

Office of the Police Ombudsman for Northern Ireland:

The Police Complaints System in Northern Ireland



INDEPENDENT IMPARTIAL INVESTIGATION

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Dealing with Complaints Against the Police

The Police Ombudsman's Office provides independent and impartial investigation of complaints about the police in Northern Ireland.

The Office opened in November 2000, replacing the Independent Commission for Police Complaints (ICPC). Its opening marked the beginning of an entirely new system for investigating complaints against police officers in Northern Ireland.

Previously, complaints against police were investigated by other police officers.

The Police Ombudsman's Office, however, has its own teams of professional investigators who gather evidence to show whether or not police officers have acted improperly.

The Office was the first fully-funded and completely independent police complaints organisation in the world. It has been described as the international "gold standard" for police complaints and similar organisations have since been set up in a number of countries, including England, Wales and the Republic of Ireland.

Currently, about 3,000 complaints per year are made about police officers in Northern Ireland. These include complaints about use of force by police officers, and allegations that officers failed to do their jobs properly, that police officers perverted the course of justice or were rude or offensive during the course of their duties.

In addition, the Police Ombudsman investigates:

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

In most circumstances the Police Ombudsman can investigate only incidents that have occurred in the previous 12 months. However, there is no time limit on the investigation of grave or exceptional matters. As a result, the Police Ombudsman has investigated many complaints from the relatives of people who died during 'The Troubles' (the conflict in Northern Ireland during the final three decades of the 20th Century).

Following an investigation - if the evidence suggests that police officers have broken the law or breached the police Code of Ethics - the Police Ombudsman can recommend that they are prosecuted or disciplined.

Whether there is evidence to support the complaint or not, the Police Ombudsman will inform both parties to the complaint of its outcome and in cases of public interest make a general statement about the findings. She will also make any relevant recommendations for the improvement of police policy and practice.

The Police Ombudsman

The Police Ombudsman is Mrs Nuala O’Loan, who is a qualified solicitor.



MRS O’LOAN



NEW CATHEDRAL BUILDINGS, THE POLICE OMBUDSMAN’S OFFICES IN CENTRAL BELFAST

Mrs O’Loan has served in a number of roles which have drawn upon her experience of rights issues and legal matters, including:

- the Energy and Transport Group of the General Consumer Council for Northern Ireland (1991 to 1996)
- the UK Domestic Coal Consumers’ Council (1992-95)
- the Northern Health and Social Services Board (1993-97)
- a Ministerial Working Group on the Green Economy (1993-95)
- and the Police Authority for Northern Ireland (1997-99).

She was a Legal Expert Member at the European Commission’s Consumers’ Consultative Council (1994-97) and chairman of the Northern Ireland Consumer Council for Electricity (1997-2000).

Mrs O’Loan is a solicitor of the Supreme Court of England & Wales and is married and has five sons. Her term as Police Ombudsman ends in November 2007.

The Police Ombudsman’s offices are in central Belfast, just off Donegall Street, opposite St Anne’s Cathedral.

The Office has around 130 staff. About 90 are employed within the Investigations Directorate, including staff who record and process complaints, investigators, and support staff.

Others are employed in the Corporate Services, Information, Legal Services, and Policy and Practice directorates. The office has an annual operating budget of around £8m.

The Hayes Report

The story of the Police Ombudsman's Office can be traced back to November 1995 when a senior civil servant, Dr Maurice Hayes, was appointed to review the police complaints system in Northern Ireland.

Dr Hayes was asked to produce a blueprint for a new system which could earn the confidence of the people of Northern Ireland, and of the police themselves.

After consulting widely with political parties, members of the public, the police and policing organisations, Dr Hayes produced his report in January 1997.

"The overwhelming message I got from nearly all sides and from all political parties was the need for the investigation to be independent and to be seen to be independent," stated Dr Hayes in the report.

He recommended that an independent Police Ombudsman should be appointed to deal with all complaints against the police.

The Ombudsman should, he said, be supported by a team of professional investigators "which might include investigators from Customs and Excise or DHSS, lawyers, people with police experience and others."

"He/she would investigate complaints against police even where the action complained of might amount to criminal behaviour, if proven, and would in such cases carry the criminal investigation through to a recommendation to the Director for Public Prosecutions."

Dr Hayes' recommendations were largely accepted by the Government, which passed legislation to bring the new office into being.

The Police (Northern Ireland) Act 1998 set out the role and powers of the new Police Ombudsman, and after some months of preparation the Office opened and began operating on 6 November 2000.



