



Mrs Nuala O'Loan (Police Ombudsman for Northern Ireland)

Mrs O'Loan is a solicitor and held the Jean Monnet Chair in European Law at the University of Ulster before becoming Police Ombudsman. She has held many positions in the public service, including the Chairmanship of the Northern Ireland Consumer Committee for Electricity, membership of the Police Authority for Northern Ireland and of the

General Consumer Council for Northern Ireland and Legal Expert Membership of the European Commission's Consumers Consultative Council. She is the author of several publications and is married with five sons. She works as a voluntary marriage counsellor and was a lay visitor to police stations for seven years.

VISION

The Police Ombudsman will strive for excellence in providing an independent impartial police complaints service in which the public and the police have confidence.



Chris Gonsalves at the Police Ombudsman reception

Early Days

Review of early months in the life of the Office of the Police Ombudsman for Northern Ireland

It is good to have the opportunity to share with the public and the police some information about how the office is developing. When I was appointed to this role we had no premises, no staff, no systems and a completely new job to do which has never been done anywhere else in the world. It was a daunting and yet energising challenge. I was charged with providing a police complaints system which would secure the confidence of both the people and the police. No easy matter at a time of significant development in the governance of our country. I was acutely aware of all the expectations in all sections of the community and the police.

We have come a long way. The Office is established; our premises have been equipped and furnished; we have installed an IT system for case management and office management; we have employed staff – complaints officers, investigators, lawyers, researchers, statisticians, and also the necessary support staff in our Corporate Services Directorate. Nearly one hundred staff now work in the Office and we have still some 7 vacancies to fill. We have developed our internal management processes and published our first two Research Reports and our Corporate Statement and Annual Business Plan for 2001/2002.

Since we opened we have received 3922 complaints from 3087 complainants and we are dealing with a further 230 miscellaneous matters, we are investigating approximately 1000 cases at the present time. Others have been resolved or dealt with or withdrawn.

We have entered into working arrangements with a number of agencies and offices and we are in the process of conducting research projects. We have also held two major Seminars open to all who are interested in police complaints, bringing distinguished speakers to our Office to provide the focus for discussion and debate among organisations who have

responsibility and interest in matters relating to policing and complaints.

One of the most important things for me in setting up the new police complaints system was to work out what it was that people really wanted of my Office. For that reason I spent a lot of time consulting with as many groups as I could to identify what particular provision would be required for a variety of different groups, including the police associations, and how we could make the Office as accessible as possible to the maximum number of people. I am very grateful to all the organisations and individuals who gave me their time and their insight to help me and the Implementation Team in establishing the Office. That consultation has remained a feature of our work. Most recently we benefited from a very useful consultative process leading to the production of our draft Annual Business Plan. We will continue to develop our relationship with the people and the police in Northern Ireland.

It has been a very busy few months. We know from our research that 65% of the people know that we exist and that 83% know that we are independent. We are working hard to ensure that we provide the best possible police complaints service for the people and the police in Northern Ireland. I trust you find the information in the Review of the early months in the life of the new Police Ombudsman's Complaints System for Northern Ireland of interest to you and we will welcome feedback and comment as you feel appropriate.

If you have a complaint against the police you can call at New Cathedral Buildings, just opposite St Anne's Cathedral and a complaints officer will meet you privately to take your complaint. Alternatively you can phone, fax, email, go into a police station, or make your complaint through a solicitor or a public representative.



Nuala O'Loan with Security Minister Adam Ingram



David Ervine MLA, Adam Ingram and Nuala O'Loan



Cardinal Cahal Daly chatting with Nuala O'Loan

Building confidence with the people



The Police Ombudsman's Media Officer, Tim Gracey discusses the issue of police complaints with two students at the University of Ulster

"MME NUALA O' LOAN, OMBUDSMAN DE L'ULSTER VISITE LES BUREAUX DE L'UES" *Le bulletin officiel de l'Unité des enquêtes spéciales*

NEW ERA DAWNS FOR POLICE COMPLAINTS" *Irish News • September 2000*

CONSULTING

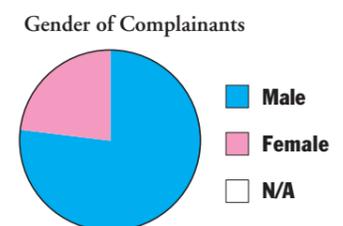


Police Ombudsman staff discuss possibilities for the organisation's Corporate Plan with an invited audience at New Cathedral Buildings.

People seeking help

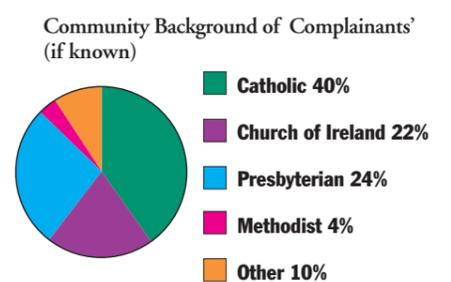
Over three-quarters (77%) of the complainants lodging complaints between 6 November 2000 and 31 March 2001 were male.

