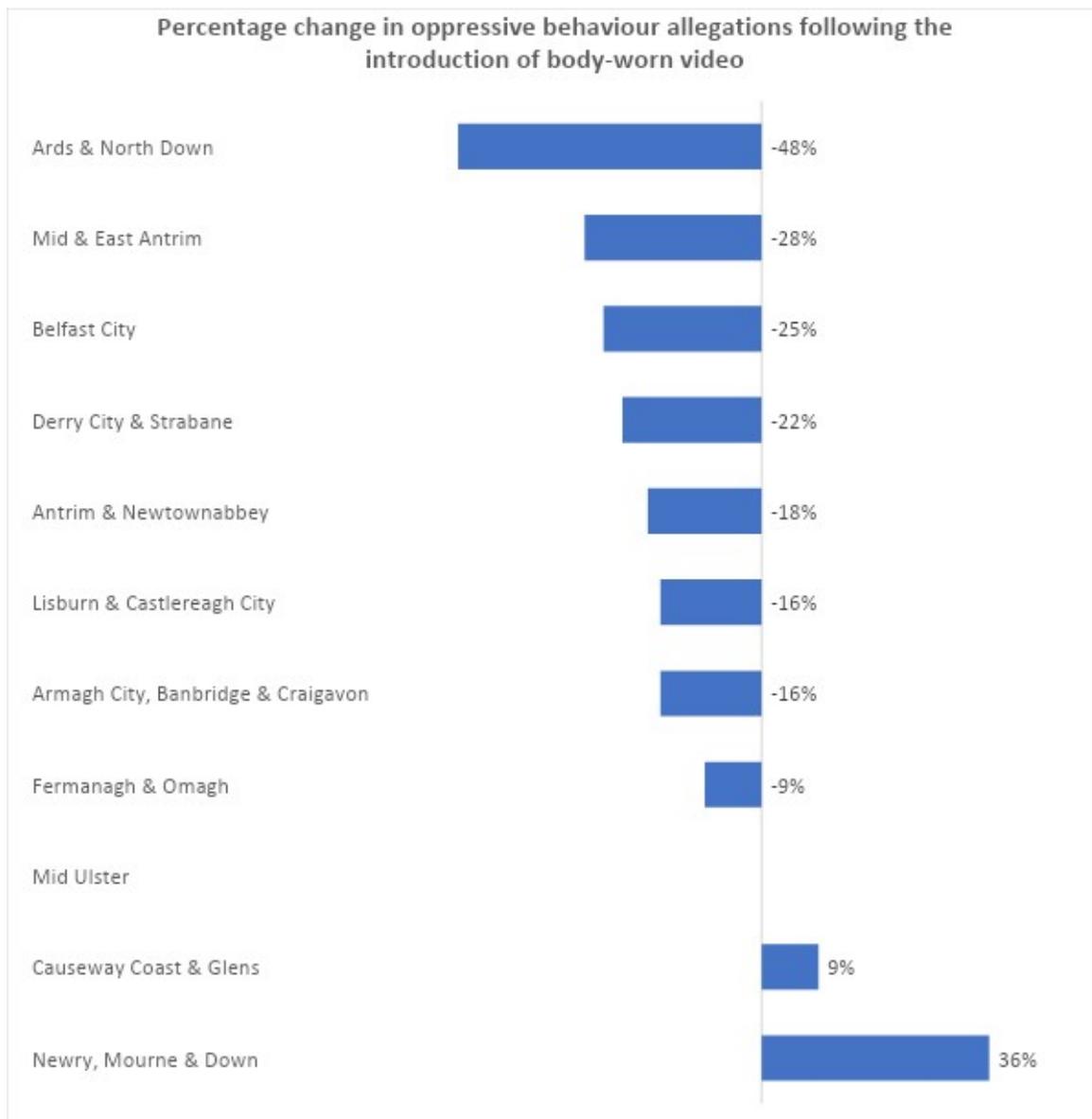
10% or greater increase in allegations.

Impact on oppressive behaviour allegations

Allegations about police officers or staff member's oppressive behaviour have been decreasing over the five-year period ending in 2017/18. For at least three of these years there was a specific target in the PSNI policing plan to reduce these types of allegations. The PSNI have adopted a number of initiatives over this time period to address this issue. A decrease in oppressive behaviour allegations had commenced prior to the introduction of body-worn video. This is indicative of a number of contributory factors other than the new technology.



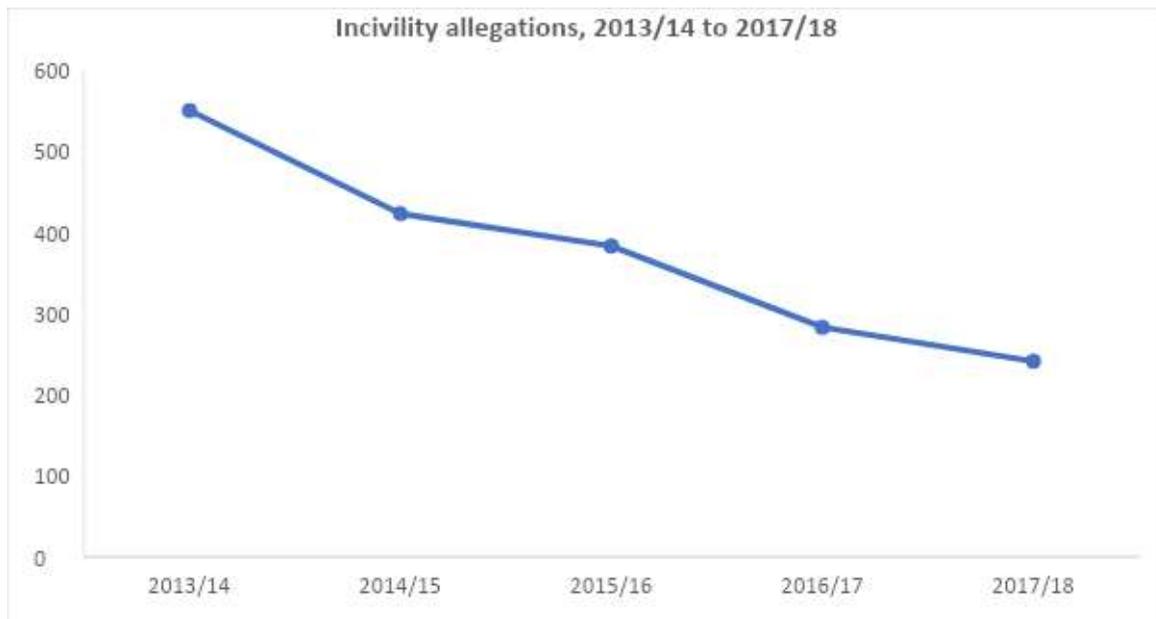
Overall, there has been a 16% decrease in allegations about oppressive behaviour after the introduction of body-worn video. They have decreased in eight of the eleven police districts. Most of these districts have had a relatively large decrease i.e. greater than 15%. This would suggest the introduction of the cameras had an impact on oppressive behaviour allegations even if other factors were also driving the downward trend.



The above chart highlights that in Ards & North Down the number of oppressive behaviour allegations almost halved. Further significant decreases were also evident in Mid & East Antrim, Belfast City and Derry City & Strabane. Allegations in only three police districts did not evidence a similar trend: Mid Ulster had no change (although, this is also the police district which had the lowest number of oppressive behaviour allegations prior to the introduction of the cameras); Causeway Coast & Glens had a 9% increase in oppressive behaviour allegations and Newry, Mourne & Down had an increase of 36% (20 more allegations).

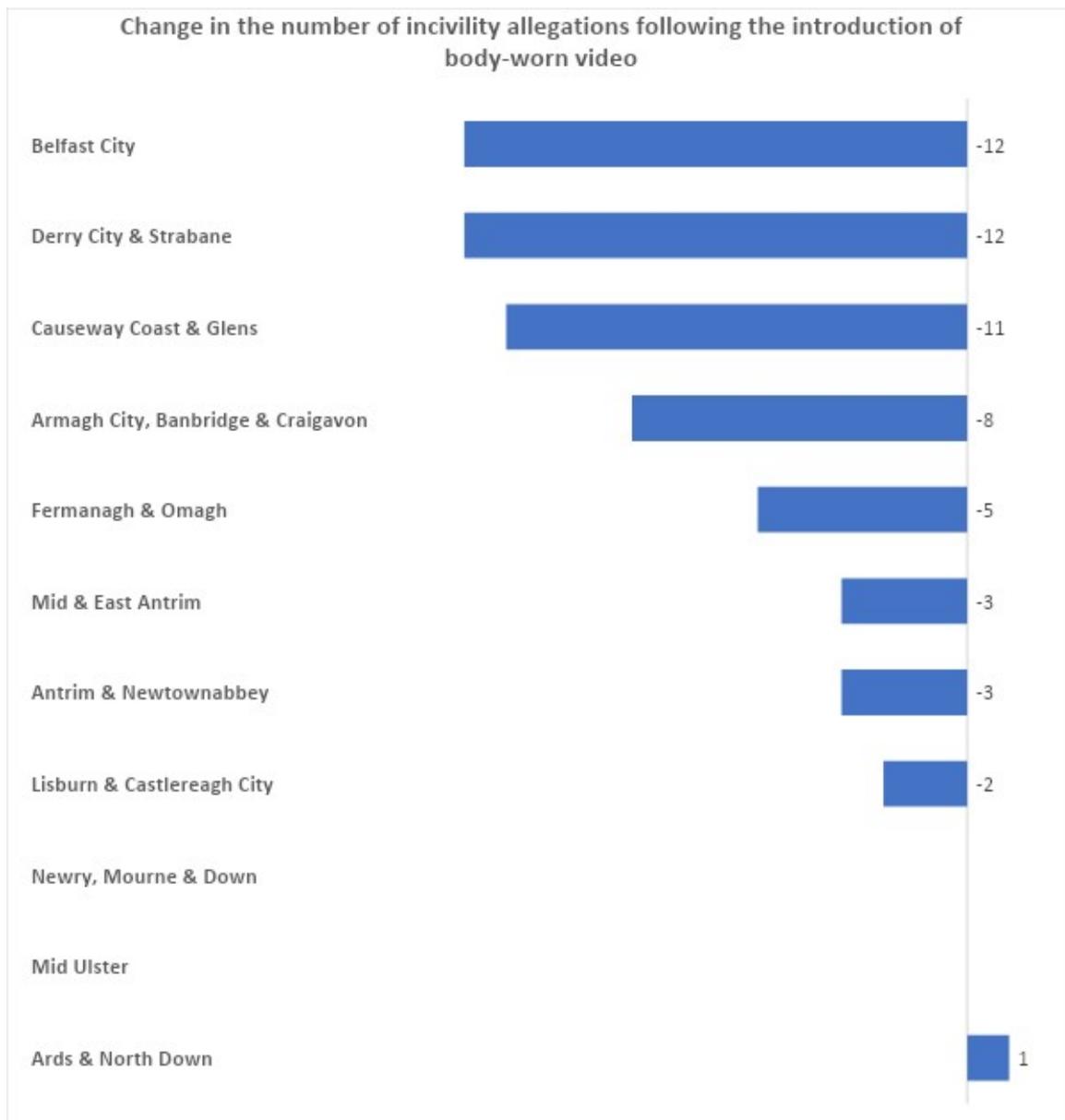
Impact of body-worn video on incivility allegations

Allegations about incivility by a police officer or staff member have been decreasing across the five years between 2013/14 and 2017/18. As with oppressive behaviour, for some of the years within this time period there was pressure to reduce these allegations by way of targets in the policing plan. This suggests that the introduction of body-worn video is not the only thing affecting incivility allegations, as the decrease commenced before the cameras were introduced.



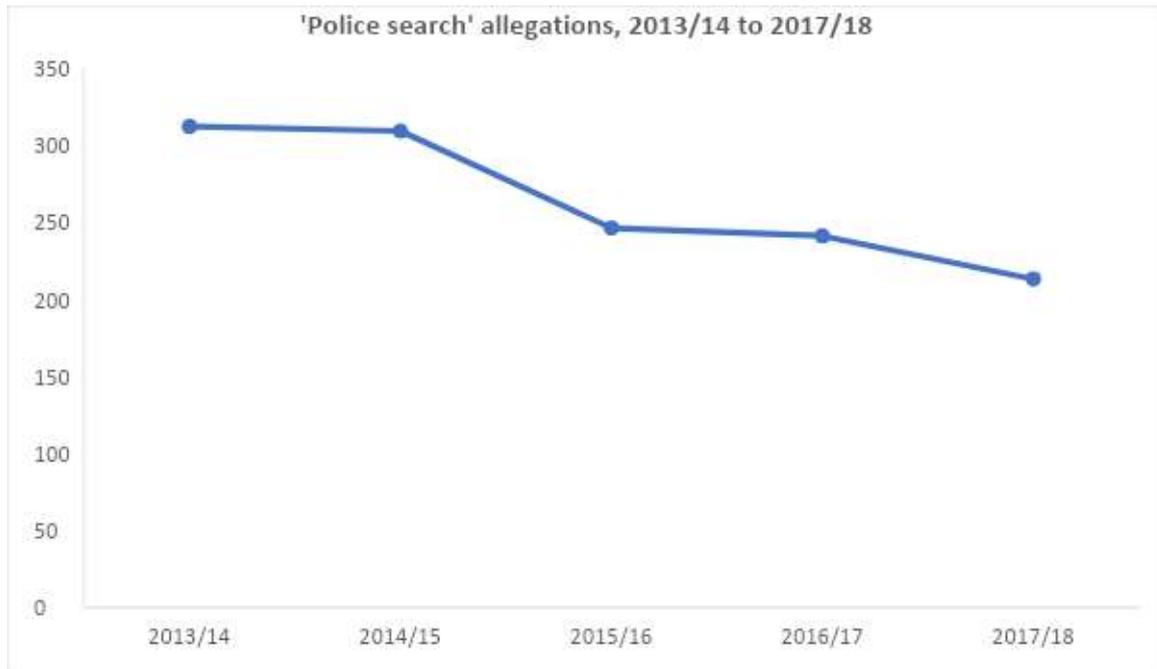
It is noteworthy that allegations of incivility decreased by 19% following the introduction of cameras by PSNI. These types of allegation have also decreased in 8 out of the 11 police districts. There was no evidence found as part of this study that allegations of incivility in any police district had increased significantly. The chart below evidences the change in the number of allegations of this nature across all PSNI districts. It is evident that for several police districts, incivility allegations are relatively low and in these circumstances the introduction of the cameras could only have a small, if any, impact.

For example, Mid Ulster police district had nine incivility allegations during the 12-month period prior to the cameras being introduced, it would be difficult to further reduce the number of allegations in this police district.

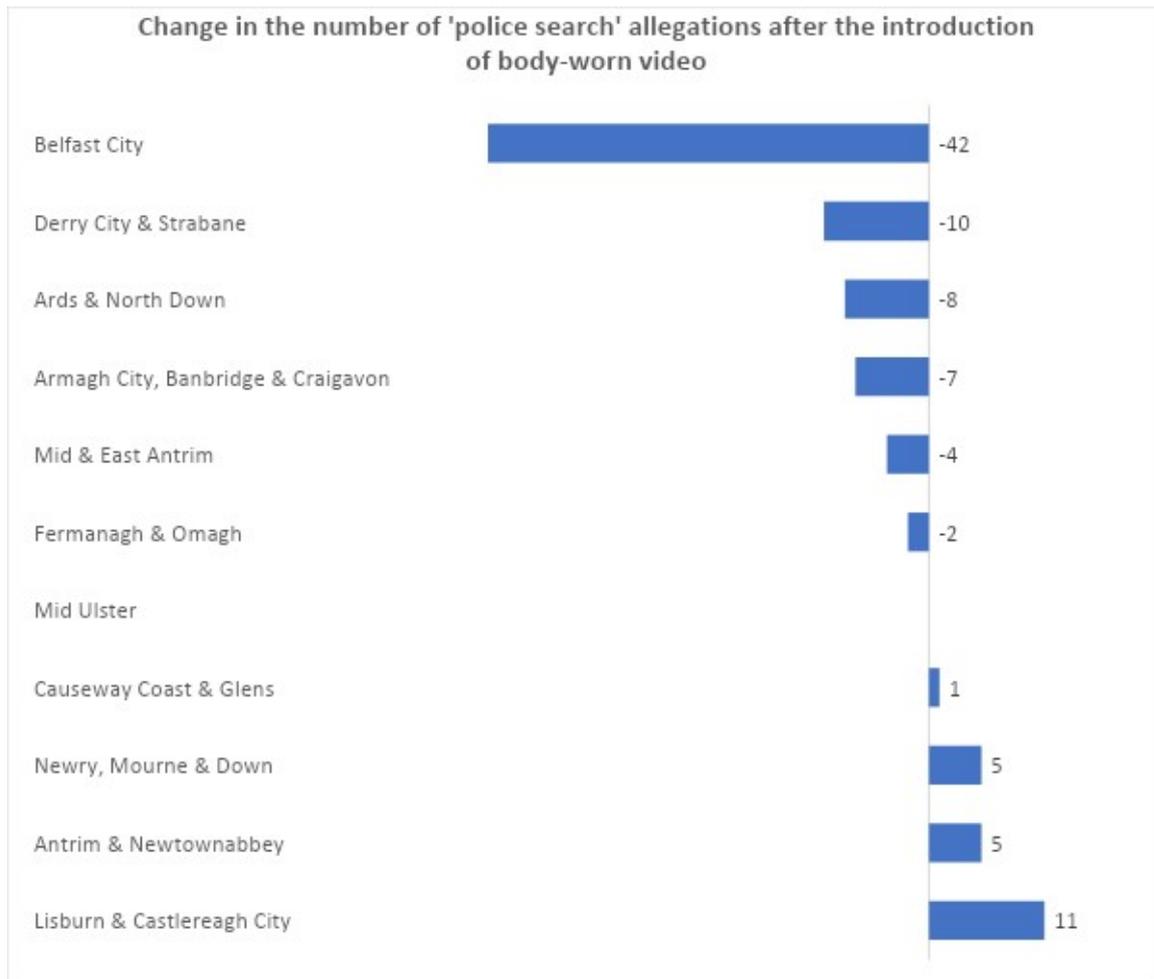


Impact on allegations about irregularity in police searches

By way of background it is noteworthy that allegations made to the Office about an irregularity with a police search have decreased year on year between 2013/14 and 2017/18. Given that this downward trend commenced before the introduction of body-worn cameras, it is possible to conclude that the decrease in allegations about police searches is a result of factors other than the introduction of body-worn video.



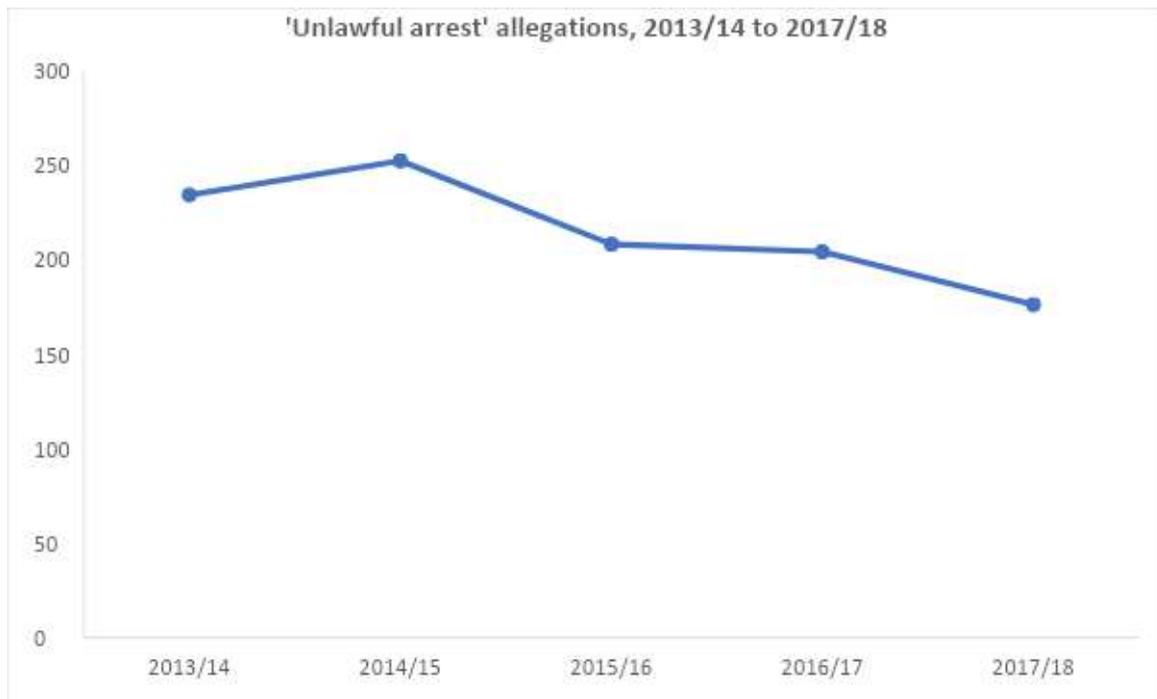
Since body-worn video was introduced the number of allegations about irregularities in police searches also including allegations about damage and seizure of property have decreased by 21%.



These statistics are similar to the movement in numbers of complaints arising from police searches. The overall decrease appears to be driven by a small number of police districts; mainly Belfast City and Derry City & Strabane. Allegations about irregularity in police searches undertaken are minimal in the majority of police districts, in only four of the eleven PSNI police districts they totalled more than 20 in the 12-month period prior to the introduction of the cameras. In light of this small number it is concluded that the introduction of the technology could only have a marginal impact, if any, on these types of allegations at district level.

Impact on allegations about unlawful/unnecessary arrests/detentions

The numbers of allegations about unlawful or unnecessary arrest or detentions have decreased at two points over the five-year period ending in 2017/18; in 2015/16 and in 2017/18. The decrease in 2015/16 was before the introduction of body-worn video and thus cannot be attributed to it. However, the author is of the view that the decrease in 2017/18 could potentially be caused in part by the use of cameras and also in part due to other changes in policing.

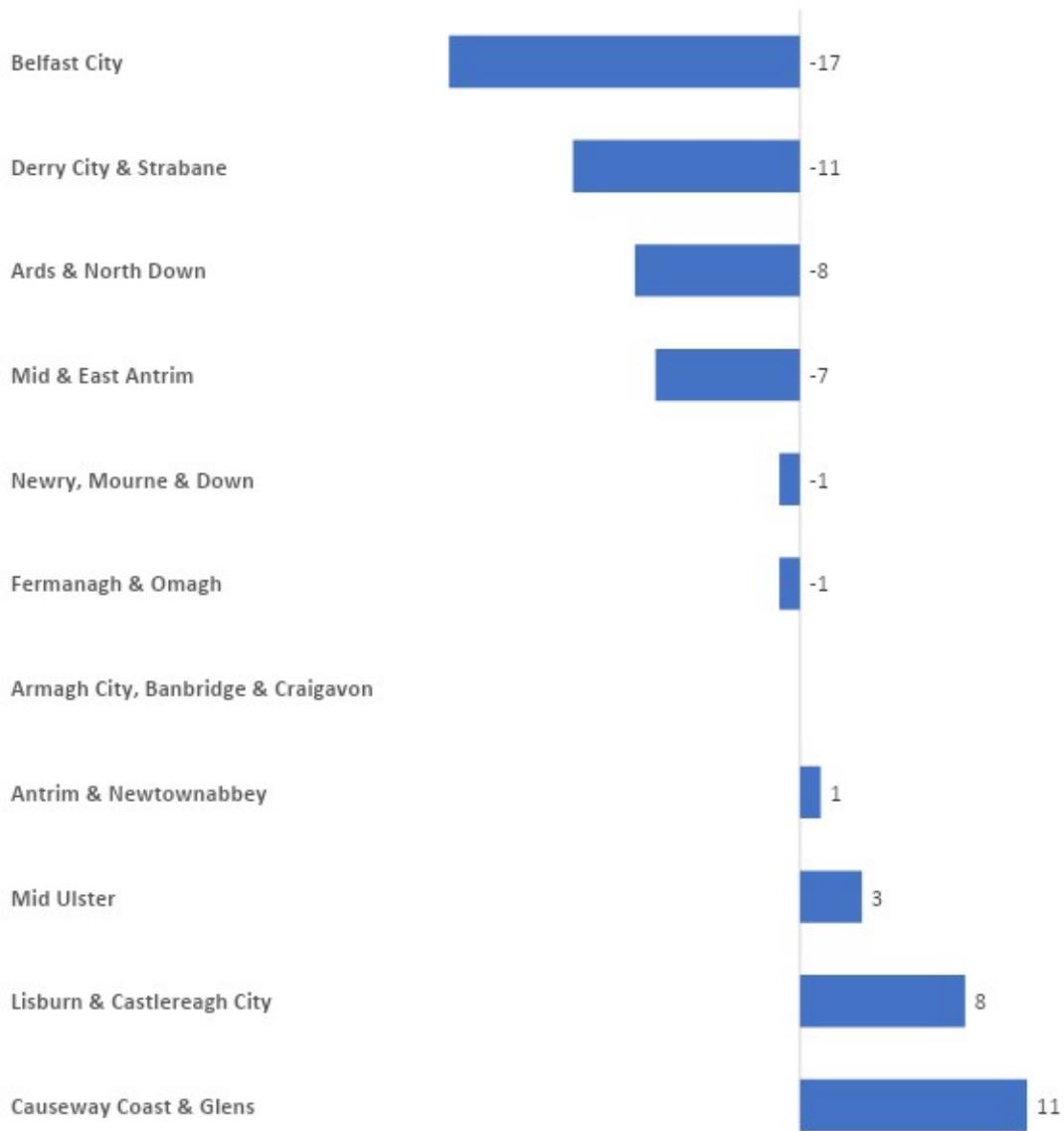


Overall, there has been a 12% decrease in allegations about unlawful or unnecessary arrests or detentions since the introduction of body-worn video. The results for the pre and post analysis vary across the police districts, with six of the eleven police districts a decrease.

It is important to note that in the one-year period before the cameras were introduced Belfast City was the only police district to have more than 25 allegations about an unlawful or unnecessary arrest or detention. The results at district level may already be at too low a level to expect the introduction of the cameras to have a large impact.

For example, Mid Ulster had only four of these types of allegations in the one-year period before the introduction of the cameras.

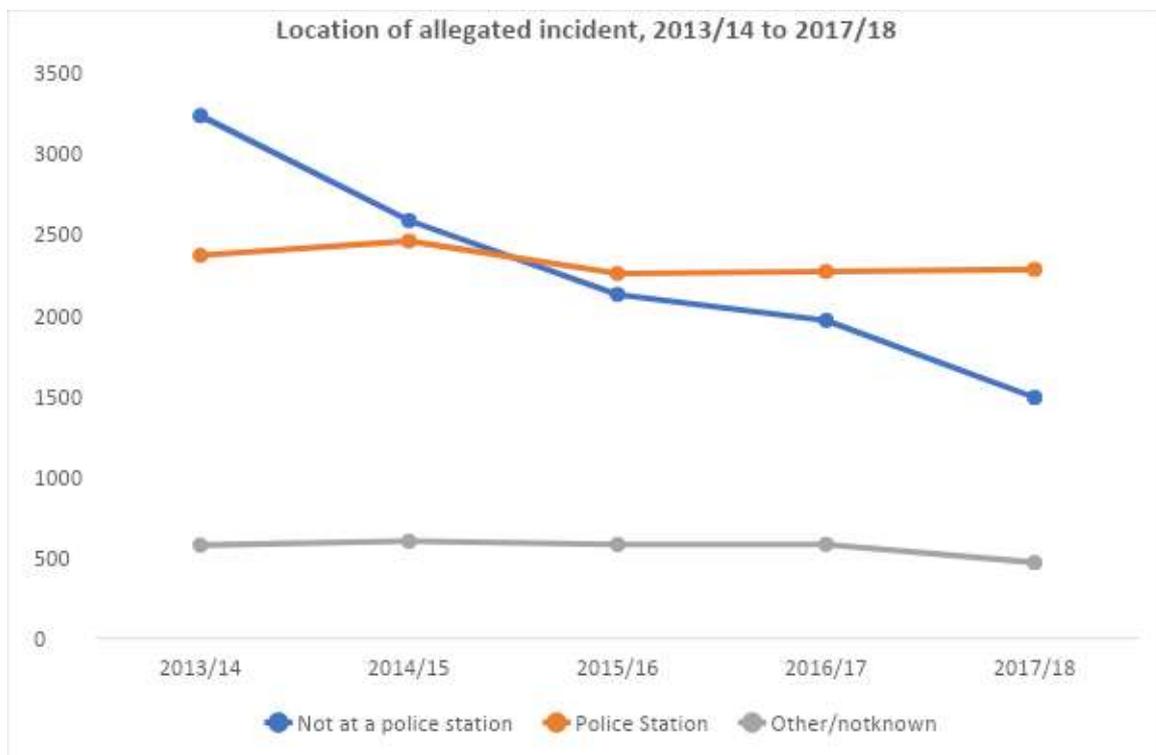
Change in the number of 'unlawful arrests' allegations following introduction of body-worn video



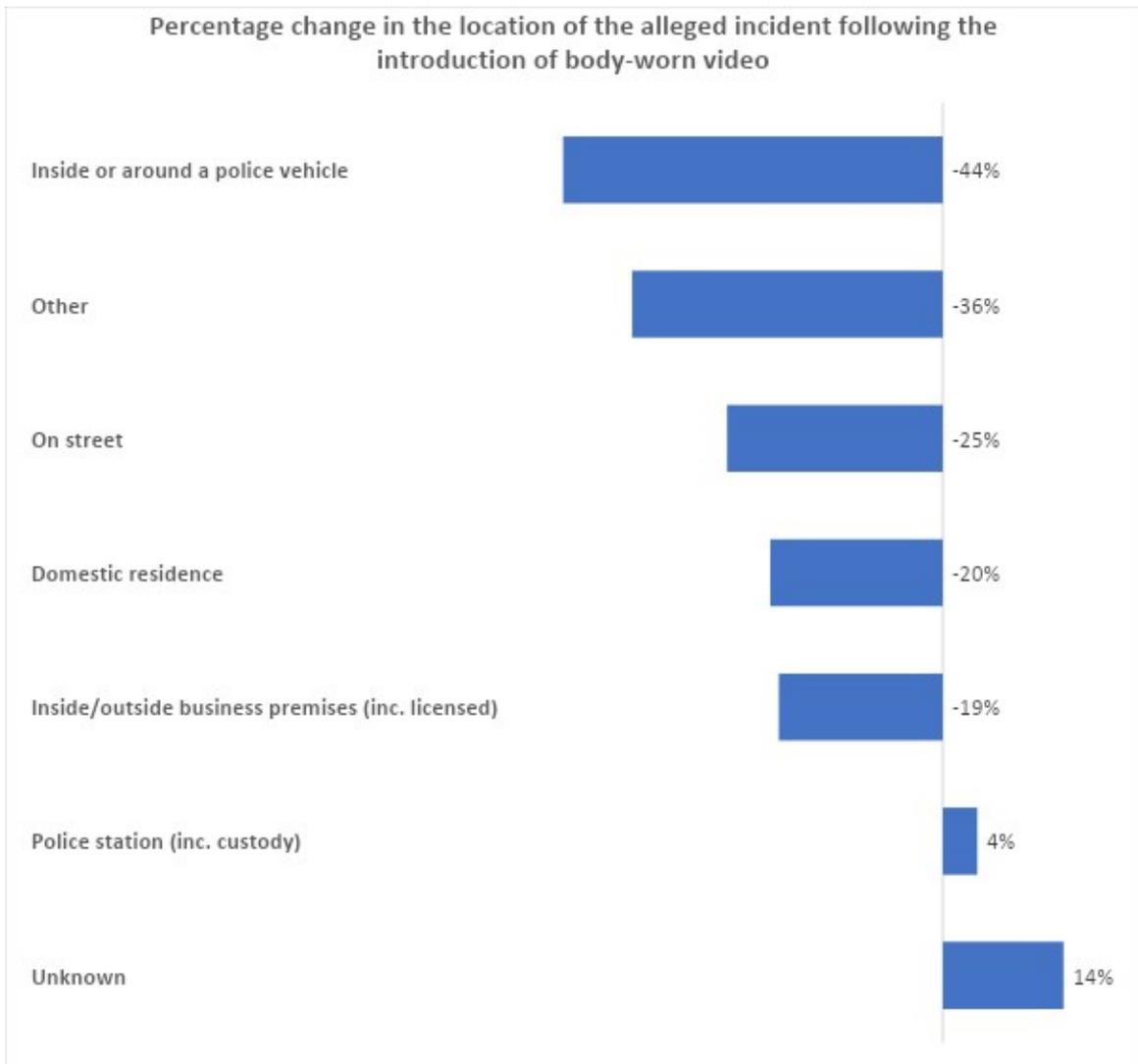
Impact on location of where the alleged incident occurred

This is the last section in the analysis between the pre and post introduction of the cameras. This part of section seven examines whether or not there is an impact on the location of where the alleged incident occurred.

Information on the location of where the alleged incident took place is not routinely published. The results evidence that over the five years between 2013/14 and 2017/18 there has been a noticeable decrease in allegations stemming from incidents occurring external to police stations. For instance, incidents occurring in police vehicles, at private residential or business premises and in public spaces. These locations are more likely to be associated with the use of the body-worn video, the evidence would suggest that the use of cameras may have had an impact on allegations made. However, for the reasons stated above, the use of cameras is one of a number of potentially contributory factors.



All locations which are external to a police station; such as domestic residences, in a public place, within a police vehicle, or at business premises have had relatively large decreases in allegations after the introduction of body-worn video. The largest decrease is in allegations where the incidents were alleged to have happened either inside or in the surrounding area of a police vehicle.



8. Complaints and Allegations Where Body-Worn Video Has Been Used as Part of the Police Ombudsman's Investigations

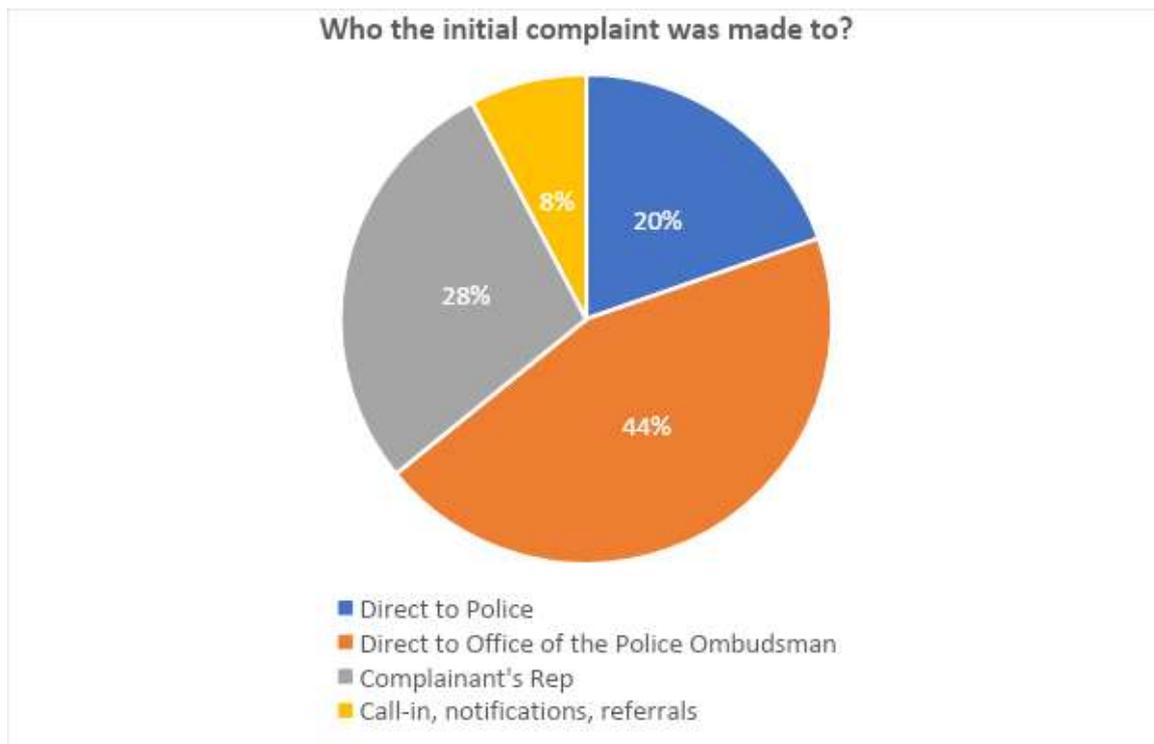
This section of the report examines the first 117 complaints where body-worn video was requested and viewed by Police Ombudsman investigators. It outlines how complaints were received, the relevant police district, types of police interaction, the seriousness of the complaints, the nature of allegations made as part of the complaint and the conclusion of the complaints. The first 117 complaints where body-worn video was used as part of the Police Ombudsman investigation will be referred to as 'the sample' throughout this report. This section outlines the overall picture of complaints in the sample and compares this against all complaints received by the Office during 2017/18. Additional information on the methodology of this part of the study is available at section three above.

In summary the study evidenced that complaints made where the video footage was available tend to be more serious in nature. These complaints were most likely to be made following an arrest and most likely to be about oppressive behaviour, (namely about assaults by police). The analysis also showed that these complaints are more likely to be fully investigated by the Office. Further and of significance is that that these complaints are less likely to be substantiated, although this appears to be mainly due to the types of police interactions where footage is available opposed to the availability of the footage.

Results

How complaints in the sample were received

The largest proportion (more than two in five) were made directly to the Office. One in five of the complaints in the sample were made directly to the PSNI and almost 30% were made through a complainant's representative (i.e. solicitor or community representative). This gives an indication as to how quickly the complaints were made following the incident. Complainants have up to one year to make a complaint to the Office about the conduct of a police officer, unless the allegation meets the criteria for late complaints set out in the Office's grave or exceptional policy.



The sample experience differs substantially from the profile of how complaints are usually received by the Office. A comparison with the results for all complaints received during 2017/18 showed that a larger proportion of the complaints in the sample were made:

- directly to police (20% from this sample compared with 7% for all of 2017/18)
- by a representative (28% of the sample compared with 12% for all complaints received during 2017/18)
- are matters that PSNI either notified the Office about, referred for an investigation or where the Office investigated a matter as it was in the public interest to do so (8% of the sample compared with 1% of all complaints received during 2017/18).

The largest difference is for complaints made directly to the Office. A smaller proportion of complaints in the sample were made directly to the Office than for all complaints received during 2017/18 (44% of the sample compared with 77% of all complaints received during 2017/18).

In conclusion, the sample data evidences that complaints about incidents where body-worn video has been activated are more likely to be made around the time of the interaction directly to the police and less likely to be made after the interaction by contacting the Office than for 'typical' complaints received by the Office. This is based on the assumption that complaints made directly to the police are more likely to be made at the time of the incident than complaints made to the Office.

