

## Introduction

The Office of the Police Ombudsman for Northern Ireland (OPONI) has identified four main aims in support of the delivery of the Corporate Plan for the years 2014-17. One of the aims is 'Delivering Excellence in Investigations'.

The Complainant Update Strategy has been developed to ensure the effectiveness of OPONI investigation and public confidence in the police complaints system. In the delivery of effective police complaints investigations the Council of Europe (2009) promotes the principles of 'Public Scrutiny' and 'Victim Involvement' as closely connected, the purpose of which is to achieve accountability in practice as well as theory<sup>1</sup>.

This strategy therefore adopts best practice in the areas of complainant engagement and information provision during investigation.

## The 'Complainant Update Agreement'

With the exception of investigation involving a death or serious injury in which a Family Liaison Office is deployed<sup>2</sup>, the 'complainant update agreement' is the method by which Investigations Officers will engage with the complainant during the course of investigation. At the commencement of the investigation the Investigations Officer will carefully consider the 'complainant update agreement' as part of their investigation strategy.

The objectives of the agreement are to ensure adequate information provision to the complainant, enabling an informed involvement in the investigative process. It is the responsibility of the Investigations Officer to ensure meaningful engagement with the complainant from initial contact until the conclusion of the investigation. In practice, the lead Investigations Officer must ensure sufficient information and detail about PONI remit, processes, and the progress of the Investigation is clearly communicated to the complainant.

The 'complainant update agreement' will be made upon meeting the complainant and after recording the statement of complaint. The Investigations Officer will discuss and agree with the complainant the preferred method of communication for updates (email, telephone, letter, meeting if appropriate) and how often they like to be updated, thereby initiating an update agreement. The 'Update Agreement' form, found at Appendix A, is to be completed. Two copies should be completed, one copy for the case file and one copy provided to the complainant for consistency and accessibility of information.

In cases in which the complainant is not met in person and the allegations are to be confirmed in writing, the agreement is to be included in the relevant correspondence.

<sup>1</sup> Council of Europe (2009). *Opinion of the Commissioner for Human Rights concerning Independent and Effective Determinations of Complaints against the Police*.

<sup>2</sup>The Police Ombudsman for Northern Ireland (2012). *Family Liaison Policy*. Developed in line with Association of Chief Police Officers (2008) *Family Liaison Officer Guidance*.

Complainants who wish to be updated upon significant developments should be updated on key investigative phases (e.g. file forwarded to the Public Prosecutions Service); however the length of time between updates should not normally exceed 12 weeks. If a complainant seeks a more regular update, the regularity of the update will be agreed between the complainant and Investigations Officer; however, it will normally not be more than once every eight weeks.

The Complainant Update Agreement is an integral component of the investigation strategy and as such can be reviewed at any time to respond to changing circumstances. Any significant change to the agreement must be discussed and agreed with the complainant and followed up in writing.

The Complainant Update Agreement, changes to the agreement and the updates must be recorded in the Case Handling System (CHS) under the drop down progress log heading of 'Complainant Update Agreement'.

The CHS will automatically generate tasks to update the complainant every 8 weeks. Additionally, the functionality of the CHS allows update intervals of different lengths to reflect the Complainant Update Agreement.

**November 2014**

**First Review May 2015**

**Last Review August 2015**

**Linked Policies:**

Family Liaison Policy

**Appendix A**

**Update Agreement**

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CHS:

Investigations Officer:

Telephone number:

Email:

Date of Agreement:

I have discussed how often I would like to be updated and have made the following agreement.

I and/or my legal representative will be updated:

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.....

I will be updated:

- By email.                      My email address is .....
- By telephone
- By letter

Name of complainant: