Developments in Police Complaints – 7 Years On

Overview of trends and patterns in police complaints 2000 – 2007

November 2007
Contents

- Foreword 2
- Introduction 3
- Office Vision 3
- Office Mission 3
- Trends and Patterns in Complaints and Allegations 4
- Use of Force 11
- Informal Resolution 14
- Processing Complaints 16
- Research Reports 19
  - Baton Rounds 19
  - Use of batons 20
  - A study of the treatment of solicitors and barristers by police in Northern Ireland 21
- Police officers’ attitudes to the Police Ombudsman and the new complaints system 22
- Police Officer Satisfaction 23
- Police led Informal Resolution 24
- Young people’s attitudes to policing 26
- Police accountability and the black and minority ethnic (BME) communities in Northern Ireland 28
- Police accountability and the lesbian, gay and bi-sexual (LGB) community in Northern Ireland 29
- Analysis of CS Spray use 30
- Equality monitoring 32
- Complainant non co-operation with the complaints process 33
- Police Policy and Practice Reports 36
  - Police Identification 37
  - Police searches of domestic residences 39
  - Regulation 20 investigation 44
- Police Policy Recommendations 48
- Public Attitudes 52
- Equality monitoring 55
- Staff profile 61
- Complainant Satisfaction 62
- Outreach Programme 63
- Five Year Legislative Review 74
- Abbreviations 77
For seven years my staff have conducted extensive research and analysis of complaints against police, and of the matters which give rise to the need for investigations, whether they come to the Office by way of referral from the Secretary of State, the Chief Constable, the Northern Ireland Policing Board or the Director of Public Prosecutions, or simply because there is a need to investigate. Over the years we have endeavoured to facilitate much greater understanding in the community and among police officers of the interactions which require to be investigated; where and when and why they occur, and who is involved in the incident under investigation. We have published this material on the internet, and in copies which we have made widely available. If you want to know what is happening in any part of Northern Ireland you can go to the map on our web-site, www.policeombudsman.org, click on the area you are interested in and examine the police complaints profile in that area.

In addition to this we have conducted a series of research and investigation projects on different aspects of police policy and practice. Those reports have all been published on the web.

Our objective in doing all this work is to ensure that the public and police are accurately informed about the work of this office, thereby securing confidence in the police complaints system. We also seek to contribute to an improvement in policing by reporting on trends and patterns in police complaints, on investigations and associated policy and practice research.

This publication is a synopsis of all that work over the seven years of the existence of the Office. It has been prepared by the Director of Policy and Practice, Mr. Greg Mullan, and his staff. It presents a picture of trends and patterns in police complaints, of issues of concern, of recommendations made and responded to by the RUC and then by the PSNI. There have been massive changes in policing over the past seven years - in this short document we have attempted to record the story in research and analysis of aspects of policing and the police complaints process over those years. I hope that you will find it a challenging and interesting report.

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

The first Police Ombudsman, Mrs Nuala O’Loan, took office on the 6 November 2000 for a term of seven years. The purpose of this report is to highlight areas of research undertaken by the Office during the past number of years and to detail the trends and patterns in complaints and allegations during Mrs O’Loan’s period as Police Ombudsman. The report is intended to give the reader an overview of areas of work undertaken during 2000 to 2007, rather than a very detailed analysis.

Office Vision

Excellence in the provision of an independent impartial police complaints service in which the public and the police have confidence.

Office Mission

- To ensure maximum awareness of the Police Ombudsman complaints service.
- To ensure the police complaints service is fully accessible and responsive to the community.
- To provide a robust and effective investigation process leading to evidence-based recommendations.
- To analyse and research the outcomes of complaints so as to inform and improve the policy and practice of policing.
Between 6 November 2000 and 31 March 2007, the Police Ombudsman’s Office received 20,597 complaints containing 30,283 allegations. From 2001/02 to 2004/05 the number of complaints against the police showed a steady decrease, however this pattern reversed in 2004/05 when the number began to slowly rise.

For the first two years of the Office’s existence Oppressive Behaviour was by far the most prevalent allegation type, constituting almost 50% of those made. However, over the years, allegations of Oppressive Behaviour have decreased and police Failure in Duty has constituted the greatest proportion of complaints from the public.

* A complaint can contain one or more allegations.

Percentages may not always total 100 per cent due to the effect of rounding.
In 2000/01, 54% of complaints were made directly to the PSNI with only 30% being made directly to the Police Ombudsman's Office. Since that time, however, there has been a complete reversal of this trend with 55% of complaints now being made directly to the Office and 29% being made directly to the PSNI.

The Police Ombudsman is encouraged that members of the public are increasingly using her Office directly should they wish to make a complaint.

The Office records data identifying the nature of factors underlying complaints. Over the last seven years it was the manner in which the police conducted criminal investigations that has given rise to the greatest increase; from 17% in 2000/01 to 45% in 2006/07. Over the last seven years the percentage of complaints related to arrest has decreased from 56% to 30%. These figures are taken from known complaint factors and do not include other or unknown complaint factors.

Source of complaints, 2000/01-2006/07

Factors underlying complaint, 2000/01-2006/07
The proportion of allegations arising from incidents occurring in a street or road has fallen from 35% in 2001/02, to 27% in 2006/07. Over a third of allegations now arise from incidents occurring within the confines of police stations; 36% in 2006/07 compared with 17% in 2001/02.

**Allegation location, 2000/01-2006/07**

<table>
<thead>
<tr>
<th>Year</th>
<th>Police Station</th>
<th>Street / Road</th>
<th>Domestic Residence</th>
<th>Police Vehicle</th>
<th>Other</th>
<th>Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000/01</td>
<td>75</td>
<td>2</td>
<td>1</td>
<td>7</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>2001/02</td>
<td>57</td>
<td>12</td>
<td>15</td>
<td>21</td>
<td>14</td>
<td>7</td>
</tr>
<tr>
<td>2002/03</td>
<td>31</td>
<td>27</td>
<td>17</td>
<td>20</td>
<td>11</td>
<td>6</td>
</tr>
<tr>
<td>2003/04</td>
<td>24</td>
<td>24</td>
<td>15</td>
<td>21</td>
<td>14</td>
<td>7</td>
</tr>
<tr>
<td>2004/05</td>
<td>32</td>
<td>36</td>
<td>14</td>
<td>21</td>
<td>14</td>
<td>7</td>
</tr>
<tr>
<td>2005/06</td>
<td>36</td>
<td>36</td>
<td>14</td>
<td>21</td>
<td>14</td>
<td>7</td>
</tr>
<tr>
<td>2006/07</td>
<td>27</td>
<td>27</td>
<td>14</td>
<td>21</td>
<td>14</td>
<td>7</td>
</tr>
</tbody>
</table>
Over the last seven years a substantial proportion of complaints against the police have arisen from incidents occurring between midnight on Friday night and midnight on Sunday night.

Number of incidents occurring per day, 2000/01-2006/07

![Bar chart showing the number of incidents per day for each year from 2000/01 to 2006/07.](image)
From 2000/01 to 2003/04, handcuffs and batons were the weapons or equipment that attracted most complaints. CS Spray was introduced in the summer of 2004. The Police Ombudsman automatically investigated use of the spray by police officers during the initial six months of its use. CS Spray has made up a fifth of all complaints alleging the use of a weapon or other equipment during the last three years.

Weapons or other equipment used, 2000/01-2006/07
Since 2001/02 the proportion of complaints that were made against police constables rose steadily until 2006/07, when the proportion decreased. The number of complaints made against members of the full time reserve staff decreased steadily since 2001/02 while the proportion of complaints that were against Sergeants has risen in the last year.

**Rank of officer complained about 2000-2007**

<table>
<thead>
<tr>
<th>Rank of Officer</th>
<th>2000/01</th>
<th>2001/02</th>
<th>2002/03</th>
<th>2003/04</th>
<th>2004/05</th>
<th>2005/06</th>
<th>2006/07</th>
</tr>
</thead>
<tbody>
<tr>
<td>P/T Reserve</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>F/T Reserve</td>
<td>2</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>Constable</td>
<td>5</td>
<td>7</td>
<td>5</td>
<td>3</td>
<td>5</td>
<td>6</td>
<td>8</td>
</tr>
<tr>
<td>Sergeant</td>
<td>7</td>
<td>11</td>
<td>10</td>
<td>7</td>
<td>4</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Inspector/</td>
<td>10</td>
<td>14</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td>16</td>
</tr>
<tr>
<td>Chief Inspector</td>
<td>15</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td>16</td>
</tr>
<tr>
<td>Superintendent</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td>16</td>
</tr>
<tr>
<td>Chief Superintendent</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td>16</td>
</tr>
<tr>
<td>ACC and above</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td>16</td>
</tr>
</tbody>
</table>
Since 2000/01 the Office has provided the PSNI with statistical reports detailing the numbers and types of complaints arising from each District Command Unit. This information assists local police as well as District Commanders and District Policing Partnerships to profile the nature and level of complaints against officers within each District, and also indicates the level of complaints against police officer strength.

### Complaints arising from each DCU (Nov 2000/01 – 2006/07)

<table>
<thead>
<tr>
<th>DCU</th>
<th>00-01</th>
<th>01-02</th>
<th>02-03</th>
<th>03-04</th>
<th>04-05</th>
<th>05-06</th>
<th>06-07</th>
</tr>
</thead>
<tbody>
<tr>
<td>Antrim</td>
<td>16</td>
<td>100</td>
<td>87</td>
<td>143</td>
<td>113</td>
<td>142</td>
<td>136</td>
</tr>
<tr>
<td>Ards</td>
<td>29</td>
<td>113</td>
<td>133</td>
<td>113</td>
<td>110</td>
<td>119</td>
<td>119</td>
</tr>
<tr>
<td>Armagh</td>
<td>16</td>
<td>82</td>
<td>73</td>
<td>78</td>
<td>79</td>
<td>87</td>
<td>93</td>
</tr>
<tr>
<td>Ballymena</td>
<td>18</td>
<td>137</td>
<td>125</td>
<td>135</td>
<td>136</td>
<td>133</td>
<td>133</td>
</tr>
<tr>
<td>Ballymoney</td>
<td>2</td>
<td>12</td>
<td>10</td>
<td>21</td>
<td>17</td>
<td>34</td>
<td>21</td>
</tr>
<tr>
<td>Banbridge</td>
<td>2</td>
<td>88</td>
<td>59</td>
<td>63</td>
<td>57</td>
<td>47</td>
<td>51</td>
</tr>
<tr>
<td>Belfast East</td>
<td>19</td>
<td>114</td>
<td>227</td>
<td>147</td>
<td>170</td>
<td>163</td>
<td>169</td>
</tr>
<tr>
<td>Belfast North</td>
<td>50</td>
<td>560</td>
<td>355</td>
<td>193</td>
<td>204</td>
<td>358</td>
<td>282</td>
</tr>
<tr>
<td>Belfast South</td>
<td>42</td>
<td>239</td>
<td>270</td>
<td>250</td>
<td>182</td>
<td>227</td>
<td>225</td>
</tr>
<tr>
<td>Belfast West</td>
<td>33</td>
<td>212</td>
<td>181</td>
<td>107</td>
<td>136</td>
<td>184</td>
<td>162</td>
</tr>
<tr>
<td>Carrickfergus</td>
<td>9</td>
<td>67</td>
<td>54</td>
<td>32</td>
<td>44</td>
<td>67</td>
<td>82</td>
</tr>
<tr>
<td>Castlereagh</td>
<td>9</td>
<td>53</td>
<td>63</td>
<td>87</td>
<td>91</td>
<td>67</td>
<td>59</td>
</tr>
<tr>
<td>Coleraine</td>
<td>14</td>
<td>105</td>
<td>96</td>
<td>120</td>
<td>134</td>
<td>171</td>
<td>231</td>
</tr>
<tr>
<td>Cookstown</td>
<td>10</td>
<td>76</td>
<td>33</td>
<td>42</td>
<td>47</td>
<td>50</td>
<td>52</td>
</tr>
<tr>
<td>Craigavon</td>
<td>20</td>
<td>152</td>
<td>125</td>
<td>135</td>
<td>167</td>
<td>116</td>
<td>111</td>
</tr>
<tr>
<td>Down</td>
<td>16</td>
<td>143</td>
<td>140</td>
<td>118</td>
<td>99</td>
<td>95</td>
<td>70</td>
</tr>
<tr>
<td>Dungannon &amp; S.Tyrone</td>
<td>10</td>
<td>69</td>
<td>42</td>
<td>70</td>
<td>67</td>
<td>74</td>
<td>63</td>
</tr>
<tr>
<td>Fermanagh</td>
<td>17</td>
<td>78</td>
<td>75</td>
<td>87</td>
<td>83</td>
<td>61</td>
<td>81</td>
</tr>
<tr>
<td>Foyle</td>
<td>51</td>
<td>198</td>
<td>179</td>
<td>114</td>
<td>143</td>
<td>131</td>
<td>132</td>
</tr>
<tr>
<td>Larne</td>
<td>7</td>
<td>50</td>
<td>60</td>
<td>44</td>
<td>58</td>
<td>46</td>
<td>58</td>
</tr>
<tr>
<td>Limavady</td>
<td>7</td>
<td>42</td>
<td>58</td>
<td>43</td>
<td>59</td>
<td>43</td>
<td>44</td>
</tr>
<tr>
<td>Lisburn</td>
<td>15</td>
<td>106</td>
<td>149</td>
<td>163</td>
<td>131</td>
<td>152</td>
<td>152</td>
</tr>
<tr>
<td>Magherafelt</td>
<td>8</td>
<td>30</td>
<td>35</td>
<td>45</td>
<td>48</td>
<td>48</td>
<td>48</td>
</tr>
<tr>
<td>Moyle</td>
<td>2</td>
<td>9</td>
<td>11</td>
<td>21</td>
<td>19</td>
<td>33</td>
<td>27</td>
</tr>
<tr>
<td>Newry &amp; Mourne</td>
<td>7</td>
<td>95</td>
<td>85</td>
<td>112</td>
<td>93</td>
<td>116</td>
<td>110</td>
</tr>
<tr>
<td>Newtownabbey</td>
<td>14</td>
<td>85</td>
<td>79</td>
<td>84</td>
<td>82</td>
<td>78</td>
<td>104</td>
</tr>
<tr>
<td>North Down</td>
<td>11</td>
<td>93</td>
<td>126</td>
<td>147</td>
<td>101</td>
<td>123</td>
<td>123</td>
</tr>
<tr>
<td>Omagh</td>
<td>16</td>
<td>84</td>
<td>50</td>
<td>64</td>
<td>55</td>
<td>59</td>
<td>67</td>
</tr>
<tr>
<td>Other</td>
<td>1</td>
<td>5</td>
<td>7</td>
<td>8</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Strabane</td>
<td>12</td>
<td>87</td>
<td>43</td>
<td>52</td>
<td>74</td>
<td>56</td>
<td>85</td>
</tr>
<tr>
<td>UNK</td>
<td>1064</td>
<td>340</td>
<td>279</td>
<td>234</td>
<td>163</td>
<td>207</td>
<td>252</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1547</td>
<td>3624</td>
<td>3309</td>
<td>3072</td>
<td>2964</td>
<td>3290</td>
<td>3346</td>
</tr>
</tbody>
</table>
Use of Force

Since 2001/02, there has been a decrease in the number of allegations involving the use of handcuffs by police officers, although over recent years the numbers of complaints about handcuffs have begun to slowly increase.

Allegations involving handcuff use, 2000/01-2006/07

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

Allegations involving firearm use, 2000/01-2006/07
The number of allegations involving the use of a baton by police officers has decreased considerably since 2001/02 (72% decrease since 2001/02). In 2005/06 the number of allegations increased slightly due to a number of public disorder situations.

Since the Police Ombudsman’s Office opened, the number of allegations involving the discharge of a firearm has decreased steadily. In 2005/06 and 2006/07 however, the number of allegations involving the discharge of firearms has increased. This is due to the fact that included in these figures are referrals from the PSNI Historical Enquiries Team (HET) that relate to discharges of firearms by police officers pre 1998.
CS Spray was introduced in 2004 and between June and December of that year all occurrences of CS Spray usage by police officers were automatically referred to the Police Ombudsman’s Office. The number of allegations has decreased in the last year.

**Allegations involving CS spray use, 2004/05-2006/07**

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Allegations</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004/05</td>
<td>94</td>
</tr>
<tr>
<td>2005/06</td>
<td>102</td>
</tr>
<tr>
<td>2006/07</td>
<td>59</td>
</tr>
</tbody>
</table>

The number of allegations involving the baton round/AEP use has decreased considerably since 2002/03.

**Allegations involving baton round/AEPs, 2000/01-2006/07**

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Allegations</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000/01</td>
<td>13</td>
</tr>
<tr>
<td>2001/02</td>
<td>34</td>
</tr>
<tr>
<td>2002/03</td>
<td>42</td>
</tr>
<tr>
<td>2003/04</td>
<td>1</td>
</tr>
<tr>
<td>2004/05</td>
<td>5</td>
</tr>
<tr>
<td>2005/06</td>
<td>1</td>
</tr>
<tr>
<td>2006/07</td>
<td>3</td>
</tr>
</tbody>
</table>
Section 53 of the Police (NI) Act 1998 provides for a flexible and simple procedure in dealing with a complaint of a less serious nature, which would otherwise attract the extreme and rigorous process of formal investigation. The Informal Resolution process allows the opportunity for detailed discussion and explanation of views and actions between police and the complainant. There is a strong commitment to reach an outcome that is acceptable to the complainant, who ultimately has the right to request a full, formal investigation if a satisfactory outcome is not reached.

<table>
<thead>
<tr>
<th>Profile of Informal resolution, by received date per year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Successful</td>
</tr>
<tr>
<td>2000/01</td>
</tr>
<tr>
<td>93</td>
</tr>
</tbody>
</table>

The number of successfully informally resolved complaints has generally increased between 2000/01 and 2006/07.

Detailed information on Informal Resolution has been recorded since 2003 and from that time 3,179 complaints, or 26% of those received during that period were identified as suitable for Informal Resolution.

Of complaints closed by PSNI following the Informal Resolution process, around three quarters each year were successful.
### Outcomes of Successful Informal Resolution closed by PSNI, by year

<table>
<thead>
<tr>
<th></th>
<th>2003/04</th>
<th>2004/05</th>
<th>2005/06</th>
<th>2006/07</th>
</tr>
</thead>
<tbody>
<tr>
<td>Action taken accepted</td>
<td>24</td>
<td>28</td>
<td>25</td>
<td>27</td>
</tr>
<tr>
<td>Apology</td>
<td>9</td>
<td>9</td>
<td>13</td>
<td>9</td>
</tr>
<tr>
<td>Apology on behalf of PSNI</td>
<td>5</td>
<td>4</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Brought to the attention of the officer/ senior officer or DCU Commander</td>
<td>32</td>
<td>29</td>
<td>22</td>
<td>26</td>
</tr>
<tr>
<td>Constructive advice</td>
<td>9</td>
<td>15</td>
<td>18</td>
<td>16</td>
</tr>
<tr>
<td>Explanation accepted</td>
<td>11</td>
<td>6</td>
<td>6</td>
<td>5</td>
</tr>
<tr>
<td>Expression of regret</td>
<td>4</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Accepted nothing further could be done</td>
<td>2</td>
<td>4</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Face to face meeting</td>
<td>1</td>
<td>3</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>Other</td>
<td>3</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>100</strong></td>
<td><strong>100</strong></td>
<td><strong>100</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

“There is an increasing recognition among the police that the Office is fair and independent and does a useful job in exonerating officers who have been unfairly complained against as well as identifying those guilty of misconduct.”

*Kit Chivers (CJI)*
All complaints received by the Office are initially dealt with by Complaints Officers who determine whether or not a complaint falls within the Police Ombudsman’s legislative remit. Subject to the necessary approval the Complaints Officers also seek further information from complainants and, should this not be forthcoming, may close the complaint due to the failure of the complainant to co-operate. In addition, Complaints Officers may, following receipt of relevant information, close a complaint as ill founded. Complaints Officers also handle complaints going through the Informal Resolution process. Over the last seven years more than 50% of complaints have been dealt with and closed by Complaints Officers.

Of all the complaints referred for investigation from 2000/01 – 2006/07, over a third were closed due to non co-operation by the complainant (37%).

Since 2000/01, 954 cases have been submitted to the Public Prosecution Service for direction as to whether criminal charges should be preferred or for advice/interim direction. 61 cases have been referred with recommendation for prosecution, with a total of 96 criminal charges.
<table>
<thead>
<tr>
<th>Charge</th>
<th>2001/02</th>
<th>2002/03</th>
<th>2003/04</th>
<th>2004/05</th>
<th>2005/06</th>
<th>2006/07</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Offence under the Protection from Harassment (NI) Order (1997)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Perjury</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Breach of Data Protection</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Unlawful disclosure of information under the Data Protection Act</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Driving whilst disqualified</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Driving without insurance</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Causing death by dangerous driving</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Dangerous driving</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Careless driving</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Common assault</td>
<td>0</td>
<td>5</td>
<td>3</td>
<td>1</td>
<td>3</td>
<td>10</td>
<td>22</td>
</tr>
<tr>
<td>Assault occasioning actual bodily harm</td>
<td>4</td>
<td>4</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td>2</td>
<td>13</td>
</tr>
<tr>
<td>Assault occasioning grievous bodily harm</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Assault (aggravated - minor)</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Perverting the course of justice</td>
<td>1</td>
<td>9</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>10</td>
</tr>
<tr>
<td>Attempting to pervert the course of public justice</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
<td>4</td>
<td>1</td>
<td>10</td>
</tr>
<tr>
<td>Discharge of the Police Ombudsman</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Discharge of firearm with intent to endanger life</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Misconduct in public office</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Kidnapping</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Theft</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Administering a noxious substance</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Criminal damage</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Intimidation</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Causing harassment alarm or distress</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Racially or religiously aggravated</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Breach of Criminal Procedure Investigations Act</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Other</td>
<td>4</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>Totals</td>
<td>12</td>
<td>24</td>
<td>10</td>
<td>19</td>
<td>9</td>
<td>22</td>
<td>96</td>
</tr>
</tbody>
</table>
The Public Prosecution Service has (at date of publication) directed 47 criminal charges since 2000/01.

**Direction by Public Prosecution Service, 2001/02-2006/07**

<table>
<thead>
<tr>
<th>Type of Charge</th>
<th>Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assault incurring actual bodily harm</td>
<td>9</td>
</tr>
<tr>
<td>Common Assault</td>
<td>11</td>
</tr>
<tr>
<td>Causing death by dangerous driving</td>
<td>2</td>
</tr>
<tr>
<td>Dangerous driving</td>
<td>3</td>
</tr>
<tr>
<td>Careless driving</td>
<td>1</td>
</tr>
<tr>
<td>Perverting the course of justice</td>
<td>8</td>
</tr>
<tr>
<td>Criminal damage</td>
<td>1</td>
</tr>
<tr>
<td>Malicious wounding</td>
<td>1</td>
</tr>
<tr>
<td>Possession of firearm with intent</td>
<td>1</td>
</tr>
<tr>
<td>Unlawful and injurious imprisonment</td>
<td>1</td>
</tr>
<tr>
<td>Data Protection</td>
<td>3</td>
</tr>
<tr>
<td>Driving without insurance</td>
<td>3</td>
</tr>
<tr>
<td>Driving whilst disqualified</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>47</strong></td>
</tr>
</tbody>
</table>

Some cases are referred to the Chief Constable when there is clear evidence that an officer has committed a disciplinary breach. From 2001/02 until 2006/07, 321 cases have been referred to the Chief Constable with the Police Ombudsman making the following recommendations:

- Misconduct Charges
- Superintendent’s Written Warning
- Advice and Guidance given to officers

**Cases recommended to Chief Constable, 2001/02-2006/07**

![Bar chart showing cases recommended to Chief Constable by year]
During the past number of years, the Police Ombudsman initiated research into a number of police related areas including: baton rounds; use of batons; treatment of solicitors/barristers; young people’s attitudes; informal resolution; police accountability and the gay, lesbian and bi-sexual community; police accountability and the black and minority ethnic communities; CS spray, and reasons for complainant non co-operation.

Baton Rounds (May 2002 and 2005)

The Office of the Police Ombudsman for Northern Ireland released two baton round reports, which provided a synopsis of the investigations carried out by the Office. The incidents typically involved attacks on the police by rioters using bricks, masonry, fireworks, petrol, paint, acid and blast bombs; the police were also shot at on at least one occasion.

The Police Ombudsman carried out thorough examinations of all incidents with some minor criticisms of the police action emerging.

In the incidents examined, the Police Ombudsman concluded that the discharge of the baton rounds was fully justified and proportionate, as were the authorisation and directions given. With the exception of one incident, the deployment and use of the baton rounds were in accordance with the relevant RUC/PSNI and ACPO guidance. No matters of police misconduct were found however some deficiencies were found in police practice and processes that resulted in a number of recommendations to police in respect of:

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

“Police officers in Northern Ireland do a difficult job and they encounter public disorder situations that are considerably more violent and life-threatening than in other areas.”

*Mrs Nuala O’Loan*
Use of Batons (March 2003)

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

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

The Report recommended:

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

- The completion and promulgation of the updated Police Service Code on baton use should be expedited.

- Clear and consistent recording of the use of physical force by police officers should be required. The data collected should be centrally collated, perhaps by the Central Statistics Unit of the PSNI. Consideration should be given to the publication of these data.

Since the completion of the research detailed in this Report, the Chief Constable of the PSNI has approached the Northern Ireland Policing Board to request the supply of funds to equip officers with CS spray. This move was welcomed by the Police Ombudsman who stated, “CS sprays would give officers an alternative and sometimes more appropriate means of personal protection in close conflict situations”. It is acknowledged, however, that the use of CS spray by police officers can give rise to complaints, and consequently the recommendations regarding training in the use of batons detailed above are equally applicable to training in the use of CS spray.

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

Mrs Nuala O’Loan
A study of the treatment of solicitors and barristers by the police in Northern Ireland (March 2003)

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

Nuala O’Loan

A research study was initiated by the Police Ombudsman into the treatment of solicitors and barristers by police officers in 2001 and 2002. 52% of those contacted responded (1,458). Of the respondents, 1,403 (96%) had not experienced any problems while 55 (4%) had.

Number of incidents of mistreatment experience by lawyers

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

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

Mrs Nuala O’Loan
Police officers’ attitudes to the Police Ombudsman and the new complaints system (January 2004)

A large-scale survey of all police officers was carried out in 2003. The research sought to provide information on officers’ knowledge of and attitudes towards the Office. Over 3,924 officers responded to the survey.

Two thirds of officers questioned agreed that they would like to know more about the Police Ombudsman’s Office.

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

The majority of officers, who had been in contact with the Police Ombudsman’s staff, thought they were: Polite (86%), Friendly (60%), Patient (67%), Easy to understand (70%) or Professional (64%).

Some 37%, however, thought that staff were off-hand or casual, 22% thought staff were in a hurry or rushed and 17% thought the staff were rude.

Only 39% thought that staff were knowledgeable and 46% thought that staff were impartial.

Police officers’ views of Police Ombudsman’s staff

The majority of officers agreed that complaints against the police should be independently investigated by people outside the PSNI and about two-fifths agreed that the Police Ombudsman’s Office would help increase public confidence in the police. A further survey of Police attitudes and views towards the Office of the Police Ombudsman is expected to take place towards the end of 2007.
Police officer satisfaction

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

Police officer satisfaction with overall service
October 2005-March 2007

The chart above shows that 71% of police officers were satisfied or very satisfied with the overall service they received.

“I was satisfied with the service received. The investigator treated me fairly and with respect.”

Police Officer

“The service provided by OPONI was excellent.”

Police Officer

Police officers who spoke to an Investigating Officer from the Office were also asked how they found them in relation to a number of positive and negative characteristics. The majority of police officers had positive perceptions of staff.

Police officer perception of Investigating Officers
October 2005-March 2007

“I was treated more than professionally by the investigating officer. He kept me fully informed at every stage”

Police Officer comment

An evaluation of police led informal resolution of complaints from the complainants’ perspective was carried out in 2005. Almost 60% of survey respondents considered that the informal resolution process needed to be improved or replaced.

**Does the Informal Resolution process need to be improved/replaced?**

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

**Do you think that persons independent of the police should handle the IR process?**

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

45-year-old Protestant male

"Police investigated police."

45-year-old Protestant male

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

47 year-old male
A number of recommendations were made including;

- That legislation is created to provide for a mediation process operated by the Police Ombudsman as an alternative to informal resolution upon receipt of a ‘less serious complaint’.

- That sufficient training should be made available to enable officers of the Police Ombudsman to conduct effective mediation and develop the process.

- The term Informal Resolution be changed to the Home Office/Affairs Committee (1997) recommendation of Local Resolution.

“The officer who dealt with my complaint was extremely polite and helpful.”