Where the incident occurred

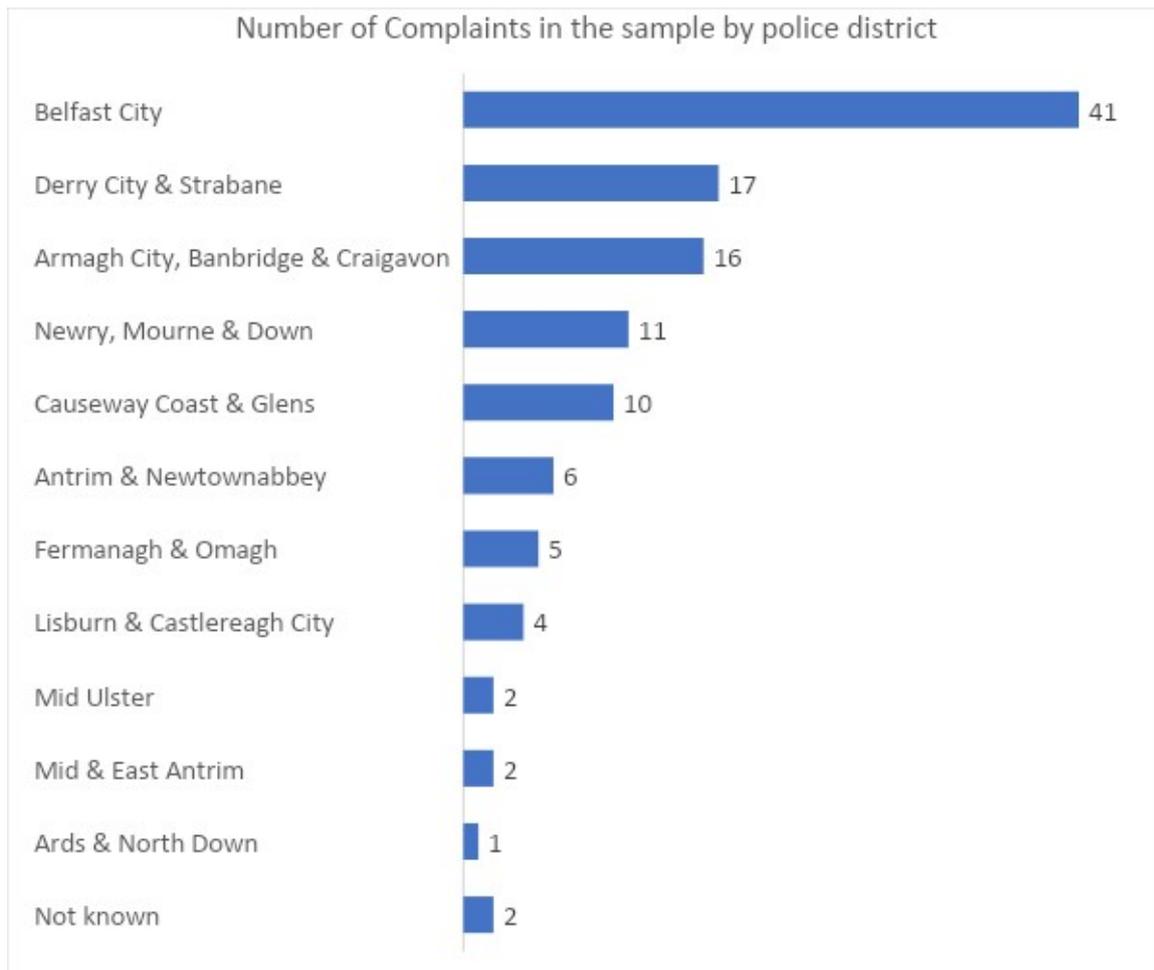
The Office records on its case handling system all the complaints it receives and also the policing district where the incident is alleged to have happened.

The results from the sample are different from that for all complaints received by the Office during 2017/18.

Just over one third (35%) of the complaints in the sample were about incidents which occurred in the Belfast City police district. Derry City & Strabane and Armagh City, Banbridge & Craigavon have the second and third most complaints, both accounting for around 15% of the complaints in the sample.

However, of note is that not all policing districts in Northern Ireland commenced the use of body-worn video at the same time. Therefore, comparing each during this early stage after the introduction of the technology would not in the author's view be a fair comparison.

The results reflect the order in which the body-worn video was rolled out. The four police districts which have the most complaints are also the same police districts where body-worn video was introduced first. Similarly, the four police districts which have the fewest complaints are the districts where the cameras were introduced last.



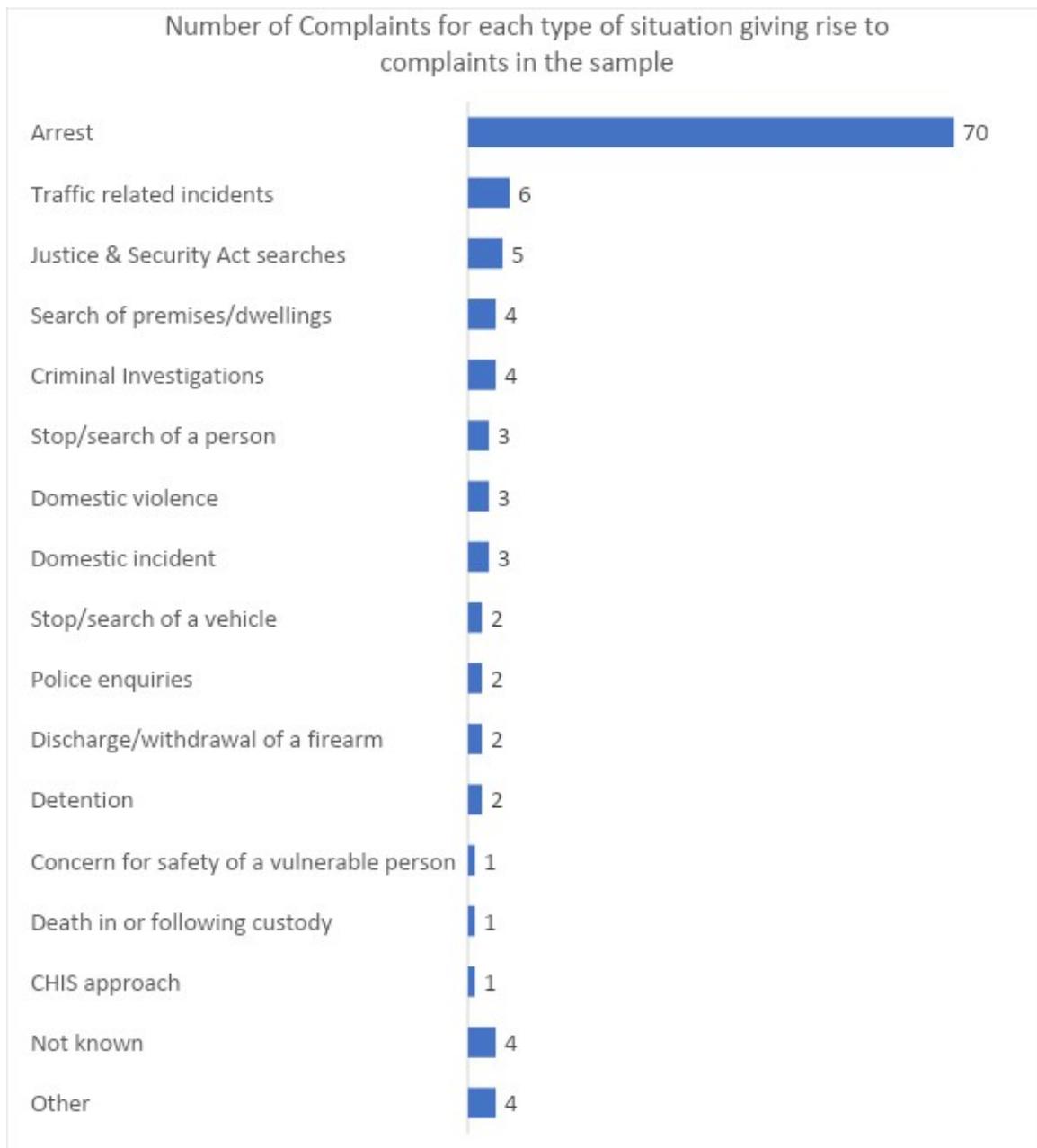
Types of situations giving rise to complaints

The results of the study indicate that there is a different trend in the types of complaints received when police officers have activated their body-worn video than for all complaints made about police.

Within the sample of complaints where body-worn video footage was viewed, 60% were made following a police arrest and 12% were made following a police search (combined total for Justice & Security Act⁴ searches (JSA searches), person searches, vehicle searches and premises search).

That is different from the overall pattern of complaints received by the Office during 2017/18.

⁴ These are stop and searches made under the Justice and Security (Northern Ireland) Act 2007. See link for more information <http://www.legislation.gov.uk/ukpga/2007/6/crossheading/powers>



A larger proportion of complaints in the sample have arisen after a police arrest (60% compared with 15% in 2017/18) or following a police search (12% compared with 7% in 2017/18). A smaller proportion of complaints were made following police contact as part of a criminal investigation (3% compared with 30% in 2017/18), which is normally the most common type of contact with police that results in complaints being received by the Office.

There may be several reasons why the trends in the sample are different to the trends for all complaints received during 2017/18. The types of situations giving rise to complaints in the sample reflect the types of interactions police officers have with members of the public when the body-worn video is activated. Officers are more likely to switch on cameras if they are arresting someone, especially if that person is not co-operating with police or are acting

aggressively towards the officers. Also, police officers were advised to have cameras activated when conducting police searches. Officers will not typically have their cameras activated when dealing with individuals as part of a criminal investigation.

Seriousness or complexity of complaints in the sample

The sample results indicate that complaints received when body-worn video was activated tend to include more serious allegations than complaints received by the Office during 2017/18.

Each complaint received by the Office will be assessed during a triage process, taking into account both the nature and complexity of the investigation required.

The results from the sample showed that more than half of the complaints received (55%) included an allegation of a physical injury (involving excessive bruising, breaking of the skin) or significant mental trauma, allegations of theft, fraud, discriminatory behaviour, a neglect of duty resulting in a failure to protect victims/survivors and suspects, improper disclosure of information and criminal allegations of a driving offence.

Allegations within the sample

Results from this sample indicate that allegations made where body-worn video has been activated are more likely to allege an assault, an irregularity with a police search or an unlawful/unnecessary arrest/detention than the general profile of complaints and allegations received by the Office. Almost three quarters (72%) of the complaints in the sample were made up of one or two allegations. The average number of allegations in these cases was two, although one complaint contained eleven allegations.

The most frequently made allegation was about an officer's oppressive behaviour: more than three-quarters (76%) of these complaints had at least one such allegation. The second most commonly made type of allegation was about a failure in duty: 29% of the complaints



contained at least one failure in duty allegation.

This is a different profile of allegations than for all complaints received by the Office during 2017/18. A higher proportion of complaints in the sample contained an oppressive behaviour allegation (76% in the sample compared with 28% for complaints received during 2017/18) and for allegations of irregularities with police searches (15% in the sample and 7% for all of 2017/18). A similar proportion of complaints have an incivility allegation (both around 10%) and a smaller proportion contain an allegation about a failure in duty (29% in the sample and 56% in 2017/18).

The complaints in this sample are probably more representative of the interactions between members of the public and police officers where body-worn video has been activated.

How complaints in the sample have been concluded

Almost nine in every ten complaints (88%) in the sample that were fully investigated found no evidence of misconduct by an officer, 12 percentage points more than for all the fully investigated complaints closed by the Office during 2017/18.

This study examined the outcome of complaints where police officers have activated their body-worn video and compared them with the outcomes of all complaints closed by the Office during 2017/18.

There can be multiple closures per complaint, depending on the number of officers and the number of allegations associated with it. To simplify the reporting of the closures, only one closure is used for the whole complaint. In order to achieve this all closures within the complaint are ranked with the highest ranked closure representing the whole complaint. The ranking follows the order of closures in the table below with 'Call In-Out no further action (NFA)' being the lowest rank of closure and substantiated being the highest.

| Closure | No. of Complaints | % of Complaints |
|---------------------------------------------------|-------------------|-----------------|
| Call In-Out no further action (NFA) | 4 | 3% |
| Withdrawn | 2 | 2% |
| Ill-founded | 4 | 3% |
| Awaiting solicitor contact – criminal proceedings | 1 | 1% |
| Non co-operation | 29 | 25% |
| Not substantiated | 67 | 57% |
| Substantiated | 9 | 8% |
| <i>Still under investigation</i> | 1 | 1% |
| Total | 117 | 100% |

Complaints which have been either substantiated or not substantiated are considered by the Office to have been fully investigated. All other types of closures in the table indicate that the complaint has been closed prior to a full investigation. For example, because it has been withdrawn by the complainant, or because the person making the complaint did not engage enough for the investigation to proceed.

Around, two thirds of the complaints in the sample were fully investigated (combined total of complaints which have been closed as substantiated or not substantiated). This is nearly double the proportion for all complaints closed during 2017/18 (65% compared with 33%, respectively).

As already stated, of the complaints which had a full investigation, 88% found no evidence of misconduct by an officer/s. This compares with 76% of the fully investigated complaints during 2017/18.

A similar proportion of complaints were either closed as they were withdrawn or because the complainant did not fully engage with the Office between the sample and those cases closed during 2017/18.

To examine if the difference in the conclusion of fully investigated complaints between those in the sample and those closed during 2017/18 is due to the types of the complaints in the sample, another comparison has been provided. As most of the complaints in the sample arose from a police officer making an arrest a comparison has been provided between fully investigated complaints in the sample and fully investigated complaints arising from arrest which were closed during 2017/18.

Complaints closed during 2017/18 where the main situation giving rise to the complaint was an arrest 48% were fully investigated. This again is a smaller proportion to that of the sample. However, the substantiation rate of the fully investigated complaints between the sample and the 2017/18 'arrest complaints' is similar (11% and 13%, respectively). This suggests that the sample evidences a lower substantiation rate for fully investigated complaints than those closed during 2017/18 is due to the types of complaints in the sample and not due to the availability of the camera footage.

9. Impact on the Investigation of Complaints

This section of the report examined the impact the introduction of body-worn video on Police Ombudsman investigations. The first 117 complaints where body-worn video was requested and received from the PSNI have been selected as a sample to gauge the impact the availability of the footage had on the Police Ombudsman's investigations in terms of reaching its conclusion and the time taken to investigate it.

In summary, Police Ombudsman investigators considered that for nearly three-quarters (72%) of these complaints the video footage aided their investigation, saying that the footage was either 'critical' for the investigation or that it was helpful. Also, for nearly one third (30%) of these complaints it was felt that the footage speeded up the investigation.