INDEPENDENT INVESTIGATION: THE HAYES REPORT RECOMMENDED THAT COMPLAINTS AGAINST THE POLICE SHOULD BE INVESTIGATED BY TEAMS OF INDEPENDENT INVESTIGATORS.

Serving the Whole Community

When the Police Ombudsman's Office opened in November 2000, the policing debate in Northern Ireland was at its height.

The Patten Commission had published its report "A New Beginning: Policing in Northern Ireland" the year before.

It made 175 recommendations for change, including that the Royal Ulster Constabulary should be replaced by a new Police Service of Northern Ireland.

It also advocated "50-50 recruitment" to address the under-representation of Catholics in the police service (with 50% of new recruits being Catholic and 50% being Protestants and other religions).

The proposals were radical, and Unionist and Nationalist opinion on the issue was starkly polarised.

The Police Ombudsman's Office was therefore borne into a period of momentous and controversial policing change.

Against this backdrop, the Office was required by law to try to secure the support of the whole community and of the police themselves. Given that Northern Ireland society itself had been so divided by the policing debate, few gave the new Office any chance of achieving that objective.

Yet, within five years of opening, the Police Ombudsman's Office had secured the support of around 80% of people on both sides of the community divide in Northern Ireland.

An independent survey conducted in early 2007 indicated that 88% of Protestants and 84% of Catholics believed that police officers and complainants would be treated fairly by the Police Ombudsman's Office.

87% of Catholics and 78% of Protestants also believed that the Office was helping to improve policing.

The Office's independence and impartiality was also being recognised by police officers. A survey of more than 400 police officers investigated by the Office during 2006/7 revealed that:

- 83% believed they had been treated fairly
- and of those officers who had spoken to a Police Ombudsman investigator, 93% said the investigator had been professional,
- 92% said they had been impartial
- 88% said they had been knowledgeable
- and 70% were satisfied or very satisfied overall with how they had been treated by the Office.

INFORMING THE COMMUNITY

It is unlikely that these levels of public and police support could have been achieved if the Office had not, from the outset, adopted a policy of openness and transparency in relation to its work.

We try to provide as much information about our work as we can. We do this while recognising the need to protect the confidentiality of individual complainants and police officers.

If police do a good job, we will say so. If mistakes are made, or offences committed, we will also report on those and any disciplinary action, prosecutions or recommendations for improvements to policing that result. It is important, in the

public interest, that such information is made available.

Our website (www.policeombudsman.org) provides a lot of information about our work, including statistics about the number and type of complaints we deal with, detailed summaries of major investigations, press releases, online forms and publications.

Our staff have given presentations to many schools, community groups and District Policing Partnerships across Northern Ireland.

And thousands of police officers have attended presentations by the Office, so that they know what to expect should a complaint be made against them.

We also send information to the police, Policing Board and District Policing Partnerships on a regular basis, so that they know the sorts of issues that are giving rise to complaints.

If you know of any group or organisation which would like to learn more about the Police Ombudsman's Office, please contact us on 028 9082 8746 and we will be happy to speak to you about doing a presentation about our work.



(ABOVE) THE CHAIRMAN OF THE NORTHERN IRELAND POLICING BOARD, SIR DESMOND REA, ADDRESSES DELEGATES AT A THREE DAY INTERNATIONAL POLICE ACCOUNTABILITY CONFERENCE ORGANISED BY THE POLICE OMBUDSMAN'S OFFICE.

Internationally Recognised

The Police Ombudsman's Office has forged an international reputation for the independent, impartial investigation of complaints against the police.

Delegations have visited the Office from across the globe - including groups from Latvia, Macedonia, Brazil, Turkey, Korea and Georgia, among others - to learn about the way in which we investigate complaints.

Some commentators have described the Police Ombudsman's Office as the international "gold standard" model of police accountability.

There are a number of things that set the police complaints system in Northern Ireland apart from those in most other countries.

First, the fact that the Police Ombudsman's Office is entirely independent of the police and has its own teams of specialist investigators. This contrasts with most other countries, where complaints against the police are investigated by the police themselves.

Secondly, the law provides our investigators with a broad range of powers which allows them to conduct thorough evidence-based investigations.

They can, for example, secure incident scenes and seize police documentation and property. By law, the police must provide whatever information is required from them in connection with the Police Ombudsman's investigations.

In exceptional circumstances, investigators can also arrest police officers and search premises, should that be absolutely necessary.

The importance of these powers is that they allow Police Ombudsman investigators to gather the evidence they need to make an effective judgment about whether police have acted properly.

"...the advice, training and support of the Police Ombudsman's Office has been invaluable in helping us to develop an effective system of civilian oversight of the police in Georgia..."

ZURA GUNTSADZE
DIRECTOR, ALPE FOUNDATION
TBLISI, GEORGIA

"...Latvia lacks an independent, adequately funded and staffed, and publicly trusted police complaints body such as the Northern Ireland Police Ombudsman's Office..."

ANHELITA KAMENSKA,
LATVIAN CENTRE FOR HUMAN RIGHTS

What do People Complain About?

In the first six and a half years of operation, the Police Ombudsman received more than 20,000 complaints.

There are many different types of complaints, but they can be grouped into four main categories:

- **Failure in duty** – allegations that police failed to perform the duties required of them, or breached the police Code of Ethics.
- **Oppressive behaviour** – allegations of assault, intimidation or harassment by police officers.
- **Incivility** – allegations of rudeness.
- **All other** allegations.

Failure in duty complaints might include, for example, allegations that police failed to properly investigate a crime, or failed to respond to an emergency call.

The overall trend during the first six years after the Police Ombudsman's Office opened was towards a reduction in allegations of oppressive behaviour. Generally considered to be the most serious type of complaint, allegations of oppressive behaviour fell from around 50% of all allegations to 33% between 2000 and 2007.

At the same time, allegations of failure in duty during the same period rose from about 25% to 38%. There may be a number of reasons for these changes. The PSNI has implemented many improvements in its training – many as a result of recommendations resulting from Police Ombudsman investigations. In particular, officers are now given much better conflict resolution training to help them deal with situations without resorting to force. This may have resulted in the falling numbers of oppressive behaviour allegations.

At the same time, the increase in the number of failure in duty allegations may reflect higher expectations from the public about the level of service they can expect from their police service.

Incivility allegations have historically accounted for about 12-16% of allegations, with all other allegations amounting to between 8 and 10%.





Police Ombudsman Investigation Officer

The Police Ombudsman's Office has over 60 investigators; men and women who between them have a broad range of investigative experience. One of them explains what his job involves.

Put simply my job is to gather evidence to show whether police officers have done their jobs properly, or whether they have broken the law or breached their Code of Ethics.

When I am allocated a case to investigate, I will look first at relevant legislation as well as the police service's general orders and Code of Ethics.

I will then consider what evidence I need to prove whether or not the actions of the officer(s) involved in the case have broken the law or breached the Code of Ethics.

A lot of my time is spent gathering this evidence - interviewing witnesses, analysing evidence such as police documentation, radio transmissions, closed circuit TV footage, and forensic and medical reports.

Occasionally, I will be involved in house-to-house enquiries to identify witnesses, or working with our press office to issue media appeals for witnesses.

A wide range of services and techniques are available to help us piece together the circumstances of incidents - computer reconstructions, video and photo enhancement technology, telecommunications analysis and, if necessary, DNA analysis.

At any one time, I can be investigating anything up to 25 cases. A lot of work goes into maintaining case files, updating complainants and police officers about the progress of their investigations, and writing letters or reports about the findings of our investigations.

We also have a rota, which means that about one week in six I will be on call to attend the scenes of "critical incidents" such as deaths at police stations or fatal traffic collisions involving the police.

We will have a team of investigators at the scene of any of these incidents within an hour and a half in Belfast or three hours anywhere else in Northern Ireland – anytime day or night, all year round.

WHERE DO YOUR INVESTIGATORS COME FROM?

Our investigators come from a variety of backgrounds. Some are ex-police officers, some are temporarily seconded from police forces in England and Wales. Others are from a legal background, or were recruited on the basis of having prior investigative experience with bodies such as HM Customs and Revenue or the Ministry of Defence police. We have a number of investigators with prior investigative experience overseas, for example with the Hong Kong police.

More recently, the Office has appointed graduates as trainee investigators. These trainees undertake an intensive course of job-based training - the university Accredited Training Programme (ATP).

The ATP was the first course of its type in the UK. It was developed by the Police Ombudsman's Office in conjunction with Portsmouth University and leads to a formal qualification in investigation.

None of our investigators are currently serving members of the PSNI.

Investigative Techniques

In many ways investigations by the Police Ombudsman's Office are similar to those undertaken by the police themselves. Police Ombudsman investigators use the same techniques to identify witnesses and gather evidence. They also have access to the full range of modern forensic and computerised investigative technology. Some of the key aspects of these investigations are described below.



THE GOLDEN HOUR

The early stages of any investigation are vital. Investigators refer to “the Golden Hour” – the period immediately after an incident when the potential for gathering evidence is at its greatest.

Eyewitnesses may still be in the area of the incident scene, and other evidence is less likely to have been disturbed by the weather or other factors.

Up to 35 Police Ombudsman investigators have been involved in the immediate reaction to major incidents – such as a fatal shooting by a police officer, or a fatal road traffic collision involving police.

In these situations, the Police Ombudsman's Office will set up a Major Incident Room (MIR) to co-ordinate the huge number of tasks which need to be done to ensure all possible evidence is gathered. An MIR provides a control centre and communications hub from which to co-ordinate the investigation and allocate tasks to investigators on the ground.

Individual investigators will be allocated roles, including:

Senior Investigating Officer – has overall command of the investigation, assisted by one or more Deputy Senior Investigating Officers.

Exhibits officer – is responsible for ensuring that all pieces of physical evidence are properly bagged, recorded and processed (documents, clothing, weapons etc). Will take especial care to avoid contamination of evidence. Will also decide which exhibits need to be sent to forensic laboratories and in what order, and works closely with other people including Scenes of Crimes Officers, scientific experts and scene photographers.

Receiver and document reader – reads all documents submitted to the MIR, checks that actions are completed and identifies follow-on actions that might result.

Action manager/indexer – raises and prioritises new actions required by the investigation, logs actions raised and completed and ensures that no task is left undone or duplicated.

Search co-ordinator – ensures that search scenes are identified and appropriate authority for searches is obtained, and that search teams are properly briefed and co-ordinated.

House-to-house enquiry co-ordinator – co-ordinates any house-to-house enquiries that may be necessary.

Intelligence officer – helps positively identify police officers and members of the public involved in incidents, identifies the next of kin of any deceased persons, and develops a timeline as the events of the incident become apparent. Undertakes any other intelligence tasks that might be necessary.

Family Liaison Officer – the FLO will establish contact with the family of a person who has died or suffered a very serious injury. He or she will try to help them through what is obviously a very traumatic and worrying time. The FLO will explain to the family what has happened, the role of the Police Ombudsman's Office, and what to expect during the investigation. He or she might also put them in touch with counsellors or other professionals who might be able to help them.

SCENE PRESERVATION

One of the most important aspects of an investigation is preserving the scene of an incident. This is done to protect the evidence that the area contains – this might be debris left after a crash, spent gun cartridges, blood samples, footprints or items of clothing. It is important that nothing is moved into or taken out of the incident scene until it has been thoroughly examined.

Police Ombudsman investigators have the power to take control of incident scenes. They ensure that the scene is cordoned off, and that only people involved in gathering evidence - such as photographers, scenes of crime officers and mappers – are allowed inside. Investigators will record details of the scene and package any



evidence they find in tamper-proof bags or containers. A record will be kept of everyone and everything going into and out of the scene.

CCTV

There are many closed circuit television (CCTV) cameras in Northern Ireland. CCTV can be operated by the police or local councils to help detect and prevent crime. They are also used in banks and petrol stations, shops and hospitals. Police Ombudsman investigators will always check if an incident they are investigating has been recorded on CCTV.

RADIO TRANSMISSION TAPES

Radio communications between police officers are recorded. Police Ombudsman investigators can get copies of these tapes to help them get a better picture of what exactly happened during incidents they are investigating.

COMPUTER RECONSTRUCTIONS

Computer reconstructions are an extremely powerful way of illustrating a sequence of events. They can help show where people were during those events, the surroundings they found themselves in, as well as factors such as weather, lighting, speed etc.

The Police Ombudsman has used forensic virtual reality specialists in a number of cases. In one case a computer reconstruction was used to demonstrate the movement of a suspect vehicle when a police officer fired a shot at it.

The reconstruction used computer graphics to recreate the road layout, to show the position of the suspect vehicle and other nearby vehicles, and to illustrate their position and movements at the exact point at which the officer fired. This was important in helping to demonstrate whether the officer was justified in using his weapon, which depended on the threat posed to members of the public or police officers by the suspect vehicle.

DNA ANALYSIS

DNA analysis is a powerful forensic technique which can help to identify whether people were at the scene of an incident. Like fingerprints, everybody's DNA is different (in fact DNA analysis is sometimes called genetic fingerprinting). DNA can be found in hair, skin cells, saliva and other material. DNA analysis can help prove or disprove whether somebody was where they said they were, or were doing what they said they were doing.