41-year-old female
Young people’s attitudes to policing (April 2003)

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

**Young people’s attitudes to the Police Ombudsman**

<table>
<thead>
<tr>
<th>Statement</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will help police do a better job</td>
<td>32</td>
<td>49</td>
<td>12</td>
</tr>
<tr>
<td>Is impartial</td>
<td>28</td>
<td>55</td>
<td>12</td>
</tr>
<tr>
<td>Is independent</td>
<td>27</td>
<td>58</td>
<td>9</td>
</tr>
<tr>
<td>Treats people fairly</td>
<td>35</td>
<td>58</td>
<td>12</td>
</tr>
<tr>
<td>Investigates fairly</td>
<td>47</td>
<td>42</td>
<td>6</td>
</tr>
<tr>
<td>Is necessary</td>
<td>33</td>
<td>51</td>
<td>11</td>
</tr>
<tr>
<td>Can help make police more acceptable</td>
<td>33</td>
<td>51</td>
<td>11</td>
</tr>
</tbody>
</table>

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

- There is still clearly a need to promote greater awareness of the organisation and its work among young people. This appears to be particularly important for young people living outside of Belfast. One option would be to organise a more focused and intensive road show or out-reach programme involving presentations in schools and youth organisations.

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

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

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

- Many young people commented on how the Office was Belfast based. It would therefore be worth exploring options for the Police Ombudsman to have Offices in other areas to promote a presence outside Belfast. These could be organised as surgery style offices whereby a representative of the Police Ombudsman's Office would attend different towns on a monthly basis.

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

- Given the large number of complaints made by young people it would be worth considering creating a team within the Police Ombudsman's Office who specifically deal with complaints by young people and produce information especially for them. This would enable specialist knowledge to be developed and information to be gained on problems experienced by young people and best methods of responding to them.
Police accountability and the black and minority ethnic (BME) communities in Northern Ireland (2006)

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

Respondents’ perceptions of the Police Ombudsman’s Office

<table>
<thead>
<tr>
<th>Perception</th>
<th>Agree</th>
<th>Disagree</th>
<th>Don’t know</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is impartial</td>
<td>36</td>
<td>59</td>
<td>9</td>
</tr>
<tr>
<td>Will help the police do a good job</td>
<td>54</td>
<td>9</td>
<td>1</td>
</tr>
<tr>
<td>Is independent of the police</td>
<td>52</td>
<td>8</td>
<td>1</td>
</tr>
<tr>
<td>Treats the public and the police equally</td>
<td>48</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Treats the person complaining fairly</td>
<td>42</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Treats the police officer being investigated fairly</td>
<td>48</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Is necessary</td>
<td>59</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>Can help change the police</td>
<td>51</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td>Can help make the police more acceptable</td>
<td>59</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>Is racist</td>
<td>59</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>Is aware of issues relating to the minority ethnic community</td>
<td>59</td>
<td>4</td>
<td>1</td>
</tr>
</tbody>
</table>

Percentage

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

Irish Traveller, Male, Armagh

“Don’t know” is impar

Agree

Disagree

Don’t know

Percentage

Arising from recommendations made in the report the Police Ombudsman is identifying appropriate training to be rolled out to all staff; has become engaged in an extensive information programme using as many media as appropriate to make all elements of the community aware of the police complaints system and has altered its complainant monitoring form to not only capture racial classifications but also countries of birth.

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

Respondents’ perceptions of the Police Ombudsman’s Office

<table>
<thead>
<tr>
<th>Perception</th>
<th>Agree</th>
<th>Disagree</th>
<th>Don’t know</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is impartial</td>
<td>44</td>
<td>51</td>
<td>11</td>
</tr>
<tr>
<td>Will help the police do a good job</td>
<td>47</td>
<td>15</td>
<td>38</td>
</tr>
<tr>
<td>Is independent of the police</td>
<td>35</td>
<td>40</td>
<td>20</td>
</tr>
<tr>
<td>Treats the public and the police equally</td>
<td>46</td>
<td>7</td>
<td>45</td>
</tr>
<tr>
<td>Treats the person complaining fairly</td>
<td>40</td>
<td>5</td>
<td>45</td>
</tr>
<tr>
<td>Treats the police officer being investigated fairly</td>
<td>40</td>
<td>5</td>
<td>45</td>
</tr>
<tr>
<td>Is necessary</td>
<td>35</td>
<td>44</td>
<td>22</td>
</tr>
<tr>
<td>Can help change the police</td>
<td>6</td>
<td>34</td>
<td>60</td>
</tr>
<tr>
<td>Can help make the police more acceptable</td>
<td>6</td>
<td>34</td>
<td>60</td>
</tr>
<tr>
<td>Is homophobic</td>
<td>7</td>
<td>29</td>
<td>64</td>
</tr>
<tr>
<td>Is transphobic</td>
<td>16</td>
<td>18</td>
<td>66</td>
</tr>
<tr>
<td>Is aware of issues relating to the LGB community</td>
<td>18</td>
<td>47</td>
<td>38</td>
</tr>
</tbody>
</table>

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

Gay male, Limavady, aged 35

As a result of report recommendations in relation to diversity training, outreach and the provision of information about the complaints procedure, the Police Ombudsman is in the process of identifying appropriate diversity training for its entire staff.
In addition, the Police Ombudsman is engaged in an information project with a number of ‘Section 75’ groups, which is aimed at informing her Office about the best and most relevant methods of providing information for particular communities. This work will include consultation with LGB representatives.

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

Police Ombudsman’s Director of Investigations

Analysis of CS Spray use (2006)

The CS Spray report provides a detailed analysis of all complaints and Chief Constable referrals during 2004.

Number of complaints / CC referrals in CS spray incidents

- Complaints
- Chief Constable Referrals

- 66%
- 34%
The majority of CS Spray usage (53%) has been as a result of public disorder incidents, which have occurred on a street or road (38 incidents).

**Circumstances leading to CS spray incident**

- **Public disorder**: 53%
- **Domestic dispute**: 12%
- **Other**: 3%
- **Unknown**: 32%

In more than half (58%) of the incidents recorded it is unclear, from the CS1 forms or any subsequent documentation recorded on OPONI’s Case Management System, how far away the officer was from their target when discharging CS Spray. Of those incidents where a distance has been recorded (either on the CS1 form or in police/witness statements) only one is recorded as being at less than one metre (20 – 30 centimetres away).

**Source:** CS Spray Report 2006

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

- That CS Spray should not be used at a distance of less than one metre or on a subject who is restrained or handcuffed unless the nature of the risk to the officer is such that this cannot be avoided.

- That all Custody Officers should be reminded of the need for enhanced cell supervision, and their duty of care, when dealing with persons who have been exposed to CS Spray.

- That the guidance and training in the use of CS Spray, not only articulate caution as regards public order events but also in the more ad hoc street disorder.
In the vast majority of incidents (80%) a warning was issued prior to CS Spray being discharged. In 4 incidents it is stated on the CS1 form that no warning was given, and the issue of a warning is disputed in a further 2 incidents. In the 4 incidents where no warning was issued, the evidence would suggest that a warning would have been deemed pointless in the circumstances of the incident, or that there simply wasn’t the opportunity to issue a warning.

Source: CS Spray Report 2006

Equality Monitoring Report (February 2006)

Between November 2000 and March 2005, the Office issued 14,068 self-completion questionnaires. A total of 4,028 complainants (29%) returned completed questionnaires. An analysis of the profile of complainants is based on gender, age, religious belief/community background, race or ethnic group, marital status, disability, employment, dependants and political opinion. A selection of the report findings is as follows:

- 38% of respondents described their religious belief as Catholic, 24% Presbyterian, 21% Church of Ireland, 4% Methodist, 8% as Other and 6% no religion.
- 71% of respondents stated that they were male and 29% were female.
- 97% of respondents described themselves as white.
- 28% of respondents stated that they were between 35 and 44 years of age.
- 38% of respondents reported being single.
- 28% of respondents considered themselves to be disabled.
- 19% of respondents reported being unemployed.
- 41% of respondents declared no support for any political party.
- Less than 1% of respondents disclosed being homosexual or gay.

A more detailed analysis of Section 75 data can be found under the ‘Equality Monitoring’ section of this report.
Complainant Non Co-operation with the Complaints Process (2006)

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

The Non Co-operation report also included an analysis of complaints closed due to complainant non co-operation. The main findings were:

- Over the past six years there has been a significant increase in complainants co-operating with the complaints process.
- Persons making complaints to the Office of the Police Ombudsman are more likely to co-operate with the complaints process than those making complaints via the police.

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

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

**Origin of complaints by closure category**

<table>
<thead>
<tr>
<th>Category</th>
<th>Closed Non Co-operation</th>
<th>Other Closures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td></td>
<td>59</td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td>91</td>
</tr>
<tr>
<td>In person to Police Ombudsman</td>
<td></td>
<td>82</td>
</tr>
<tr>
<td>By Letter to Police</td>
<td></td>
<td>77</td>
</tr>
<tr>
<td>By Letter to Police Ombudsman</td>
<td></td>
<td>76</td>
</tr>
<tr>
<td>By Telephone to Police Ombudsman</td>
<td></td>
<td>75</td>
</tr>
<tr>
<td>By Telephone to Police Station</td>
<td></td>
<td>75</td>
</tr>
<tr>
<td>Complainant Representative</td>
<td></td>
<td>58</td>
</tr>
<tr>
<td>In person at Police Station</td>
<td></td>
<td>53</td>
</tr>
</tbody>
</table>

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

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

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

**Allegations by closure category**

```
<table>
<thead>
<tr>
<th>Category</th>
<th>Closed Non Co-operation</th>
<th>Other Closures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>41</td>
<td>59</td>
</tr>
<tr>
<td>Failure in Duty</td>
<td>26</td>
<td>74</td>
</tr>
<tr>
<td>Other</td>
<td>33</td>
<td>67</td>
</tr>
<tr>
<td>Incivility</td>
<td>39</td>
<td>61</td>
</tr>
<tr>
<td>Oppressive Behaviour</td>
<td>53</td>
<td>47</td>
</tr>
</tbody>
</table>
```

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

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

Since April 2004 the Office has conducted a systematic monthly review of all new complaints received to identify, categorise and record all potential police policy or practice issues arising. The on-going identification of significant trends and patterns assists the organisation in the selection of appropriate areas that may require policy and practice investigations. The chart below displays the five most recurrent themes to emerge between April 2004 and March 2007. These are selected solely on the basis of the content of the initial allegations made by each complainant.

Four Policy and Practice investigations have been initiated since the Office opened. Reports into “Police Identification in Northern Ireland” and “Police Searches of Domestic Residences” have been published. The remaining two, relating to the use of handcuffs and to recommendations made under Regulation 20 of the RUC (Complaints Etc) Regulations, are ongoing, with reports due to be published during 2007/08.

The published reports made a number of significant recommendations, to which the PSNI were given the opportunity to respond before publication:
Police Identification Policy and Practice Report

Recommendation 1
PSNI policy on the wearing of name badges should be annually reviewed in light of the prevailing security situation and the Chief Constable should set a target date by which it will be compulsory for all officers to display name identification badges.

PSNI Response:
There will be an annual review of the wearing of name badges, with the default position being that name badges should be worn. Only the current security situation will be grounds for not wearing a name badge. The PSNI is also examining how best to identify plain-clothes officers.

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

Respondent

Recommendation 2
In the absence of name badges, breast pocket numeral identification should be introduced.

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

Recommendation 3
Police personal issue equipment, including radios, CS spray, batons, firearms and handcuffs, should be uniquely linked to individual officers.

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

Public satisfaction with uniform identification

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

Respondent
Recommendation 4
Police vehicles should have unique identifiers permanently in view on the sides and on the roof. These should be removed only with the authority of an officer of Superintendent rank or above.

PSNI Response:
All police vehicles have permanently fixed vehicle registration plates at the front and rear. All current battenburg livery vehicles will shortly have thermal image (5 digit) fleet number permanently fixed on the roof for air support identification during day and night time. Height 30.5 cm, width 21.5 cm, thickness 5 cm. With regard to the sides of all battenburg vehicles and the sides of all battenburg motorcycles, as an extension of the PSNI email address currently on the vehicles on blue against white/silver background, we can fix the 5 digit fleet number to height 3.5 cm, width 2.5 cm, thickness 1.5 cm. The timeframe for completion is August 2005. In addition, ALR’s will be able to have unique TSG operational numbers for whatever type of operation undertaken. All unmarked police vehicles are excluded from this process.

Recommendation 5
The prevailing method of officer identification should be clearly marked on police fluorescent coats.

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

Recommendation 6
The sleeves and trim of fluorescent coats should be changed to police blue to clearly distinguish police from other emergency services.

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

Recommendation 7
The use of business cards by officers should be promoted and encouraged.

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

Public satisfaction with identification by means of a warrant card

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Satisfied</th>
<th>Not Satisfied</th>
<th>Other</th>
<th>Declined to answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>76</td>
<td>9</td>
<td>7</td>
<td>8</td>
<td></td>
</tr>
</tbody>
</table>
“If there is an occasion to show warrant card, perhaps a business card with officer’s name etc should be given for reference.”

Respondent

Recommendation 8
The PSNI should produce and disseminate a leaflet detailing all means used by the police to identify themselves.

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

Recommendation 9
The clarity of epaulette numerals should be improved.

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

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

Respondent

Recommendation 10
Warrant cards should be redesigned to facilitate persons with visual disability.

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

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

Respondent

Police Searches of Domestic Residences Policy and Practice Report

Recommendation 1
Police officers are reminded of the importance of ensuring that warrants are accurately completed and used solely for the purpose they are intended to avoid claims for wrongful searches.

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

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

CNR community member

Recommendation 2
Police officers are reminded of the correct use of appropriate search documentation, including the serving of PACE 20s, copies of warrants and PACE 1A documentation.

Recommendation 3
Police officers are reminded of the importance of fully and accurately completing search records.

PSNI Response:
Agreed: the PSNI search manual provides direction on accurate completion of all search documentation in Section 6.
Recommendation 4
Police officers are reminded of the importance that property seized is returned as soon as practicable.

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

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

PUL Community Representative

Recommendation 5
Police officers are reminded of their duty to adhere to policies and practices in relation to property searches with particular emphasis on guidelines for dealing with vulnerable groups including ethnic minorities and migrant workers.

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

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

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

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

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

Minority ethnic activist

Recommendation 6
Police officers are reminded of the importance of securing unoccupied dwellings following searches.

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

Recommendation 7
Police officers are reminded that complaints made to police must be forwarded immediately to the Office of the Police Ombudsman. There should be no attempts by police officers to “deal with a matter privately”.

PSNI Response:
Agreed.
Complaints and Allegations Regarding Property Searches 2000/01-2005/06

<table>
<thead>
<tr>
<th>Year</th>
<th>Complaints</th>
<th>Allegations</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000/01</td>
<td>21</td>
<td>31</td>
</tr>
<tr>
<td>2001/02</td>
<td>27</td>
<td>153</td>
</tr>
<tr>
<td>2002/03</td>
<td>118</td>
<td>167</td>
</tr>
<tr>
<td>2003/04</td>
<td>106</td>
<td>128</td>
</tr>
<tr>
<td>2004/05</td>
<td>97</td>
<td>123</td>
</tr>
<tr>
<td>2005/06</td>
<td>97</td>
<td>128</td>
</tr>
</tbody>
</table>

**Recommendation 8**
At least one female police officer be in attendance during all searches of domestic properties carried out by police.

**PSNI Response:**
Agreed. The PSNI ‘Gender Action Plan’, published in September 2004, raised concerns about the proportion of female officers serving in specialist units generally. Vacancies in TSG were specifically mentioned: ‘female officers were proportionally more successful than male officers but applied in much smaller numbers.

This may be due to female officers’ perceptions about the type of work involved in some specialist units and the possibility of long hours culture.” The report proceeded to make the following practical recommendations:

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

Positive steps were taken to attract female recruits to TSGs. Several ‘open / information days’ were organised and this appears to have had a positive impact. The latest establishment figures show that, within urban regions, TSGs have at least two female officers each. A project team has been established within rural regions to examine the under representation of female officers within its TSGs.

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

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

**PUL Community Representative**
**Recommendation 9**
Police review the proportionality of the number of police officers involved in search operations against the nature of the offence being investigated and the potential impact on community relations.

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

Factors to be considered include:

- the area within which the search is to take place;
- the likelihood of a hostile reception, which may necessitate additional officers to secure the area and provide public order support or security; and
- the climate under which searches are to take place (for example, heightened tensions as a result of an ongoing loyalist feud).

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

Statistics show that only in four per cent of searches are more than ten police officers present and in over half of all searches no more than six officers are involved.
**Number of Officers by Authority to Search**

<table>
<thead>
<tr>
<th>Authority</th>
<th>1-6</th>
<th>7-10</th>
<th>11-15</th>
<th>16+</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other Warrant</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>53</td>
</tr>
<tr>
<td>PACE Art 10</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>30</td>
</tr>
<tr>
<td>PACE Art 20</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>79</td>
</tr>
<tr>
<td>PACE Art 34</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>67</td>
</tr>
<tr>
<td>Terrorism Act (Schedule 10)</td>
<td>21</td>
<td></td>
<td></td>
<td></td>
<td>71</td>
</tr>
<tr>
<td>Terrorism Act (Schedule 5)</td>
<td>16</td>
<td></td>
<td></td>
<td></td>
<td>78</td>
</tr>
<tr>
<td>All</td>
<td></td>
<td>51</td>
<td></td>
<td></td>
<td>44</td>
</tr>
</tbody>
</table>

**Recommendation 10**
All intelligence is verified and validated prior to searches being conducted.

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

**Recommendation 11**
The police officer in charge of the search always make himself/herself known to the occupants and is available to deal with any issues that may arise resultant from the police search.

**PSNI Response:**
The PSNI search manual directs that officers in charge of search teams make themselves known to the occupants on entry to any premises and explain the nature of the search, the occupants’ rights during the search and the fact that they may remain to oversee and deal with any issues that may arise. Several questions are also asked of the occupier before the search commences.

Form PACE 1/A search record, a copy of which is left with the occupant on the termination of the search, provides details of the officer in charge of the investigation and a contact number.

**Recommendation 12**
Police review guidelines relating to searches of traveller sites with particular reference to the use of warrants.

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

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

**Travelling Community activist**
Regulation 20 Policy and Practice Investigation

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

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

This policy and practice investigation was commissioned to review the operation of the Regulation 20 reporting procedure and assess the impact of the recommendations on policing policies and practices. The report will be published during 2007/08. The following are a sample of the recommendations contained in Regulation 20 reports and a summary of PSNI responses to them.

Crime Scene Management

Recommendation 1
Scientific Support Staff should receive training relating to forensic issues at major crime scenes, specifically the need to wear protective clothing and contamination issues.

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

Recommendation 2
All Scientific Support Staff should receive training in the law relating to the CPIA 1996, specifically relating to their need to record, retain and reveal to the Disclosure Office all the material produced by them in an investigation.

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

Recommendation 3
The Senior Investigating Officer in charge of all major crime investigations should ensure that the crime scene is videoed before any forensic examinations take place.

PSNI Response
All officers attending the Senior Investigating Officer modules are now made aware of the need to video all Major Crime Scenes.
**Recommendation 4**
All SIOs should define the parameters of a major crime scene, ensure that a search plan is considered and set a Forensic Strategy. All actions / decisions / orders should be recorded and take place in accordance with the National Murder Investigation Manual.

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

**CS Spray**

**Recommendation 1**
It is recommended that all Custody Officers be reminded of the need to accurately record all required details pertaining to CS Spray discharges relating to prisoners who have been exposed to CS Spray on the relevant Custody Record. Such good record keeping ensures the accountability and transparency of the custody process in accordance with the PACE Codes of Practice.

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

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

**Recommendation 2**
All police officers issued with CS spray canisters should be reminded of the importance of accurately recording all aspects relating to the use of such devices and related aftercare issues. This specifically relates to distances at which CS spray is discharged, the nature of aftercare advice given, and the manner in which prisoners exposed to CS spray are conveyed from their place of arrest to the nearest Custody Office. Such attention to detail is stipulated in General Order 28/2004 and ensures the transparency and accountability of the process.

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

**Recommendation 3**
It is recommended that ‘X’ Police Station review its CS spray storage policy to ensure that at all times at least one senior officer on duty has access to storage facilities, in the event that CS spray is discharged and access to the storage facilities is required at short notice. Consideration should also be given to a force wide review of such storage policies in the event that this problem is not solely isolated to the above police station.

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

Recommendation 1
It is a recommendation that all officers currently classified in the use of baton guns are issued with authorisation cards, which must be presented before baton guns, and baton rounds are issued.

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

Recommendation 2
It is a recommendation that, as part of the review of evidence gatherers referred to above, spotters / evidence gatherers in discharges from vehicles are used in all cases.

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

Baton Round Warnings

Recommendation 1
No evidence exists that any public warnings were given, despite the fact that there would appear to have been opportunity to give such warnings. It is recommended that the necessity of giving such warnings at the scene of disorder should be brought to the attention of relevant personnel in order that lessons can be learned.

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

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

**Recommendation 1**
It is recommended that consideration be given for all police vehicles used for general patrol and public order situations to have markings on their roof making them identifiable from the air.

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

**Vehicle Pursuits**

**Recommendation 1**
That the PSNI review the Urban Region instructions and provide for supervision by the Control Room in incidents such as the matter dealt with in this Report, pending the introduction of the ACPO Policy on pursuits.

**PSNI Response**
The recommendation has been addressed through the implementation of the new Vehicle Pursuit Management Policy, which became operational on the 2 January 2007. This was a lengthy process, which in addition to devising the policy, required new police staff to become qualified as instructors, trainers to attend the Pursuit Course in England and the delivery of training to District Trainers and Communications staff. The full Vehicle Pursuit training programme then commenced on the 2 October 2006 and is ongoing.

**Risk Assessment**

**Recommendation 1**
The Police Ombudsman recommends that all officers responsible for the preparation and authorisation of operational orders are made aware of the need to complete specific risk assessments prior to the operation taking place.

**PSNI Response**
Operations Department, Crime Department and Territorial Assistant Chief Constables have reinforced the need for specific risk assessments to be carried out, prior to operations taking place.
The improvement of policing within the community remains a priority for the Office. As a result of investigations coordinated by the Office, numerous recommendations have been made to the Chief Constable aimed at improving the service PSNI provides to the public. Samples of these are as follows:

- Arising from Police Ombudsman’s investigations a more uniform and structured approach to informing persons subject to non-specific death threats from terrorist groups.

- That it must be re-iterated that public order warnings should always be issued prior to discharging baton rounds.

- That Force Order 46/2000 be amended to require the deployment of baton gun assistants on all occasions. That the military consider the consequences of their actions upon the police during public disorder.

- That specialist commentary training should be an essential part of driver training. That a police driver’s discretion to chase should be clarified and central management and control of incident should be increased. Need for increased uniformity in PSNI pursuits.

- That the current PSNI Pursuit Policy is inadequate and that the more effective ACPO Pursuits Guidelines are introduced.

- That the Chief Constable reviews and clarifies the policy surrounding the carrying of sub-machine guns during property searches.

- Recommendations made with regard to the Integrated Crime Information System, notably in relation to creation of an effective audit trail and security for system integrity.

- A number of recommendations made with regard to the classification of deaths as suspicious, the roles of PSNI and the Coroner and the need for an awareness of issues such as corporate manslaughter and criminal negligence.

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

- That provision be made on proforma Traffic Branch statements to allow for the inclusion of specific detection factors, such as parked vehicles, where the existence of such obstructions may be used to challenge the prosecution case at a later date.

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

- That Police review its policy in relation to accepted payment methods for outstanding warrants.

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

- That, in cases involving child protection issues, a multi agency strategy be developed by way of discussion of the timing, roles and responsibilities involved.
That all CARE units should have at least one designated police supervisor.

That the answer phone message at CARE units should clearly redirect callers to 999 in the event of an emergency. A formal message logging system should also be put in place.

That all custody officers are reminded of the need to accurately record all details about CS spray discharges.

That all custody officers are reminded to issue CS3 forms to any prisoner exposed to CS spray.

That senior officers be reminded of the need to accurately record all relevant details pertaining to CS spray discharges.

(Police handling of transgender incident) “It is recommended that the DCU Commander raises the awareness of how to deal with hate crimes & the importance of immediately appointing an officer to conduct and follow through an investigation immediately and to secure evidence as a priority. This should be in line with the most recent Policy Directive PD02/06, “Police Response to Hate Incidents.”

That a review be undertaken of hours worked by officers attached to HMSU, ensuring compliance with ACPO guidelines, European working directives, Health and Safety legislation and PSNI policy.

That a review be undertaken of the PSNI operational command structure, particularly in relation to pro-active firearms operations.

HMSU should receive firearms training independent of their unit.

There should be full compliance with ACPO guidelines dealing with the deployment and use of Firearms Tactical Advisors.

The Chief Constable should review all operational practice dealing with record keeping.

There should be full and unequivocal compliance with all areas of the ACPO Manual of guidance on the Police use of Firearms.

That the role of Post Incident Manager is fully implemented.

That Police Ombudsman requests for sensitive material be actioned more effectively in accordance with the PSNI / Police Ombudsman protocols.

That PSNI should include in search team training and procedures, an awareness among staff of their responsibility for acting reasonably. If weather conditions are likely to create the situation where dirt and damage will be caused to carpets or flooring when executing searches, consideration should be given to officers wearing protective plastic over shoes in a visible attempt to minimise damage.

That PSNI implement a policy that necessitates the production of an intelligence package for assessment of decision-making and use by all officers involved in the process of authorising and applying for search warrants.

That PSNI ensure that in all major enquiries or critical incident enquiries consideration is given to ensuring that the SIO is provided with a clearly defined structure of management support and an identified Deputy SIO.
That PSNI implement a clear policy requirement for Community Impact Assessments to be used on all high profile policing operations / incidents to ensure proper consideration of operational objectives and community responses.

SIO and Intelligence Manager Training to be reviewed to ensure the Community Impact Assessment process is part of the training syllabus.

That PSNI appoint an identified media spokesperson from Gold group ...to assist the SIO in the investigative process and manage extraordinary high demand for media management.

That PSNI Media and Public Relations Department consider and implement strategies and tactics to reduce the potential for misinformation or interference with victims or suspects. e.g. media liaison officers to accompany search teams or be available to support search teams and deal with media attendance at addresses, providing interview facilities to the media.

That the Chief Constable PSNI reviews the acceptability of terminology used by police staff to describe political groups and members of different communities. Diversity training needs to be considered and reviewed against this context to target increased awareness and commitment to appropriate language that is consistent with an impartial policing service.

The Police Ombudsman’s Office recommends that conducting “single officer” interviews is a practice which should be avoided when possible and, in particular, should not be undertaken by police officers who are effectively still in training.

That PSNI retain the details of the serial numbers of handcuffs issued to individual officers and that such a list be maintained and easily accessible.

There is no specific policy on recording calls where no police action has been tasked. All 999 calls, where there is any possibility of risk to life or property, should be automatically recorded. This would ensure ethical recording of 999 calls and accountability, as the decision making of the call handler will be logged.

It is therefore recommended that the importance of the issues highlighted in this report regarding aftercare afforded to persons exposed to CS spray be reinforced to all police officers equipped with canisters.

All police officers issued with CS spray canisters should also be aware of the designated storage facilities ...and reminded that following discharges all CS spray canisters should be produced to the relevant CS administration officer as soon as practicable.

Specialist commentary training should be an essential component of driver training so clear unequivocal information and advice can be given to and from BRC (Belfast Regional Control).

Police drivers who are trained only to Standard and Advanced level should not undertake pursuits without having undertaken specific pursuit training.

PSNI should review their current instructions concerning vehicle pursuits with a view to ensuring a uniformity of the process for dealing with pursuits in all areas of Northern Ireland. Training based on the ACPO Traffic Manual of Guidance and the adoption of the ACPO national pursuits policy is pivotal.

The use of journals by Operators to record decision-making in relation to calls should be discouraged. All Operators’ decisions and the rationale for them should be recorded on the computer system.
That PSNI should review the limited effectiveness and appropriateness of warning shots being discharged during serious public order situations. PSNI should remind officers of the advantages of communicating matters relating to ongoing operational matters over the operational radio network whenever possible and consider deploying temporary rebroadcast facilities during significant events where the threat of serious public disorder is heightened.

That officers are reminded of the need to complete an Event Policy book following any AEP discharge, in line with PSNI Code of Practice.

That PSNI officers are reminded of the importance of accurately recording the details of the CS spray canister issued on the issue register.

That PSNI supervisors are reminded of the importance of weighing the used CS spray canister at the time it is seized.
Every year the Police Ombudsman commissions NISRA (Northern Ireland Statistics and Research Agency) to carry out a large-scale independent survey of public attitudes of the police complaints system. To date, eight surveys have been carried out. In 2007, 88% of respondents were aware of the Police Ombudsman. Awareness levels have been consistently high since 2002, with 2007 having the highest awareness level to date.

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

“...dedication and leadership demonstrated by Mrs O’Loan and her staff in constructing from scratch a credible police complaints service in Northern Ireland.”

NIAC Report (2005)

In 2007, 78% of those who had heard of the Police Ombudsman were confident of the Police Ombudsman’s impartiality. This confidence has increased markedly since 2002, when 61% were very confident or fairly confident.
Over the last seven years confidence in the Police Ombudsman’s impartiality among Protestant respondents has risen from 51% to 74%.

Confidence in impartiality of police complaints system by community background

Respondents were also asked if they thought they would be fairly treated if they made a complaint against a police officer. In 2007, 86% thought they would be treated fairly. This figure has increased from 78% in 2002.

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

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

Citizens Advice in Northern Ireland
(Source: NIAC Report, 2004/05 Annual Report)
Further analysis shows that in 2007, there was only a difference of 4 percentage points between the proportion of Protestant and Catholic respondents who thought they would be treated fairly by the Police Ombudsman’s Office.

Confidence in fairness of treatment by Police Ombudsman by community background

Respondents were also asked whether the Police Ombudsman would contribute to effective policing in Northern Ireland. In 2007, 82% felt that the Police Ombudsman would help ensure that the police do a good job. The chart shows that the proportion of Protestants who thought this has increased from 65% in 2002 to 78% in 2007.

Confidence that the Police Ombudsman will help ensure that the police do a good job, by community background 2002-2007

“Police will be more thorough in their procedures because of the Police Ombudsman.”

Member of the public
The Office of the Police Ombudsman for Northern Ireland is committed to fulfilling the obligations laid upon it by Section 75 of the Northern Ireland Act (1998). In order to ensure that this happens we send every complainant a confidential, self-completion questionnaire, asking for information relevant to the categories specified in Section 75: Gender, Age, Religious Belief, Race or Ethnic Group, Marital Status, Disability, Political Opinion, Dependents and Sexual Orientation. We also monitor employment status.

Monitoring of political opinion and dependants commenced in 2004/05.

There has been a general upward trend in the proportion of female complainants, from 24% in 2000/02 to 28% in 2006/07. The proportion of male complainants has dropped from 74% in 2000/02 to 69% in 2006/07.

Equality Monitoring
The number of complainants in the 25-34 age group fell from 26% in 2000/02 to 19% in 2006/07 while the number of complainants in the 45-54 age group increased from 15% to 19%.

### Religious Belief/Community Background

The proportion of Catholic complainants fell slightly from 40% in 2000/02 to 39% in 2006/07. The proportion with other religious beliefs (including Church of Ireland, Presbyterian, Methodist and other Christian/Religious belief) fell from 58% to 50% over the same seven year period. There was an increase from 2% to 11% in complainants that considered themselves to have no religion.
Over the last seven years the majority of complainants have been white. The percentage, however, decreased slightly in 2004/05 (96%), but rose to 98% in 2006/07. This decrease in 2004/05 may have been due to an increase in complaints from other ethnic minorities in this year (4%).
The percentage distribution of respondents’ marital status has not altered significantly over the seven years. In 2007 however 1% of the complainants reported being in a civil partnership.

Disability

Although the percentages of able bodied and disabled complainants have altered slightly over the seven years, the breakdown is the same in 2007 as it was in 2000 (75% able bodied, 25% disabled).
The office began monitoring political opinion in August 2004. The percentage of Unionist complainants decreased from 36% in 2004/05 to 25% in 2006/07 and the percentage of Nationalists increased from 18% to 21%. The number of complainants reporting no political party allegiance increased from 42% to 45% and those supporting other parties outside the Unionist/Nationalist umbrella increased from 4% in 2004/05 to 9% in 2006/07.

Overall since the monitoring began 58% of respondents reported supporting a political party; 23% supported the DUP, 11% the SDLP, 9% Sinn Fein and 7% the UUP.
The most significant change in the employment status between 2000/02 and 2006/07 is the decrease of ten percentage points in the number of complainants reporting to be unemployed and a decrease of four percentage points of complainants who are unable to work due to sickness. The number of complainants reporting to be in full time employment has risen slightly from 25% in 2000/02 to 27% in 2006/07. The number of self-employed has also risen from 9% in 2000/02 to 12% in 2006/07. The proportion of complainants who are looking after the family/home has also risen slightly over the seven year period as has the number of retired complainants.

From 2004 there has been little change in the number of complainants who have dependants (42% in both 2004/05 and 2006/07).
In January 2001 the total number of employees in the Police Ombudsman’s Office was 69, 30 of whom were female, 39 being male. By January 2007 the number of employees has grown to 125, 58 of whom are female and 67 are male.

Staff profile by gender

The community background of employees has also altered over the last seven years. In January 2001 the number of Catholic employees was 23 while the number of Protestant employees was 34. In January 2007 the number of Catholic employees was 57 and the number of Protestant employees was 57.

Staff profile by community background

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

Maggie Beirne, Director of Committee on the Administration of Justice (CAJ)
The Office began the Complainant Satisfaction Survey in 2001. The survey allows complainants to the Office to express their views on services provided by the Office. The chart below shows that up to March 2007 61% of complainants were satisfied or very satisfied with the overall service they received.

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

**Complainant satisfaction with overall service 2001-2007**

- Very satisfied: 31%
- Satisfied: 30%
- Mixed views: 13%
- Dissatisfied: 7%
- Very dissatisfied: 19%

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

*Complainant*
The Office of the Police Ombudsman is committed to a policy of outreach. To this end, the Information Department has undertaken a programme of visiting community groups, schools, District Policing Partnerships and various organisations in order to increase awareness of who we are and what our work involves.

**Visits to schools**
Community group visits

“Recognition of the integrity of the Ombudsman herself has been a recurring theme amongst our discussions with people within Northern Ireland and across the world. She and her staff are recognised as world leaders in civilian oversight.”

Website

The Office of the Police Ombudsman for Northern Ireland has a dedicated website that individuals can access directly to view recent publications and reports or to find out about the office.
The website was re-launched in Jan 2004 and since then records have shown that there has been an increase in hits and page views.


<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan-Mar</td>
<td>27,066</td>
<td>86,544</td>
<td>135,303</td>
<td>191,709</td>
</tr>
<tr>
<td>Apr-Jun</td>
<td>85,349</td>
<td>156,308</td>
<td>154,705</td>
<td>130,344</td>
</tr>
<tr>
<td>Jul-Sep</td>
<td>43,226</td>
<td>63,747</td>
<td>83,747</td>
<td>174,054</td>
</tr>
<tr>
<td>Oct-Dec</td>
<td>36,714</td>
<td>66,544</td>
<td>36,670</td>
<td>130,344</td>
</tr>
</tbody>
</table>

In Jan 2007 there was a dramatic increase in web site hits and page views that is thought to be due to the high level of interest in the Ballast Report, which was issued at that time. This undoubtedly increased the public and media attention.

**Visitor sessions (Apr 2004-Mar 2007)**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan-Mar</td>
<td>10,908</td>
<td>13,400</td>
<td>15,173</td>
<td>15,220</td>
</tr>
<tr>
<td>Apr-Jun</td>
<td>13,149</td>
<td>14,660</td>
<td>14,662</td>
<td>14,104</td>
</tr>
<tr>
<td>Jul-Sep</td>
<td>17,287</td>
<td>17,708</td>
<td>16,512</td>
<td>15,820</td>
</tr>
<tr>
<td>Oct-Dec</td>
<td>15,517</td>
<td>17,287</td>
<td>19,107</td>
<td>19,072</td>
</tr>
</tbody>
</table>
The long awaited new system for dealing with complaints against the police launched in Belfast on 3 November 2000 with the official opening of the Police Ombudsman’s Office by the former Minister of State, Adam Ingram MP.
Minister of State, Jane Kennedy MP was the guest speaker at a reception held to mark the first anniversary of the Office of the Police Ombudsman. With her are (from left) Director of Legal Services Eunan McMullan, Chief Executive Sam Pollock, Nuala O’Loan and Executive Director David Wood.

The Police Ombudsman, Mrs Nuala O’Loan, has received an international award for her outstanding contribution to police accountability.

The award was presented to her during the 8th Annual Conference of the National Association for Civilian Oversight of Law Enforcement in Cambridge Massachusetts.

During the conference Mrs O’Loan delivered a speech on “Conducting oversight in the context of long-term political terrorism” and received a standing ovation from the 200-strong audience.

Mrs O’Loan said: “I was humbled by the award and feel it is recognition of the dedication and integrity of my staff and the difficulties they face, and of the organisations commitment to developing peace in Northern Ireland.”

Mrs Nuala O’Loan marked the fifth anniversary of the opening of the Office at a celebration for staff.
The Police Ombudsman meets officers on foot patrol

The Police Ombudsman at Magherafelt police station

The Police Ombudsman meets officers on patrol
The Police Ombudsman Office joined with the PSNI in organising a series of information events across Northern Ireland for young people.

Over the last seven years the Police Ombudsman’s Office has also been host to numerous visitors.

A delegation of 15 Koreans visited the Police Ombudsman’s office on 2 December 2003 as part of a two-week fact finding visit to Germany, Sweden and the UK.

The delegation included senior representatives from the Ombudsman of Korea, and representatives of other Korean government agencies. They heard a presentation from Mrs O’Loan and had an opportunity to tour the office. Visit organiser Jeong Ga Young commented: “I heard about your reputation and endeavours in protecting civil rights, therefore I recommended your office as one of the visits in the programme.”
The former Moderator of the Presbyterian Church in Ireland, the Rev. Russell Birney, visited New Cathedral Buildings during February 2003. Dr. Birney met Mrs O'Loan and Chief Executive Sam Pollock and had an opportunity to meet staff during a tour of NCB.

A group of Norwegian envoys visited the Police Ombudsman’s Office in 2004, on the first leg of a fact-finding tour of Northern Ireland. The group was led by Mr Eric Solheim, the Norwegian Envoy to the UK.

Dr Reiss, second left, and the US Consul Barbara Stevenson, pictured with Mrs O’Loan and Mr Pollock.

The US Peace Envoy, Dr Mitchell Reiss, visited the Police Ombudsman’s Office during his first visit to Northern Ireland in his new role in 2004.
Captains Jim Egan and John Voge, from the LAPD’s Professional Standards department, visited the Office on the return leg of a visit to LA by DSIOs Brian Doherty and Anne McShane. The trip has allowed them to see at first hand the way in which the Police Ombudsman’s Office operates and they have had an opportunity to speak to many staff during their time here.

“Until we came here we did not fully understand the political issues and tensions that exist,” said John. “Looking at it from a US perspective, we knew something had been going on, but until you see the murals and visit streets like the Shankill and the Falls, you do not fully appreciate the gravity of the tensions that exist.”

John said it was clear, given that context, that the Police Ombudsman’s office was performing a vital role in local society.


A letter of thanks was received from the Minister with comments about the Office:

“Thanks to the excellent preparation and organisation made by your office, the dedication of the people who took care of our ombudsmen, the high level and clarity of the presentations, their study visit in Northern Ireland has been extremely useful. It has shown them how sophisticated and efficient are the mechanisms of police control in Northern Ireland, the enormous amount of efforts carried out to transform its police service, ‘now probably the best police force in Europe’, according to the officer in charge of the Oversight Commission. The example of Northern Ireland remains for us an ideal to follow and to try to achieve.”
The new Chairman of the Garda Síochána Ombudsman Commission, Judge Kevin Haugh, visited the Office with several of his colleagues, in April 2006 to prepare for their role in providing a police complaints system in the Republic in 2007. Judge Haugh said the visit to our office had underlined the scale of the work that needed to be done in preparation for the new organisation’s launch.

He said he would take away two main messages from the visit. First, the importance of an efficient complaints system for improving policing standards, and secondly the value of statistical analysis to identify trends, patterns and recurring problem areas.

“The collection and dissemination of information is crucial,” he said. “The public need to know the areas that are giving rise to complaints, the Government need to know and of course the police need to know.”

The Basque Minister of Justice, Joseba Azcarraga, visited the Office as part of a fact-finding visit to Northern Ireland in 2006.
By virtue of S.61 (4) of the Police (Northern Ireland) Act 1998 the Police Ombudsman is required to at least once every five years make a report to the Secretary of State in relation to the working of the legislation governing the work of her Office. Arising from the first of these reviews, the Police Ombudsman in 2007 made 23 recommendations to the Secretary of State. The Police Ombudsman, Mrs Nuala O’Loan, believes that should her recommendations be acted on, a more effective, efficient and streamlined system for the handling of complaints against police would result.

**Recommendation 1**
That the initial term of the Police Ombudsman should be reduced to a term of five years, and that the Police Ombudsman should be eligible for re-appointment for a further term of five years.

**Recommendation 2**
That any post which was previously carried out by a police officer, and which has been civilianised under the civilianisation initiative and which involves contact with members of the public, should be brought within the remit of the Police Ombudsman for Northern Ireland for the purposes of complaints against those personnel and the exercise of the powers and duties under S.55 of the Police (Northern Ireland) Act.

**Recommendation 3**
That S.63 (2) of the Police (Northern Ireland) Act should be amended to include “(c) Such other persons to whom the Police Ombudsman is required by statute to release information.”

**Recommendation 4**
That the Criminal Cases Review Commission and the Criminal Justice Inspector should be added to the list of those empowered to refer complaints to the Police Ombudsman under S.52 of the Police Act and that the Lord Chief Justice should also be empowered to refer to the Police Ombudsman matters brought to his attention by members of the judiciary and magistracy.

**Recommendation 5**
That police officers should be empowered to bring to the attention of the Police Ombudsman for investigation matters which appear to indicate that there are concerns about the conduct of fellow officers in the delivery of policing services to the public.

**Recommendation 6**
That the requirement to serve a notice under Regulation 6 of the RUC (Conduct) Regulations 2000, on officers, is repealed but that the Regulation 6 notices continue to be served on the PSNI to notify them of the existence of the complaint, so that all complaints are captured for statistical analysis.

**Recommendation 7**
That tracking and trending of officers who are the subject of multiple complaints should be triggered by the service of Regulation 9 Notices. No legislative amendment is required for this purpose.

**Recommendation 8**
That the title of the process currently referred to as “informal resolution” in S.53 of the Police (Northern Ireland) Act should be changed to “Local Resolution.”
Recommendation 9
That S.54 of the Police (Northern Ireland) Act should be amended to give the Police Ombudsman discretion to decide whether a complaint which has been the subject of a failed informal resolution should be investigated, and that in such cases a new closure category “Failed Informal Resolution, further investigation not possible” be introduced.

Recommendation 10
That the Police (Northern Ireland) Act 1998 be amended to enable the Police Ombudsman to conduct mediation in appropriate circumstances, and that there be no requirement to investigate first.

Recommendation 11
That the RUC (Conduct) Regulations 2000, and the RUC (Senior Officer) (Conduct) Regulations 2000 should be amended to provide that matters the subject of questioning under PACE caution, do not require to be the subject of further questioning under a discipline caution; and that any matters relating to the discharge of a police officer’s obligations under the PSNI Code of Ethics, which have not previously been addressed during a PACE interview, should be the subject of a second interview conducted following the administration of a disciplinary caution.

Recommendation 12
That the Police Ombudsman should be specifically empowered by statute to compel the attendance for interview of both witness and suspect officers.

Recommendation 13
That the Police Ombudsman be given a power to compel retired police officers to submit to witness interview, answer questions and provide all relevant documentation to her, which is within their possession, custody, power or control when she is conducting criminal investigations involving grave or exceptional matters.

Recommendation 14
That S.51 of the Criminal Law 1967 be amended to include after “constable”; “or where the information relates to police conduct, the Police Ombudsman for Northern Ireland.”

Recommendation 15
That the Police Ombudsman is empowered to take out Form 15, when engaged in the investigation of summary criminal offences in the same way that PSNI officers do.

Recommendation 16
That the requirement, under S.58, to submit files for the consideration, by the Director of Public Prosecutions, of criminal prosecution only applies when the complaint has been received before the alleged criminal offence became statute barred.

Recommendation 17
That the Police Ombudsman be empowered to arrest persons who are not police officers and who are engaged in a crime for which police officers are being investigated, and to conduct one investigation in respect of such a matter.

Recommendation 18
That there be statutory provision for the use of a conciliation process in appropriate cases in which there is clear evidence that the conduct alleged occurred, but an individual officer cannot be identified.

Recommendation 19
That, given the number of people who have difficulties in communicating in writing for various reasons, not least disability, complainants should no longer have to withdraw complaints in writing, but that they should be able to do so verbally, provided that the verbal withdrawal is accompanied by a formal written statement by the member of the Police Ombudsman’s staff who receives the verbal withdrawal.
**Recommendation 20**
That Regulation 7 of the RUC (Complaints etc) Regulations 2000 be amended to enable the Police Ombudsman to recommend the suspension of an officer.

**Recommendation 21**
That the Police Ombudsman be given statutory power to direct that informal discipline be applied in cases where a complaint is substantiated, but the Police Ombudsman does not consider it appropriate to recommend formal discipline.

**Recommendation 22**
That Regulation 26 of the RUC (Conduct) Regulations 2000 and the RUC (Conduct) (Senior Officers) Regulations 2000 be amended to provide a right to the Police Ombudsman to attend all hearings which take place following a Police Ombudsman investigation.

**Recommendation 23**
That the Police Ombudsman should be involved as early as possible in discussions in relation to matters of relevant and necessary statutory change affecting the Office.

**Recommendation 24**
That the statutory guidance on police complaints, issued in accordance with S.65 of the Police (Northern Ireland) Act 1998 should be reviewed and where necessary revised.

**Recommendation 25**
The Police Ombudsman is empowered to direct the Chief Constable to make a payment not exceeding specified amounts to a complainant.

“The work of the Police Ombudsman remains immensely important. Its work is difficult and sensitive because of the subject matter it deals with. The challenge now is to move beyond the old arguments and view the Office objectively as a vital, impartial service to policing and the community.”

*Kit Chivers (CJI)*

“Nuala O’Loan has done an outstanding job in establishing a reputation for rigour and independence and has set a template for the future.”

*Peter Hain – Northern Ireland Secretary*

*Source: Irish Times, Thursday 26th June 2007*
### Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACC</td>
<td>Assistant Chief Constable</td>
</tr>
<tr>
<td>ACPO</td>
<td>Association of Chief Police Officers</td>
</tr>
<tr>
<td>AEP</td>
<td>Attenuated Energy Projectiles</td>
</tr>
<tr>
<td>ALR</td>
<td>Armoured Land Rover</td>
</tr>
<tr>
<td>CARE</td>
<td>Child and Rape Enquiry Unit</td>
</tr>
<tr>
<td>CNR</td>
<td>Catholic Nationalist Republican</td>
</tr>
<tr>
<td>DCU</td>
<td>District Command Unit</td>
</tr>
<tr>
<td>DUP</td>
<td>Democratic Unionist Party</td>
</tr>
<tr>
<td>HMSU</td>
<td>Headquarters Mobile Support Unit</td>
</tr>
<tr>
<td>NIAC</td>
<td>Northern Ireland Affairs Committee</td>
</tr>
<tr>
<td>RUC</td>
<td>Royal Ulster Constabulary</td>
</tr>
<tr>
<td>PACE</td>
<td>Police and Criminal Evidence</td>
</tr>
<tr>
<td>PSNI</td>
<td>Police Service of Northern Ireland</td>
</tr>
<tr>
<td>PUL</td>
<td>Protestant Unionist Loyalist</td>
</tr>
<tr>
<td>SDLP</td>
<td>Social Democratic Labour Party</td>
</tr>
<tr>
<td>SIO</td>
<td>Senior Investigative Officer</td>
</tr>
<tr>
<td>TSG</td>
<td>Tactical Support Group</td>
</tr>
<tr>
<td>UUP</td>
<td>Ulster Unionist Party</td>
</tr>
</tbody>
</table>
Developments in Police Complaints – 7 Years On

Overview of trends and patterns in police complaints 2000 – 2007

November 2007