How instrumental was the body-worn video to the closure of the investigation?

For nearly, three-quarters (72%) of the complaints in the sample the Police Ombudsman investigators commented that the footage from body-worn video proved either critical or helpful to their investigation.

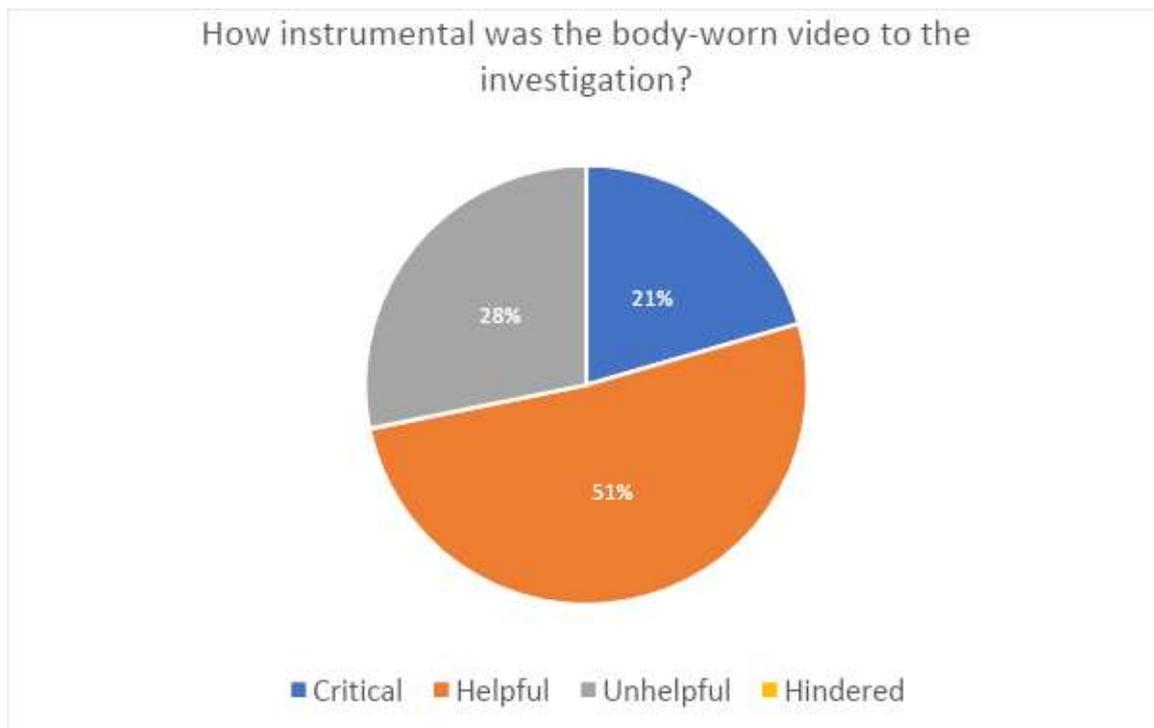
For each complaint in the sample, the Police Ombudsman investigator who was conducting the investigation was asked "How instrumental the body-worn video was in drawing conclusion to the case?" Four answer options were provided:

- a. **Critical** – the only evidence available and without it a different conclusion would be likely
- b. **Helpful** – one of many bits of evidence but did not alter the final conclusion
- c. **Unhelpful** – the footage did not help the investigation
- d. **Hindered** – the footage raised more questions than it answered so more investigative work was required than if no footage had been available

No Police Ombudsman investigator considered that the body-worn video had a negative impact on their investigation (i.e. selected that it hindered the investigation).

Almost, three-quarters (72%) of the investigators said that the body-worn video aided the investigation (either the evidence was critical to the investigation or it was helpful).

The remaining 28% said the footage neither helped nor hindered the investigation (i.e. selected the footage was unhelpful).



Reasons why Police Ombudsman investigators concluded that camera footage aided investigations

Police Ombudsman investigators said that among the benefits of having footage from body-worn was that on occasions it provided an early understanding of an incident or situation and helped in refuting inaccurate versions of events while identifying individuals involved.

This study sought to understand in what way the officers found the footage from body-worn helpful to the investigation. In Part 2 of this report the author has considered more than 30 investigations in detail, seeking to illustrate essential information contained on relevant footage and how this related to the complaint and allegations in hand.

As explained earlier, a number of Police Ombudsman investigators were surveyed to get an overview of how they found the footage useful. The following paragraphs detail the reasons why they found the footage aided their investigations.

The PSNI notify the Office of certain types of interactions such as: the discharge of a firearm, TASER or CS Incapacitant Spray (CS Spray) or of a death following police contact. The footage on those occasions if it covers the whole of the interaction, can allow for the reasonable expedition of a decision to be made as to whether the incident needs to be investigated. In the absence of this footage more investigative work would be required, such as taking statements from witnesses and police officers, examining officers’ notebook entries and gathering other police documentation.

Some Police Ombudsman investigators commented that the camera footage gave them a better sense of the situation than reading notebook entries or other police documentation. They said it can provide an accurate account of not only what was happening but also what was said.

Where police officers have used force, such as when officers discharge or draw a firearm, CS Spray or a TASER® viewing such footage can show the situation the officer/s are in, such as fearing for their or other people's lives and can help establish whether their use of force was proportionate.

Other Police Ombudsman investigators commented that video footage had proved useful in helping to determine how an injury may have been obtained.

The footage will tend to corroborate or refute a statement made. Even when the footage does not cover the full incident or all of the allegations made, Police Ombudsman investigators said it can refute or corroborate some issues and thus may be of use to gauge individuals or police officers credibility.

The audio from the cameras can provide a similar function, even in instances where the footage is of limited value. The audio can capture conversations between police and either the complainant, witnesses or other parties, thereby providing clear evidence of what has been said and the manner in which it was communicated.

Some Police Ombudsman investigators said footage provided the best evidence of the complainant's and the police officer's behaviour, demeanour and level of aggression during an exchange. They cited this as particularly useful in investigating allegations of oppressive behaviour when the complainant has alleged excess force was used. The footage can show the level of force used but also more importantly if there were any reasons for doing so.

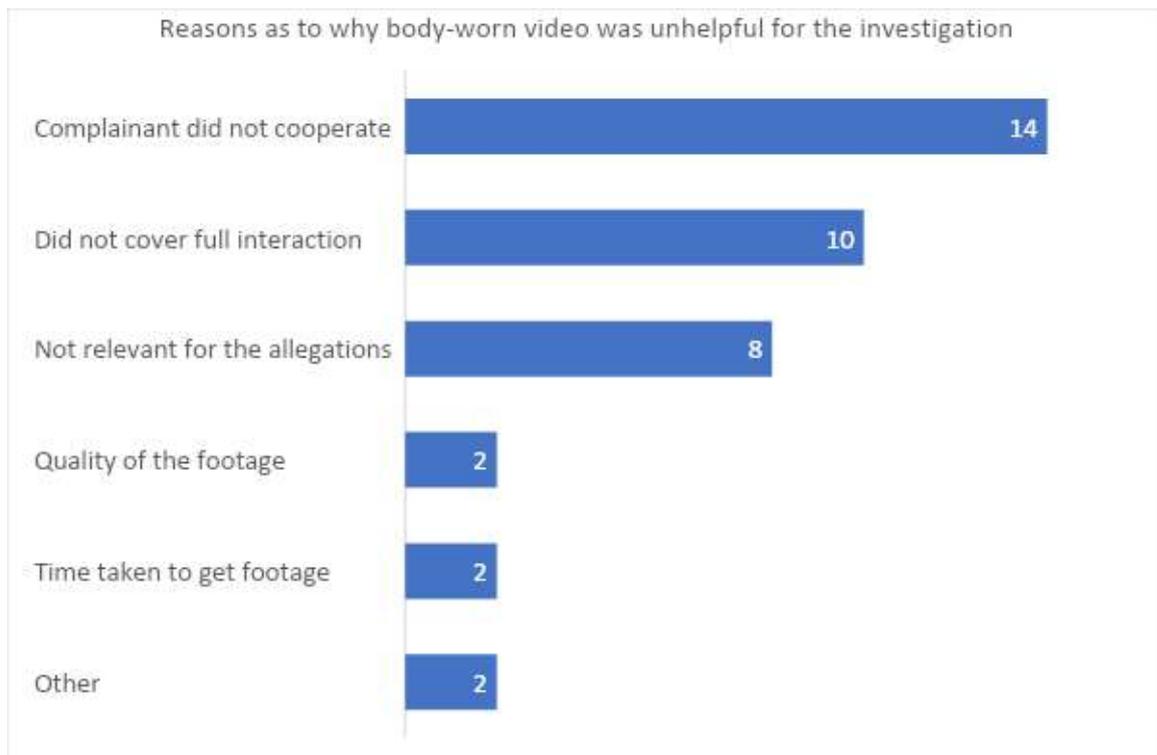
In many of the complaints within the sample, the complainant had been arrested by police. Some of the footage showed that those being arrested were not cooperating with the police officers. With footage of the arrest and transport to custody, the Police Ombudsman investigators can get a good sense of the manner of both the complainant and the police officers. It can capture if the detainee is complaining of anything specific during the interaction with police and what the police officers do, if anything, to alleviate the problem.

In some instances, the footage can help provide information about which officers were involved in the interaction with the complainant. This can be obtained by their epaulette number. In a number of cases, footage has also been used to exclude officers from the investigation. For instance, where it was clear that the officers were not attending the incident being complained about.

Reasons why the footage did not assist the Police Ombudsman investigation

The study also evidenced that the existence of body-worn video footage did not always assist a Police Ombudsman investigation. In some instances, the matter complained of was not caught on camera: in other cases the matter was not a separate incident capable of being recorded on camera.

Police Ombudsman investigators surveyed have indicated that footage from body-worn video did not aid the investigation in around one in every four complaints (28%) in the sample. The chart below shows the main reasons for this.



Note: each complaint may have more than one reason as to why the body-worn footage was unhelpful.

The most common reason some Police Ombudsman investigators considered that the new technology was of limited value was that the complaint in question could not be progressed, irrespective of the footage – because the complainant did not fully engage with the Office, in these cases the complaint was closed as ‘non-cooperation’.

The footage was viewed in all the cases closed as ‘non-cooperation’ and in those cases it did not evidence any police misconduct. In one case the footage had been viewed by a family member and it was they who indicated that the complaint should be withdrawn.

A frequent reason that Police Ombudsman investigator gave for the belief that the footage was of limited value was that it did not cover the full interaction and thus it was possible the incident complained of had occurred when cameras were not activated.

Police Ombudsman investigators gave some examples where the footage did not cover the full incident, such as it showed the arrest but did not cover the interactions leading up to that point. In a separate case the camera was turned on only after the deployment of CS Spray. In another instance officers searching a house had to turn the cameras off at one stage due to privacy considerations as children were present.

Generally, Police Ombudsman investigators considered that in cases where the footage does not cover the whole incident, its usefulness diminishes as the alleged conduct may have occurred when the cameras were not activated.

In these cases, it is important to remember that the decision as to how helpful the footage was to the investigation is subjective and that perceived usefulness can differ across different cases and between Police Ombudsman investigators. For some complaints where the footage does not cover the whole incident or where the case was closed as the complainant did not cooperate, the Police Ombudsman investigator still deemed the footage to be helpful to their investigation, arguing that it still showed some of the police interaction and gave a sense of what has occurred during parts of the interaction, or that it gave more grounds to close the case as the footage did not identify police misconduct.

Lack of relevance to the complaint was the third most common reason Police Ombudsman investigators felt the video footage was not useful. Investigators quoted complaints such as those about a failure to update people about the progress of a police investigation or a complaint about a police officer disregarding new evidence; and in cases about the administration of stop and search powers.

There were only a small number of times where the quality of the footage presented difficulties for Police Ombudsman investigators. In these instances, the footage was too dark to identify persons; it was difficult to see the full details of the encounter. The footage in these instances could not be used to corroborate either the officer's or the complainant's account.

Finally, in two cases Police Ombudsman investigators mentioned that the footage did not assist due to the time taken to obtain this from police. One Police Ombudsman investigator cited it as having taken between four to six weeks to get the footage, which caused delays in the investigation of the case. This was not however a frequent theme.