COMMAND AND CONTROL LOGS

These are computerised records kept by the police of incidents they have responded to. The logs include times and details such as location, number of people involved and so on. Actions taken by police in response to situations are also recorded on the logs.

These can be very useful in piecing together the circumstances of an incident. They help Police Ombudsman investigators work out whether police did all they could, and whether they took the right decisions.

A.B.E. SUITE

Every investigation by the Police Ombudsman's Office will involve taking a statement from the complainant about the situation they have complained about. Witnesses to incidents will also be interviewed. We recognise that this can be stressful for people who might not be used to being formally interviewed. It can be especially daunting for young or vulnerable people.

The Police Ombudsman's Office has what is called an "Achieving Best Evidence Suite" which is used for such interviews. This allows us to interview young or vulnerable witnesses in comfortable surroundings, while being recorded, with the interviewee's consent, on video and audio as evidence.



Improving Policing

The Police Ombudsman's Office has an important role to play in helping to improve policing in Northern Ireland. The Police Ombudsman has made many recommendations to the police about ways in which their policies, procedures or training might be improved.

In some cases, these recommendations followed investigations which found that police policies or procedures were inappropriate or inadequate and were affecting the ability of the police to do their job.

In other cases the Police Ombudsman found that officers' training had not properly prepared them for the situations they had to face. As a result the Police Ombudsman has made various recommendations about ways in which training might be improved.

The vast majority of the recommendations made by the Police Ombudsman have been accepted and implemented by the police.

RECOMMENDATION: IDENTIFICATION MARKINGS ON POLICE VEHICLES

The Police Ombudsman recommended that the PSNI should consider putting identification markings on the roofs of police vehicles. This followed an investigation into the discharge of three baton rounds during serious rioting in Belfast.

Video footage of the rioting captured by an Army helicopter showed a police Land Rover mounting a kerb and accelerating towards a group of people. The Police Ombudsman stated that the driver's actions had put lives at risk.

Despite submitting the footage for forensic enhancement, Police Ombudsman investigators were unable to identify the vehicle. The Police Ombudsman stated that if the driver of the vehicle had been identified she would have recommended that he or she be prosecuted for dangerous driving.

RECOMMENDATION: SHOOTING AT MOTOR VEHICLES

The Police Ombudsman recommended that police firearms training should be reviewed after finding that officers firing at a suspect vehicle had placed themselves and members of the public in danger.

Police fired four shots at the tyres of a car as it tried to escape from police in a narrow terraced street in Belfast. The shots were aimed at the vehicle's tyres as it drove back and forward in a bid to escape, striking police and civilian vehicles and at one point driving towards an officer.

The Police Ombudsman's investigation concluded that bullets were unlikely to have punctured the car's tyres and, even if they had, this would have been unlikely to have prevented the officer being struck by the car. In addition, given that the shots posed many other dangers to officers and local residents, she concluded that the use of live fire had not been justified.

The report recommended that police should review their firearms training, particularly instructions about crossfire, ricochet, firing at tyres and risk assessments.

It also recommended that police should ensure that stingers – spiked devices used to puncture tyres – were more readily available for use in such situations.



**RECOMMENDATION:
USE OF SEMI-AUTOMATIC WEAPONS
DURING RIOTING**

After finding that a mob had almost succeeded in grabbing a semi-automatic weapon from a police officer during a riot in Belfast, the Police Ombudsman recommended that police should review their use of such weapons in riot situations.

The investigation found that police armed with semi-automatic weapons had been drafted in as emergency support when riot police came under serious attack by a crowd of 50 to 60 people.

At one point an officer was knocked unconscious and had his gun grabbed by rioters. While police managed to prevent rioters taking the gun, the weapon's ammunition magazine became unlocked and fell to the ground. It was later recovered minus two rounds.

The Police Ombudsman recognised the difficulties in policing such situations, but pointed out the potentially serious consequences if the weapon had fallen into the hands of the rioters. She recommended that the police should review their policy for the deployment of semi-automatic weapons at such incidents and put in place an appropriate strategy for their use.



‘The Troubles’

The Police Ombudsman has investigated many complaints relating to deaths during the conflict in Northern Ireland (more commonly referred to in Northern Ireland as ‘The Troubles’).

Normally, anyone wishing to make a complaint about a police officer has 12 months from the incident in which to complain to the Police Ombudsman.