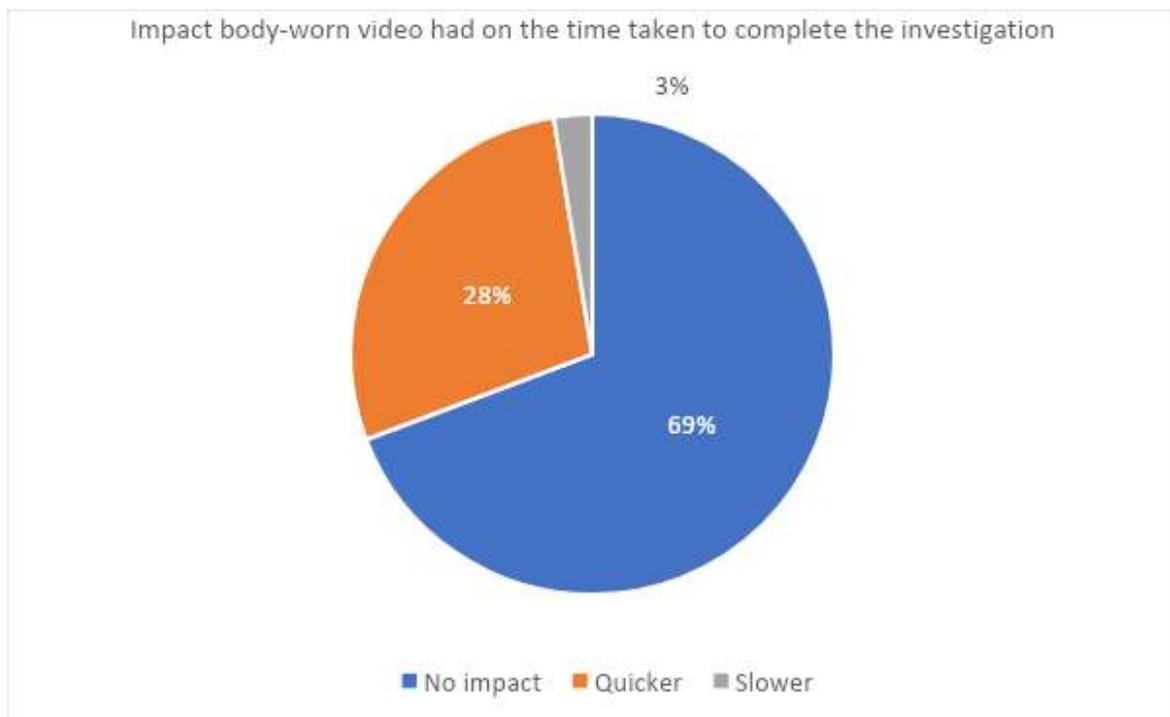
Did the body-worn video impact the time taken to complete the investigation?

Most Police Ombudsman investigators (69%) did not consider that the existence of footage from body-worn video speeded up their investigation.

Police Ombudsman investigators were asked "Did the body-worn video impact on the time taken to complete the investigation?" with the following three answer options

- a. **Quicker** the footage provided so much evidence that it speeded up the investigation
- b. **No impact** the investigation took the same length of time as it would have without having body-worn footage
- c. **Slower** the footage opened up more lines of enquiry and thus the case took longer to investigate

In approximately two thirds of the cases in the sample (69%) Police Ombudsman investigators stated that the video footage did not have any impact upon the length of time the investigation took. In almost one third (30%) of the cases felt that it speeded up their investigation, and a very small percentage thought the footage lengthened the investigation.



There were two main reasons why Police Ombudsman investigators believed the footage did not reduce the time taken to complete the investigation. In some investigations the footage did not cover the full incident/interaction between the police and the complainant and thus other evidence still needed to be gathered (such as statements, witness appeals, police documentation, CCTV evidence). In other investigations irrespective of the existence of any footage, complaints are closed if the person who made it refuses to cooperate with the Office. There is a 21-day notice period to re-engage, after which the complaint is closed, regardless as to how useful the footage was to the investigation.

Other reasons as to why the footage did not impact the speed of the investigation include: the allegations made were not relevant to the footage, the footage helped some of the allegations within the complaint but not all the allegations and that other matters of concern were identified from watching the footage.

Around one third (30%) of the investigations in the sample were conducted more quickly as a result of having the body-worn video footage. In some instances, the footage helped to completely refute or substantiate an allegation. In other circumstances it reduced the need to conduct further enquiries or to gather more evidence.

There was one example where the complaint was closed on the same day the footage was viewed. In this case, the Police Ombudsman investigator discussed the footage with the complainant's solicitor which resulted in the case being withdrawn.

For three complaints within the sample (3%) the body-worn video footage slowed the investigation, either because of a delay in getting the footage (between four and six weeks in one case) or the time taken to view it – in one case a Police Ombudsman investigator viewed six hours of footage to discover the incident in question had not been captured on camera.

10. Police Ombudsman Investigator Comments

Some of the Police Ombudsman investigators made additional comments about the use and availability of body-worn video, these comments have been documented below.

“I am a strong supporter of body-worn video and believe it is very helpful to us and the police and can only help to stop false allegations being made”

“Brilliant, footage covered the whole incident and no statements were required”

“Without this footage the most likely outcome would have been that the complaint would have been dealt with through informal resolution”

“The footage gave me more grounds to close the case albeit was closed non-cooperation”

“The case was very interesting, and the body-worn video was very helpful but as the allegation was criminal in nature the officers were still interviewed”

“The footage captured exceptional level of practice and concern displayed by the officers for the victim and complainant. So much so that, when I met the police officer, I commended him on this conduct”

“Body-worn video is certainly ‘a great piece of kit’ and will hopefully assist in future investigations”

“Invaluable”

“I was able to make the complainant aware of their behaviour which did not support his complaint. He was apologetic for his behaviour”

PART 2

11. Case Studies

Case Studies of Complaints which Found Evidence of Police Misconduct

This section examines a number of complaints in the sample that had one or more allegation substantiated or a residual matter identified during the course of the investigation. A residual matter is where the Police Ombudsman investigator finds evidence of misconduct, but it was not part of the original complaint or allegation made by the complainant.

These anonymised case studies are provided to give the reader an understanding as to the extent to which the body-worn video footage contributed to the outcome of the case.

For four of the nine complaints where misconduct was identified, the officer's misconduct was captured on the body-worn video. These were typically concerning allegations of swearing, name calling or oppressive conduct. For the remaining five complaints, the misconduct was identified by another source other than the body-worn video.

It is also worth noting that even in those complaints where the body-worn video found evidence of a police misconduct, it also provided evidence to not substantiate other allegations made within the same complaint.

Case Study 1:

This complaint included a number of allegations that police officers had assaulted a man in custody, including that one put a chain around his neck at one stage.

The accused officer and another officer in attendance reported that the complainant put the chain around their own neck. This was also backed up by a witness.

Another officer, who was further away than all of the other parties, thought that they had seen the officer put the choke chain around the neck of the complainant, but did not document this in their notebook nor report it to their sergeant.

While the body-worn video was not switched on at the crucial time, it was turned on later and captured a conversation between the officer accused and the complainant about the use of choke chains.

The Office concluded that on the balance of probabilities, the complainant was more likely than not to have put the chain around their own neck rather than the officer having done so.

The matter of the police officer not recording or reporting what he said he witnessed was dealt with separately.

Case Study 2:

A complainant alleged that a police officer assaulted him, used excess force and inserted drugs into him, causing him to overdose. The complainant also alleged that the officer was 'uncivil' to him.

Three of these allegations were closed as not substantiated. The allegation of incivility was substantiated, however, as the officer was heard on body-worn video footage swearing and using abusive language towards the complainant.

Case Study 3:

The PSNI referred to the Office for independent investigation an incident in which there were concerns that police officers may have used excessive force, misused legislation to search a suspect and may not have made accurate records in their notebooks.

The body-worn video footage, while it did not capture the full incident, did not corroborate the accounts of events provided in the police officers' notebooks.

The officers had claimed the suspect made abusive comments, but these were not captured in the footage.

The footage also suggested that some of the things claimed by the officers would seem to have been highly improbable.

It also highlighted that an officer could have used more appropriate legislation to search the suspect.

Case Study 4:

A complaint received by the Office included an allegation that a police officer opened and damaged the front door of a property.

Having viewed the body-worn video footage of the event, this particular allegation was closed as not substantiated.

Case Study 5:

A complaint was received which alleged that police used excessive force to remove someone's clothes while in police custody and did not inform them of their rights.

Although there was body-worn video footage of this incident, other evidence led the Office to substantiate these allegations.

Case Study 6:

This complaint contained six allegations arising from an incident when police had been in confrontation with a crowd of young people.

One person alleged that they were assaulted by a police officer, that police officers were verbally abusive, that they did not put him into a police vehicle in a proper manner and that there was a substantial delay before they were allowed to speak to their solicitor, parent and the medical officer.

Police officers' body-worn videos were activated during this encounter.

Four of the six allegations were closed as not substantiated, some partially based on evidence from the body-worn videos.

The footage did capture a police officer swearing at the complainant and the allegation of verbal abuse was substantiated.

A residual matter was also picked up during the course of this investigation in that the complainant's clothes were removed in custody without documenting the reason why.

This was also substantiated, although the evidence came from CCTV, custody records and interviews, as opposed to body-worn video footage.

Case Study 7:

The Office received a complaint which included a number of allegations about the conduct of police while attending a family home.

The officers' body-worn cameras were switched on during this incident and the footage helped to substantiate some complaints, while others were closed as unsubstantiated.

The footage provided evidence to indicate that allegations police officers had applied handcuffs too tightly and had not seized property or dealt with those present in a proper manner could not be substantiated.

However, it provided evidence that a police officer made inappropriate remarks and police had not served a Police Information Notice properly.

Other allegations within this complaint were dealt with without the use of body-worn video footage.

Case Study 8:

The complainant in this case had several interactions with police which led them to make 11 allegations, including that officers were uncivil, that their behaviour was oppressive and that they failed in their duty.

Evidence from the body-worn video footage led the Office not to not substantiate ten of the allegations. The remaining one allegation was substantiated, but without reference to the body-worn video footage.

Case Study 9:

The Office received a complaint from a person after a police search of their house. The person alleged that the search was unlawful and that police had assaulted them during it.

Both allegations were closed as not substantiated. The assault allegation was closed based on the body-worn video footage.

During the course of this investigation, Police Ombudsman investigator became aware of another matter which was subsequently closed without the use of body-worn video footage.

Case studies where the footage was 'critical' to Police Ombudsman Investigations

This section of the report outlines a number of anonymised case studies to ensure greater understanding of situations in which body-worn video footage has been critical to the investigation of a complaint about the police.

Case Study 1:

The complainant alleged that they had been falsely arrested and assaulted by police whilst attending a hospital for a mental health assessment (police officers had been attending the hospital on an unrelated matter). The complainant alleged that an officer forced them to the ground, placing their knee and full weight of their body onto his head. The complainant said he was then pulled onto his feet by two officers, arrested for disorderly behaviour and had his hands cuffed behind him. He said he was kept in that position for 30 minutes before being de-arrested and cautioned.

The video footage clearly showed that during the incident the complainant had injured himself by head butting a wall in the hospital. The police officers can be seen taking steps to restrain him by bringing him to the floor, applying restraints and holding his head. The footage at no time shows any police officer using their knee as alleged by the complainant. The footage also showed that at no time did police pull the complainant onto his feet or force him against a wall.

Both allegations of oppressive behaviour were closed as not substantiated. The allegation of being unlawfully arrested was also closed as not substantiated.

Case Study 2:

A complaint was received following police conducting a house search. The complainant alleged that the officers damaged their TV, spilled washing powder on the floor and left black marks on the walls. Further allegations were made that the complainant was wrongfully arrested, that police were harassing them and that they had been left in the police van for four hours after being detained.

Several officers had the cameras activated and they covered the entire search of the property from many angles.

The footage showed that the TV in the complainant's house at the time of the search was not damaged, that police officers whilst in the kitchen did not spill any substances over the floor and that no black marks were made to the walls of the property by any of the officers.

The allegations relating to the damage caused during the search were all closed as not substantiated based on the body-worn video footage.

The other three allegations were also closed as not substantiated but based on other evidence other than the video footage.

Case Study 3:

A complaint was received alleging that the complainant had been assaulted and unlawfully arrested by police.

Police body-worn video footage showed the complainant had been on a motorised vehicle outside a convenience store. Police officers are seen and heard speaking to him about his vehicle's insurance. He can be heard refusing to listen to the officers and trying, unsuccessfully, to contact his solicitor. Police officers can be heard saying that they will seize the vehicle, at which point the footage captured the man becoming abusive towards them. The officers can be heard warning him about his behaviour. The footage showed the officers attempting to move the vehicle, when the man tried to stop them. Police officers are heard again warning him about his behaviour. The man is seen refusing to listen and becoming more abusive. The officers are seen to arrest him for disorderly behaviour. The footage then shows the complainant running away, police officers giving chase and bringing him to the ground in a grassy area. He is seen struggling, being held down by officers and being handcuffed. The footage shows that he now has a scrape on his forehead. He is taken to a police vehicle, being abusive throughout.

The Police Ombudsman investigator had previously arranged an appointment to take a statement from the complainant. After watching the footage, they contacted his solicitor, explaining that the content of the footage in this case did not corroborate the complainant's account.

The complaint was later withdrawn.

Case Study 4:

The complainant alleged that death threats were made against him, that he had reported this to police but was unhappy with their response. The complainant acknowledged that police could not take a statement from him at the time due to the level of alcohol he had consumed, but felt they have not made enough effort since then to take the statement, nor that they took sufficient action on the night when he reported the crime to police.

The body-worn video showed the exchange between the police and the complainant when the officers initially arrived at his house, after he had reported that he had been threatened. The

complainant can be seen to be very intoxicated. He can be heard telling police that a political representative had called at his door at 06:00 am. A police officer can be heard asking questions about the time of the incident and the description of the person who had called to his house. The complainant can be heard getting louder and more agitated. From the footage it would appear that the police officers were struggling to understand what the complainant was saying.

The complaint was closed as not substantiated as it was clear from the footage that at the time of reporting the crime the complainant did not provide enough specific information about the threat for the police to conduct an investigation.

Case Study 5:

A complainant made a number of allegations to the Police Ombudsman's Office including that police officers got out of a Land Rover, assaulted him, swore at him and assaulted his friends. The complainant also made allegations about how he was treated in custody.

Footage of the incident from police officers' body-worn videos showed that they were under attack. It showed one officer being pushed and jostled by a number of youths. Glass can be heard smashing and a lot of people shouting. From the footage, two police officers can be seen drawing their batons, although it is not clear if they are used. The camera captured the complainant being put in the back of the police vehicle where a police officer is heard swearing at him.