However, there is no time limit on complaints about very serious matters. The law states that if a complaint is about a grave or exceptional matter, and that matter has not previously been investigated or there is new evidence, then the Police Ombudsman must investigate it.

Complaints have been made by all sections of local society who have lost loved ones during the conflict – Protestant families, Catholic families, and the families of police and army personnel who lost their lives.

These are obviously grave and exceptional matters and must therefore be investigated.

Some families are concerned that the police did not do all they could to catch the killers. Others will be concerned that police officers had themselves been involved in a murder, or had in some way allowed the murder to happen.

Quite often these complaints will reflect concerns that police have not properly investigated cases or failed to prevent murders in order to protect informants (either from prosecution, or from being identified as an informant).

The Police Ombudsman is also required to investigate all deaths during ‘The Troubles’ in which police officers may have been involved. This is part of the wider Historic Cases Review of all deaths during ‘The Troubles’, most of which is being undertaken by a police Historic Enquiries Team.

The outcomes of some of these retrospective investigations can be found in the press section of our website (www.policeombudsman.org).

THE AFTERMATH OF THE REAL IRA BOMB ATTACK IN OMAGH, CO. TYRONE, ON AUGUST 15 1998. THE SUBSEQUENT POLICE INVESTIGATION OF THE ATROCITY WAS THE SUBJECT OF A MAJOR POLICE OMBUDSMAN INVESTIGATION.



The Complaints Office

If you contact the Police Ombudsman's Office to make a complaint, you will be put through to the Initial Complaints Office.

The Complaints Office has a staff of about 15 people, whose job is to record details of complaints and to make an initial decision as to how they should be dealt with. Every complaint received by the Police Ombudsman's Office is processed through the Complaints Office.

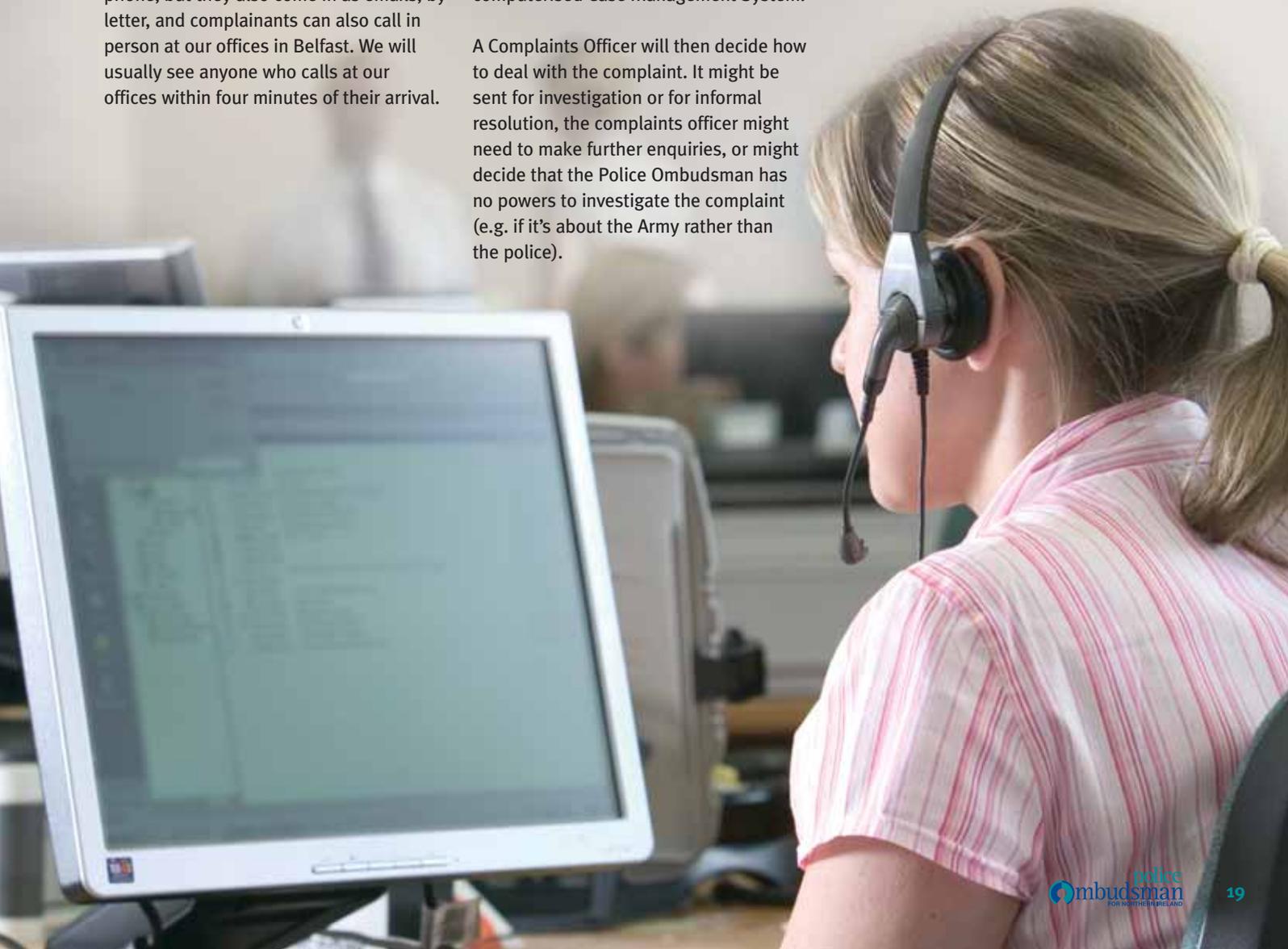
Most complaints are received over the phone, but they also come in as emails, by letter, and complainants can also call in person at our offices in Belfast. We will usually see anyone who calls at our offices within four minutes of their arrival.