The allegations of assault were closed as not substantiated as the footage showed the police had come under sustained attack from a large crowd of youths and no excessive strikes were noted in the footage.

An allegation that the complainant was pushed against a wall was not upheld. Although this particular incident was not covered in the footage, other evidence was identified which explained what had happened.

The allegation that an officer swore at the complainant was substantiated by the footage.

The remaining two allegations about the complainant's treatment in custody were not substantiated based on other evidence.

Case Study 6:

The complainant made a series of allegations including that police applied their handcuffs too tightly, causing injury and refused to loosen them when he requested this.

The video footage showed the complainant on a street with his hand bleeding. Police officers can be seen and heard attempting to talk and calm him down. The complainant can be heard swearing and threatening the officers. A police officer is then heard telling the complainant that they are going to handcuff him for his own safety. The officers are seen attempting to apply the handcuffs and the man becoming physically aggressive. The officers are seen bringing the complainant to the ground, using force to restrain him and applying handcuffs. During this interaction, a member of the public is seen trying unsuccessfully to calm the complainant. An officer is heard saying to a colleague to protect the complainant's head as he was trying to bite the ground. The complainant can be seen trying to bite officers and spitting at them. When other officers arrived, the footage captures police officers making several attempts to lift the complainant into a Land Rover.

Footage from cameras worn by officers in the rear of the Land Rover, showed the man continuing to be abusive and threatening. He is heard to say his wrists are sore. Twice police officers can be seen checking them for tightness.

On arrival at the custody suite, the complainant can be seen lunging forward and hitting his forehead off a metal seat support, injuring himself. Footage shows First Aid being administered, a doctor being called and the man being taken to hospital.

The footage clearly showed that police acted calmly and tried to deal with this situation, but as the complainant was intoxicated, this was not possible. The complainant was restrained by police who had no alternative but to use force due to his behaviour. At one stage the complainant alleged they were sexually assaulted, and that the police caused an injury to their head. The footage does not back up these allegations and they were withdrawn at source. The footage showed that on at least two occasions police officers checked the handcuffs for tightness. The allegation was closed as not substantiated.

Case Study 7:

Two allegations were made against a police officer: that the police officer was uncivil whilst questioning the complainant's son without justification, causing distress and that the officer showed a bad attitude in suggesting the complainant take a note of his shoulder number.

The footage covered both the interaction between the complainant and the officer and between the complainant's son and the officer. The officer was calm at all times during both interactions. The rationale for talking to the complainant's son is clear from the footage and the police officer is heard explaining to the complainant why they had spoken to her son. The complainant is heard stating several times that they did not like the officer's attitude and the officer is heard calmly responding to this. The footage also records the officer suggesting that the complainant take his shoulder number and the officer is heard helping the complainant record the number.

This footage was used to close both allegations as ill-founded. If the footage had not been available it would have been the officer's word against the complainant's and the most likely outcome would have been to offer the Informal Resolution process as a way to resolve the matter.

Case Study 8:

This complaint relates to how the police dealt with an assault between the complainant and another person. The complainant said he felt the police officer should have arrested the other person while at the scene. He also made complaints about how police treated him.

Four pieces of body-worn video footage were used in this investigation.

The first piece of footage is taken on the street. It records the conversation between the complainant and the police officer in which the complainant admitted causing injuries to the other party.

The second piece of footage was recorded when the complainant and a police officer are in an ambulance. The police officer is heard asking the complainant how they suffered their injuries, at which stage the complainant can be seen to become irate, then admit scratching the other person but saying this was done in self-defence. The complainant can be heard worrying about leaving their car at the scene. The officer is heard explaining that the complainant could not move the vehicle in case they had concussion. The officer is recorded as saying he would arrange for it to be driven to a police station and the complainant can be heard thanking him.

The third and final piece of footage recorded police dealing with the other party and a witness to the incident.

All the footage showed police officers professionally dealing with each of the people involved in the incident, showing empathy and taking time to explain their actions and why no one was arrested.

Both allegations were closed as not substantiated.

Case Study 9:

An allegation was made that police used excessive force during an incident including that they lifted the complainant off the ground by their jaw.

The body-worn video footage showed the complainant being arrested and police trying to put them into the police vehicle. The complainant can be heard using foul and abusive language throughout the encounter and being unreasonable towards police. Eventually police officers

got the complainant into the car, who then refused to provide them with their name, address or date of birth.

Overall, the footage showed that the officers used the appropriate level of force for the situation. The complaint was not substantiated.

Case Study 10:

A complaint was made following a police search of a house. The householder alleged that his security gate had been damaged even though he claimed it had been open when the police arrived, that the front door of his home was forced open and that damage was caused to the property.

The body-worn video showed that police knocked on the front door on two occasions, trying to gain entry. The door was closed and an officer can be seen trying to open it, but without success. Police officers initially can then be seen using force to gain entry to the property. The footage showed minimal damage to the door.

These two allegations were closed as not substantiated, based solely on the evidence of the footage.

Case Study 11:

A complaint was received comprising nine allegations, including that handcuffs had not been properly applied, that a police officer had made inappropriate remarks, that the manner and timing of police serving a (Police Information Notice) PIN was inappropriate and that police officers threatened the complainant with Social Services.

The body-worn video footage started with the officer informing the complainant that they were being recorded. The complainant can be heard asking the police for ID, which officers refused to provide, saying that as they were in uniform there was no requirement. One of the officers can be heard providing their name and police station. The complainant can then be heard demanding police leave his property and an officer replied, "what are you going to do about it?". The conversation returned to the issue of police officer identification, with a police officer offering to show his Warrant Card. Another officer is heard telling the complainant he will be arrested for obstructing police and that police did not need to show ID to arrest them. An officer is seen pointing at the complainant in an aggressive manner.

Another piece of body-worn video footage showed police speaking to the complainant's partner in the kitchen, during which the complainant can be heard saying that police do not have the authority to seize his gun.

The complainant is seen being arrested in the kitchen, handcuffed and taken outside to the police car.

The complainant can be heard asking someone to take his child inside. The complainant is then searched, the PIN is read out and the complainant can be heard saying he would appeal it. The footage captured police officers informing the complainant of the allegations against him, the firearm details being provided, and the PIN being signed.

The allegation about the handcuffs was closed as not substantiated. The complainant at no time can be heard expressing concerns the handcuffs were too tight.

An allegation of inappropriate comments made by a police officer was substantiated. One of the officers can be heard on the footage audio making unprofessional comments.

The complainant's concern about the timing of the PIN was also substantiated, following an examination of the camera footage and other police documentation.

The allegations about the complainant being threatened with Social Services was closed as not substantiated. The footage showed that a police officer did make a comment that Social Services may have to be informed due to the complainant's behaviour and abusive language in front of a small child, but there was no threat that the child would be taken into custody.

Case Study 12:

The complainant alleged that they were assaulted by a police officer during their arrest, causing injuries and that they were not treated properly while in police custody.

The body-worn video footage showed police officers attending an incident at a food outlet. It showed the complainant, who appeared to be highly intoxicated, lying across a chair. Two police officers are heard agreeing to take the complainant to her mother's house. The footage captured the complainant cursing loudly as the officers remove them from the premises. Children and young adults can be seen in the surrounding area and the complainant being placed into the back of a police car. A member of the public is heard to make an accusation that the complainant had taken their mobile phone. The footage records officers asking the complainant to show them the mobile, the complainant refused and a struggle ensued. While it is not clear from the footage, the complainant appears to strike out at an officer. They are then seen to be arrested and handcuffed with their hands behind their back. The complainant is seen as aggressive and non-compliant throughout.

The first allegation is closed as not substantiated based on the body-worn video footage. The second allegation relates to treatment in custody and is also closed as not substantiated, but this is based on other evidence such as CCTV footage and statements.

Case Study 13:

A complainant alleged that police officers were aggressive and threatened to report them to the Public Prosecution Service (PPS) for disorderly behaviour.

Police Ombudsman investigators looked at body-worn video which showed four police officers stopping and searching two individuals. The audio quality is clear. The complainant can be heard repeatedly using obscene language. He is cautioned for disorderly behaviour and told that he would be reported to the PPS. Another individual was also warned about their behaviour when they became confrontational. Eventually the police told them they were free to go.

The Police Ombudsman investigator after viewing the footage found no evidence that any police officer had acted in a way that could be construed as a breach of the Code of Ethics and thus the allegation was closed as not substantiated.

Case Study 14:

Police officers informed the Police Ombudsman's On-Call team of an incident as the police officers had discharged CS Spray and had withdrawn a firearm.

There were five pieces of body-worn video footage covering this incident. Police had been called to a house after they received a report that someone was self-harming. Whilst in the house a police officer turned on the body-worn video after the person had thrown a knife towards police as they tried to enter the kitchen. The footage showed the officers present demonstrating a concern for their own safety. The footage corroborated the officer's account, that the officer withdrew his firearm after the knife had been thrown at him. It also shows that aftercare was given following the discharge of CS Spray.

The notification from PSNI was closed without a full investigation. The incident had not been referred formally from the PSNI for an independent investigation, there was no public complaint about it and, as the initial evidence gathered showed no signs of either a criminal or misconduct offence by the police officers, it was not deemed to not be in the public interest to fully investigate.

Case Study 15:

The complainant alleged that whilst being arrested police officers assaulted him with their batons and that he was also assaulted whilst in police custody.

Body-worn video footage showed the complainant in their own car at the side of a motorway and police officers can be heard repeatedly asking him to get out of the vehicle. The

complainant can be seen refusing and after several minutes being removed from his car. The footage showed him being restrained on the ground and leg restraints applied. The footage does not capture any baton strikes to the complainant whilst the police were removing him from his vehicle.

The allegation of assault during arrest was closed as not substantiated, primarily based on the footage from the body-worn video. The other allegation relating to custody was also closed not substantiated, but based on other evidence.

Case Study 16:

The Office decided to investigate an incident where CS Spray was discharged at a juvenile, after it was notified of the incident by the PSNI, as it was deemed to be in the public interest.

The footage showed the full circumstances of the incident and showed that police provided the juvenile with the appropriate aftercare following the use of CS Spray.

No police misconduct was identified.

Case Study 17:

The complainant made several allegations including that they were assaulted by four officers who carried her from a retail outlet to a police car, causing bruising to her wrists and ankles. It was also alleged that handcuffs were applied too tightly even though the complainant had told the officers that her wrists were sore and alleged that an officer knelt on the complainant's back whilst she was face down on the cell floor. The complainant also made another allegation about her treatment in custody.

The footage from the body-worn video showed that the complainant was in a shop and appeared to be unable to stand unassisted. A police officer can be seen applying handcuffs, she is then carried by the arms and legs out of the shop by three police officers. They take her to the police car and place her in the back seat. The complainant can be heard shouting and being aggressive towards police throughout the whole encounter. The complainant appeared to be unable to manoeuvre herself into the police car and so police lifted her legs in. The complainant does not mention on the footage that she has been assaulted by police or that officers have hurt her in any way.

Police Ombudsman investigators considered this footage, along with coverage from the CCTV cameras in the custody suite and statements from all those concerned. All the allegations were closed as not substantiated.

Case Study 18:

An allegation was made that an officer punched the complainant in the face outside a nightclub, causing a laceration to their face.

Body-worn video footage showed the complainant being arrested and getting into a police vehicle and that they had no visible injuries at this time. The footage from within the vehicle shows the complainant hitting themselves with the handcuffs they are wearing, injuring their face.

The body-worn video refuted this allegation. The allegation was closed not as substantiated.

Case Study 19:

The complainant made an accusation that they had been sexually assaulted by police.

The complainant can be heard on the body-worn video footage accusing an officer of “touching” them, but the footage cannot confirm or deny this action. The footage showed the complainant’s extreme verbal abuse towards all the officers present, including making many allegations which the footage can completely refute.

The Police Ombudsman investigator took the view that the allegations made which were refuted by the footage served to undermine the complainant’s credibility. The complainant later withdrew their allegations after a discussion with the Police Ombudsman investigator.

Case Study 20:

The complainant made several allegations of assault, mainly against custody staff.

The body-worn video footage was critical to this investigation as it covered the interaction between the complainant and police during their arrest and transportation to custody. The complainant can be seen and heard continually being abusive towards the police officers, shouting, swearing and screaming. The complainant can be seen to bite a female police officer whilst she is applying the handcuffs. The footage captured the complainant kicking out at the officers, who then apply leg restraints.

The footage helped explain how the complainant sustained bruising. The complainant withdrew all allegations.

Case Study 21:

The complainant alleged police failed to provide any medical attention after they were assaulted, failed to conduct an investigation into the assault and that police arrested them instead of the person who had assaulted them. A fourth allegation was about the time it took police to record a statement from the complainant and a further two allegations were made about access to and the treatment by the medical officer whilst in custody.

The footage from the body-worn video covered the entire interaction between police officers and the complainant. The footage showed the complainant reporting to police officers that they had been assaulted by another party. During this interaction the complainant is heard telling the officers that they do not wish to make a complaint to police about this. It also clearly showed that the complainant did not have any visible injuries. The footage also covered the officers searching the complainant and subsequently arresting him as he was found to be in possession of drugs.

The two allegations regarding the medical officer were closed as outside remit. All other allegations were closed as not as substantiated, some based on the body-worn video footage.

Case Study 22:

The person who made this complaint had several different interactions with police which led to them making a complaint with more than ten allegations. Several of the allegations were about incivility (police officers being cheeky and rude). Other allegations related to the complainant's treatment in custody, failures by police to investigate crimes and failures to provide updates to the complainant.

The body-worn video footage helped with several of the allegations within this complaint. The footage showed that the complainant's vehicle was stopped by police as they had failed to display an 'R' plate at the rear of the vehicle. The complainant is seen to be argumentative with the officers and uncooperative. The complainant is seen starting to record the officers using their own phone.

Another piece of body-worn video footage recorded when the complainant attended the police station was also available. It was turned on as the complainant wished to record their complaint to police. Footage from the camera recorded the complainant being abusive and swearing at the police officers, which continued whilst they were escorted from the station.

A Police Ombudsman investigator used footage from body-worn video and from cameras placed in the custody suites and information from statements. Most of the allegations were not substantiated. One allegation about a failure to provide the complainant with an update was substantiated without the use of footage and another allegation was withdrawn.

Case Study 23:

An allegation was made about an unlawful arrest.

Body-worn video showed the complainant refusing to provide their details to police. This provided grounds for the arrest for obstructing police. The complainant can be seen and heard swearing and being verbally abusive towards police during the encounter.

The Police Ombudsman investigator discussed the footage with the complainant, who was very apologetic and explained that their solicitor had advised them to not proceed with the complaint. The allegation was closed as not substantiated.

Case Study 24:

In this case a police officer had stopped the complainant for driving with no insurance. The complainant claimed that the officer had abused their power by stating the complainant's insurance was void and impounding their car. The complainant alleged the police officer had victimised and intimidated them.

The body-worn video footage showed that the police officer who stopped the complainant explained that the vehicle in question was showing on their system as not being insured. The police officer can be heard making some checks and having it confirmed the vehicle not insured. The complainant can be heard explaining that they were waiting for points to go on to their licence and the police officer then informing them that their vehicle would be seized. The police officer is seen as polite and courteous throughout the interaction and seen checking that the complainant understood what was happening.

Both allegations were closed as not substantiated.

Appendix 1:

Tables on the impact body-worn video had on the number of complaints and allegations received by the Office of the Police Ombudsman

Complaints

| All Complaints | One year before | One year after | Diff | % Diff |
|----------------------------------------|-----------------|----------------|-------------|------------|
| A - Belfast City | 770 | 662 | -108 | -14% |
| B - Lisburn & Castlereagh City | 113 | 110 | -3 | -3% |
| C - Ards& North Down | 182 | 152 | -30 | -16% |
| D – Newry, Mourne & Down | 157 | 151 | -6 | -4% |
| E - Armagh City, Banbridge & Craigavon | 211 | 220 | 9 | 4% |
| F - Mid Ulster | 106 | 89 | -17 | -16% |
| G - Fermanagh & Omagh | 134 | 124 | -10 | -7% |
| H - Derry City & Strabane | 233 | 193 | -40 | -17% |
| J - Causeway Coast & Glens | 241 | 242 | 1 | 0% |
| K - Mid & East Antrim | 160 | 135 | -25 | -16% |
| L - Antrim & Newtownabbey | 167 | 185 | 18 | 11% |
| Total | 2,474 | 2,263 | -211 | -9% |

| Police Search Complaints | One year before | One year after | Diff |
|----------------------------------------|-----------------|----------------|------------|
| A - Belfast City | 82 | 37 | -45 |
| B - Lisburn & Castlereagh City | 12 | 16 | 4 |
| C - Ards& North Down | 14 | 5 | -9 |
| D - Newry, Mourne & Down | 12 | 17 | 5 |
| E - Armagh City, Banbridge & Craigavon | 21 | 16 | -5 |
| F - Mid Ulster | 7 | 4 | -3 |
| G - Fermanagh & Omagh | 12 | 8 | -4 |
| H - Derry City & Strabane | 29 | 18 | -11 |
| J - Causeway Coast & Glens | 24 | 27 | 3 |
| K - Mid & East Antrim | 14 | 9 | -5 |
| L - Antrim & Newtownabbey | 4 | 9 | 5 |
| Total | 231 | 166 | -65 |

Note: percentage change not presented as base numbers are too small.

| Domestic Violence Complaints | One year before | One year after | Diff |
|----------------------------------------|-----------------|----------------|----------|
| A - Belfast City | 11 | 10 | -1 |
| B - Lisburn & Castlereagh City | 2 | 2 | 0 |
| C - Ards& North Down | 8 | 4 | -4 |
| D - Newry, Mourne & Down | 4 | 2 | -2 |
| E - Armagh City, Banbridge & Craigavon | 1 | 1 | 0 |
| F - Mid Ulster | 0 | 1 | 1 |
| G - Fermanagh & Omagh | 2 | 5 | 3 |
| H - Derry City & Strabane | 2 | 6 | 4 |
| J - Causeway Coast & Glens | 4 | 6 | 2 |
| K - Mid & East Antrim | 2 | 6 | 4 |
| L - Antrim & Newtownabbey | 7 | 4 | -3 |
| Total | 43 | 47 | 4 |

Note: percentage change not presented as base numbers are too small.

| Arrest Complaints | One year before | One year after | Diff |
|----------------------------------------|-----------------|----------------|------------|
| A - Belfast City | 157 | 124 | -33 |
| B - Lisburn & Castlereagh City | 17 | 15 | -2 |
| C - Ards& North Down | 17 | 12 | -5 |
| D - Newry, Mourne & Down | 22 | 20 | -2 |
| E - Armagh City, Banbridge & Craigavon | 43 | 34 | -9 |
| F - Mid Ulster | 8 | 11 | 3 |
| G - Fermanagh & Omagh | 18 | 24 | 6 |
| H - Derry City & Strabane | 55 | 28 | -27 |
| J - Causeway Coast & Glens | 39 | 41 | 2 |
| K - Mid & East Antrim | 17 | 13 | -4 |
| L - Antrim & Newtownabbey | 28 | 27 | -1 |
| Total | 421 | 349 | -72 |

Note: percentage change not presented as base numbers are too small.

| Domestic Incident Complaints | One year before | One year after | Diff |
|----------------------------------------|-----------------|----------------|----------|
| A - Belfast City | 24 | 27 | 3 |
| B - Lisburn & Castlereagh City | 12 | 11 | -1 |
| C - Ards & North Down | 14 | 12 | -2 |
| D - Newry, Mourne & Down | 12 | 9 | -3 |
| E - Armagh City, Banbridge & Craigavon | 13 | 19 | 6 |
| F - Mid Ulster | 7 | 9 | 2 |
| G - Fermanagh & Omagh | 4 | 5 | 1 |
| H - Derry City & Strabane | 10 | 14 | 4 |
| J - Causeway Coast & Glens | 15 | 13 | -2 |
| K - Mid & East Antrim | 11 | 12 | 1 |
| L - Antrim & Newtownabbey | 14 | 7 | -7 |
| Total | 136 | 138 | 2 |

Note: percentage change not presented as base numbers are too small.

| All Complaints by Complaint Factor | One year before | One year after | Diff | % Diff |
|------------------------------------|-----------------|----------------|-------------|------------|
| Criminal Investigation | 781 | 733 | -48 | -6% |
| Arrest | 421 | 349 | -72 | -17% |
| Police Search | 231 | 166 | -65 | -28% |
| Traffic Incident | 224 | 220 | -4 | -2% |
| Domestic Incident | 136 | 138 | 2 | 1% |
| Police Enquiries | 96 | 108 | 12 | 13% |
| Domestic Violence | 43 | 47 | 4 | * |
| Parade/Demonstration | 39 | 14 | -25 | * |
| History Team | 2 | 0 | -2 | * |
| Other | 455 | 432 | -23 | * |
| Not known | 46 | 56 | 10 | * |
| Total | 2,474 | 2,263 | -211 | -9% |

**percentage change not presented as base numbers are too small.*

Allegations

| Allegation Type | One year before | One year after | Diff | % Diff |
|-------------------------------------------------|-----------------|----------------|-------------|-------------|
| Failure in Duty | 2,066 | 1,992 | -74 | -4% |
| Oppressive Behaviour | 1,021 | 855 | -166 | -16% |
| Incivility | 289 | 234 | -55 | -19% |
| Search | 245 | 194 | -51 | -21% |
| Other | 218 | 205 | -13 | -6% |
| Unlawful/Unnecessary Arrest/Detention | 191 | 169 | -22 | -12% |
| Mishandling of Property | 96 | 93 | -3 | -3% |
| Traffic | 60 | 40 | -20 | -33% |
| Malpractice | 57 | 51 | -6 | -11% |
| Discriminatory Behaviour | 51 | 36 | -15 | -29% |
| Section 55 Referral | 38 | 17 | -21 | *- |
| Historical Investigation (History Team only) | 1 | 0 | -1 | * |
| Total | 4,333 | 3,886 | -447 | -10% |

**percentage change not presented as base numbers are too small.*

| Oppressive behaviour allegations | One year before | One year after | Diff | % Diff |
|----------------------------------------|-----------------|----------------|-------------|-------------|
| A - Belfast City | 349 | 263 | -86 | -25% |
| B - Lisburn & Castlereagh City | 44 | 37 | -7 | * |
| C - Ards & North Down | 56 | 29 | -27 | -48% |
| D - Newry, Mourne & Down | 56 | 76 | 20 | 36% |
| E - Armagh City, Banbridge & Craigavon | 107 | 90 | -17 | -16% |
| F - Mid Ulster | 21 | 21 | 0 | * |
| G - Fermanagh & Omagh | 47 | 43 | -4 | * |
| H - Derry City & Strabane | 107 | 83 | -24 | -22% |
| J - Causeway Coast & Glens | 105 | 114 | 9 | 9% |
| K - Mid & East Antrim | 67 | 48 | -19 | -28% |
| L - Antrim & Newtownabbey | 62 | 51 | -11 | -18% |
| Total | 1,021 | 855 | -166 | -16% |

**percentage change not presented as base numbers are too small.*

| Incivility allegations | One year before | One year after | Diff |
|----------------------------------------|-----------------|----------------|------------|
| A - Belfast City | 82 | 70 | -12 |
| B - Lisburn & Castlereagh City | 14 | 12 | -2 |
| C - Ards& North Down | 14 | 15 | 1 |
| D - Newry, Mourne & Down | 17 | 17 | 0 |
| E - Armagh City, Banbridge & Craigavon | 31 | 23 | -8 |
| F - Mid Ulster | 9 | 9 | 0 |
| G - Fermanagh & Omagh | 14 | 9 | -5 |
| H - Derry City & Strabane | 33 | 21 | -12 |
| J - Causeway Coast & Glens | 33 | 22 | -11 |
| K - Mid & East Antrim | 17 | 14 | -3 |
| L - Antrim & Newtownabbey | 25 | 22 | -3 |
| Total | 289 | 234 | -55 |

Note: percentage change not presented as base numbers are too small.

| Police Search Allegations | One year before | One year after | Diff |
|----------------------------------------|-----------------|----------------|------------|
| A - Belfast City | 83 | 41 | -42 |
| B - Lisburn & Castlereagh City | 9 | 20 | 11 |
| C - Ards& North Down | 17 | 9 | -8 |
| D - Newry, Mourne & Down | 17 | 22 | 5 |
| E - Armagh City, Banbridge & Craigavon | 22 | 15 | -7 |
| F - Mid Ulster | 7 | 7 | 0 |
| G - Fermanagh & Omagh | 12 | 10 | -2 |
| H - Derry City & Strabane | 25 | 15 | -10 |
| J - Causeway Coast & Glens | 31 | 32 | 1 |
| K - Mid & East Antrim | 14 | 10 | -4 |
| L - Antrim & Newtownabbey | 8 | 13 | 5 |
| Total | 245 | 194 | -51 |

Note: percentage change has not been presented as base numbers are too small.

| Unlawful arrest allegations | One year before | One year after | Diff |
|----------------------------------------|-----------------|----------------|------------|
| A - Belfast City | 66 | 49 | -17 |
| B - Lisburn & Castlereagh City | 7 | 15 | 8 |
| C - Ards& North Down | 16 | 8 | -8 |
| D - Newry, Mourne & Down | 11 | 10 | -1 |
| E - Armagh City, Banbridge & Craigavon | 18 | 18 | 0 |
| F - Mid Ulster | 4 | 7 | 3 |
| G - Fermanagh & Omagh | 8 | 7 | -1 |
| H - Derry City & Strabane | 24 | 13 | -11 |
| J - Causeway Coast & Glens | 18 | 29 | 11 |
| K - Mid & East Antrim | 9 | 2 | -7 |
| L - Antrim & Newtownabbey | 10 | 11 | 1 |
| Total | 191 | 169 | -22 |

Note: percentage change not presented as base numbers are too small.

| Allegation Location | One year before | One year after | Diff | % Diff |
|----------------------------------|-----------------|----------------|-------------|-------------|
| Domestic Residence | 823 | 659 | -164 | -20% |
| Inside Police Vehicle | 54 | 19 | -35 | -65% |
| Inside/Outside Business Premises | 63 | 54 | -9 | -14% |
| Inside/Outside Licensed Premises | 30 | 21 | -9 | * |
| On Street | 946 | 712 | -234 | -25% |
| Other - please specify | 196 | 126 | -70 | -36% |
| Police Station | 1,892 | 1,940 | 48 | 3% |
| Police Station (Custody suite) | 162 | 197 | 35 | 22% |
| Police Vehicle | 77 | 54 | -23 | -30% |
| Serious Crime Suite | 0 | 1 | 1 | * |
| Unknown | 90 | 103 | 13 | 14% |
| Total | 4,333 | 3,886 | -447 | -10% |

**percentage change not presented as base numbers are too small.*