We also receive complaints by fax, particularly from the police who send through details of any complaints made by members of the public at police stations.

When a complainant contacts the Police Ombudsman's Office, details of their complaint will first be logged on a computerised Case Management System.

A Complaints Officer will then decide how to deal with the complaint. It might be sent for investigation or for informal resolution, the complaints officer might need to make further enquiries, or might decide that the Police Ombudsman has no powers to investigate the complaint (e.g. if it's about the Army rather than the police).

The office is staffed from 9-5 Monday to Friday, with an answerphone service available at weekends.



Complaints Outcomes

There are a number of different ways in which complaints about police officers may be closed by the Police Ombudsman's Office.

If there is evidence of police misconduct the Police Ombudsman may recommend that an officer is disciplined or, for more serious offences, prosecuted in a criminal court (see below). If there is no or insufficient evidence of police misconduct, a complaint will be closed as not-substantiated. Some complaints are withdrawn by complainants, others are closed because complainants fail to co-operate with the investigation.

A complaint may be closed as "outside remit" if the Police Ombudsman has no legal authority to investigate the issue raised. A small number are closed as vexatious, which means that there is evidence to suggest they are not based on fact and made with the intention of causing hurt or distress.

Less serious complaints may be referred for informal resolution, which is described below.

A list of all the closure categories, with statistics and example cases, is available in the Complaints Outcomes section of our website (www.policeombudsman.org).

INFORMAL RESOLUTION

Informal resolution is a way of dealing with less serious complaints quickly and without the need for a full investigation. On average, between 10 and 15% of all complaints are informally resolved.

The process is designed to help the complainant and the police officer reach an agreement about the best way to deal with the complaint. It can only be used with the agreement of the complainant.

The process involves a senior police officer speaking to both the complainant and the officer, and trying to reach a way of resolving the complaint. This might include:

- the police officer or police service apologising
- an explanation being given
- steps being taken to prevent the issue happening again
- the officer might be advised how to behave in future

If a resolution is not reached, or if the complainant decides informal resolution is inappropriate, the informal resolution will stop and the Police Ombudsman will consider whether the case can be formally investigated. This might also happen if more serious issues come to light during the informal resolution.

DISCIPLINARY PROCEEDINGS

If an investigation by the Police Ombudsman's Office produces evidence that an officer has committed a disciplinary offence, the Police Ombudsman will recommend that the officer is disciplined.

Less serious offences are punished through informal disciplinary action – either by "Advice and Guidance" or a "Superintendent's Written Warning".

In more serious cases, formal disciplinary proceedings will be initiated. This will result in an officer being brought before a court-type tribunal which will hear and consider the evidence of the case.

If the Chief Constable disagrees with the Police Ombudsman's recommendation for a misconduct hearing the Police Ombudsman can insist that a disciplinary tribunal is held.

Officers brought before tribunals could potentially lose their jobs, be fined, demoted or have promotion prospects put on hold.

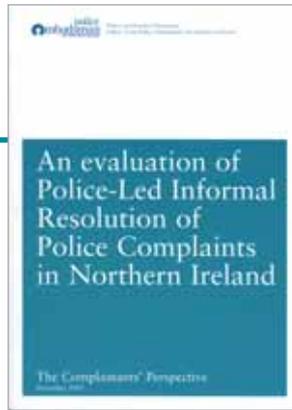
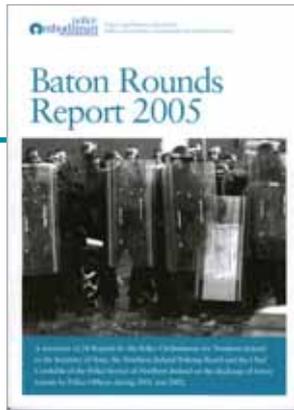
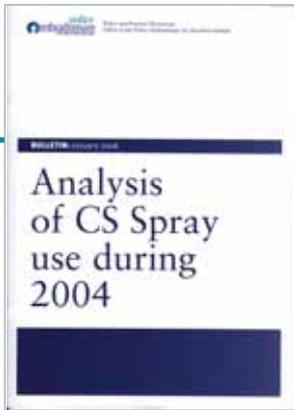
PROSECUTION

At the end of every investigation into alleged criminal activity by a police officer, the Police Ombudsman will send a file of evidence to the Public Prosecution Service (PPS).

The file will include a recommendation from the Police Ombudsman about whether, based on the evidence of the case, any police officers should be prosecuted.

The final decision, however, rests with the PPS, based on the evidence provided by the Police Ombudsman's Office.

The PPS will only recommend the prosecution of an officer or officers if it believes the evidence is strong enough for there to be a reasonable prospect of the case against the officer(s) being proved "beyond reasonable doubt" in court.



RESEARCH AND ANALYSIS

As well as investigating complaints, the Police Ombudsman's Office undertakes a broad range of research.

The aim of this research is to identify problems and possible ways of improving policing in Northern Ireland, while also identifying existing good practice.

It also provides management information to the Police Service and those who hold it to account.

Reports about the number and type of complaints received by the Police Ombudsman's Office are supplied on a regular basis to police commanders, the Northern Ireland Policing Board and District Policing Partnerships. This gives them an opportunity to address issues giving rise to higher levels of complaints, or to establish why there are more complaints in some areas than others.

The Office also undertakes investigations to establish whether police policies and practices are working effectively. Examples of such investigations have included major research studies into:

- the effectiveness of the informal resolution process
- the use of handheld batons
- the treatment of barristers and solicitors by police officers.

These investigations may involve public surveys, focus groups, and one-to-one interviews. They will often result in recommendations for improving policing. Copies of these reports are available in the publications section of our website.

The Office also surveys police officers and complainants about their satisfaction with the service provided by the Police Ombudsman's Office. This work helps us to improve the services we provide.

In addition, we analyse equality monitoring questionnaires filled in by complainants to ensure that we are serving all sections of the local community.

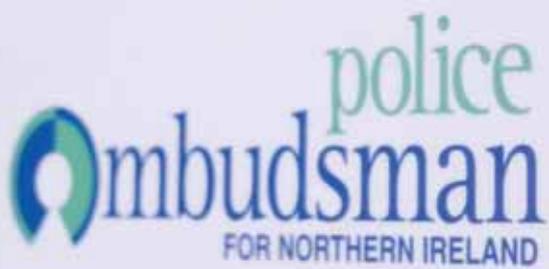
Making a Complaint

Complaints to the Police Ombudsman can be made in a variety of different ways.

They can be made via the telephone, in writing, by e-mail, by fax, via our website, or simply by calling into our offices between 9am and 5pm, Monday to Friday (no appointment is necessary).

Phone: 0845 601 2931
Fax: 028 9082 8659
Minicom: 028 9082 8759
E-mail: complaints@policeombudsman.org
Website: www.policeombudsman.org
Post: The Police Ombudsman for Northern Ireland
New Cathedral Buildings
St Anne's Square
11 Church Street
BELFAST
BT1 1PG





**WITNESS
APPEAL**



Additional copies of this and other publications are available from:

Information Directorate
Police Ombudsman for Northern Ireland
New Cathedral Buildings
St. Anne's Square
11 Church Street
Belfast
BT1 1PG

Tel: 028 9082 8600
Fax: 028 9082 8659
Minicom: 028 9082 8759
Witness Appeal Line: 0800 0327 880
Email: info@policeombudsman.org

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

Website: www.policeombudsman.org



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