Complainants' gender		
Gender	Number	Percentage
Male	1173	77%
Female	347	23%
N/A	4	0%
Total	1524	100%



The Office also monitors the community background of complainants. 39% of complainants were Catholic and about 50% were Protestant.

Complainants' Community Background (if known)		
Community background	No.	%
Catholic	183	40%
Church of Ireland	106	22%
Presbyterian	114	24%
Methodist	21	4%
Other*	49	10%
Total	473	100%



*Other includes smaller Protestant affiliations such as Baptist, Elim or those with no religious affiliation.

INFORMING



Mrs O'Loan, gives an interview to Anita McVeigh for BBC Northern Ireland's Newline programme

As the new Millennium got underway in Northern Ireland people gradually became aware of the new Police Ombudsman. Mrs O'Loan and the team knew that one of their most important tasks was to find out what people wanted of the new system.

There was a major campaign to make the public aware of the work of the new Police Ombudsman through extensive consultation. A survey of public awareness of the Office carried out in October 2000 with a follow up in March 2001, showed that 57% of respondents had heard of the Office, and of this 57%, the great majority (81%), knew that the Office was independent of the police. Respondents' main source of information about the system and how it could best be organised to meet those needs was through press and media.

Local and national broadcasters and newspapers featured the establishment of the new organisation. Over the following months the Office pursued a robust media relations campaign designed to ensure that people knew what was happening and make the working of the office as transparent as possible. The Office attracted some 200 articles and broadcasts.

As well as raising general awareness of the organisation, the Police Ombudsman's Office also began a programme to help ensure public awareness of how the new complaints system works. Information leaflets were produced, approved by the Plain English Campaign, which set out the complaints procedure. In the first six months more than 50,000 of these leaflets and posters were distributed to more than 1000 locations across Northern Ireland, including police stations, libraries, solicitors' offices and citizen advice bureaux.

This programme was supported by the provision of the Police Ombudsman's Web site, which contains additional information about the organisation's aims, objectives and structure. The site contains a link, which allows the public to e-mail the Office with feedback. Publications, press releases etc. can be found on the web at www.policeombudsman.org.

The Ombudsman's Office also continued its programme of presentations with community and voluntary groups and other interested organisations. During the first six months, Mrs O'Loan and staff visited more than 40 organisations across Northern Ireland and hosted many visits to New Cathedral Buildings. These events allow and continue to allow the Office to raise public awareness of the new complaints system and to hear at first hand the views from groups within the community it serves.

A repeat of the October 2000 survey carried out in March 2001 showed that these activities had succeeded in raising public awareness of the Office, from 57% to 65% of respondents. Awareness of the independence of the Office remained relatively constant, at 83% of those who were aware of its existence. 61% of those respondents who were aware of the Office knew that a complaint could be made directly to the Office, without having to go through the police.

"WOMAN WHO WILL POLICE NORTH'S POLICE" *Sunday Business Post September 2000*

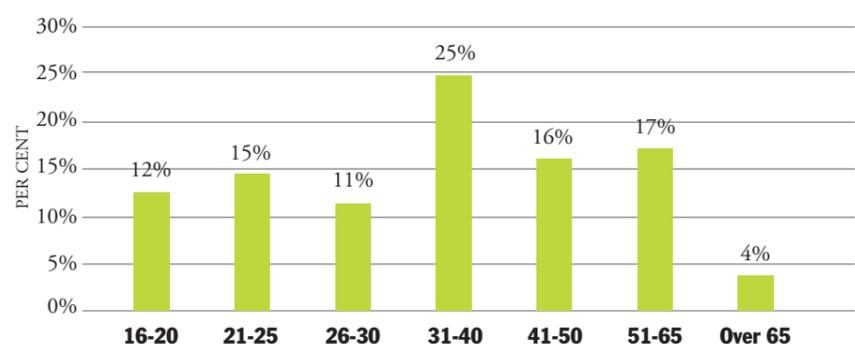
"NEW COMPLAINTS SYSTEM ACCESSIBLE TO MORE PEOPLE" *Lurgan Mail • November 2000*

Of those complainants whose ages were available, over a quarter (27%) were aged below 25.

Complainants' age		
Age	Number	Percentage
16 to 20	59	12%
21 to 25	70	15%
26 to 30	54	11%
31 to 40	119	25%
41 to 50	76	16%
51 to 65	79	17%
Over 65	18	4%
TOTAL	475	100%

"NEW OMBUDSMAN PROMISES TO BUILD CONFIDENCE IN POLICE COMPLAINTS PROCEDURES" *Ulster Herald • November 2000*

Age of Complainants



Building confidence with the police



Nuala O'Loan with Sir Ronnie Flanagan Chief Constable, RUC

The Police Ombudsman's Office deals with complaints against police officers.

This includes officers of:

The Royal Ulster Constabulary	Belfast Harbour Police Larne Harbour Police
The Royal Ulster Constabulary Reserve	Belfast International Airport Police Ministry of Defence Police

The Police Ombudsman's Office has established a Police Complaints System for Northern Ireland with its population of approximately 1.69 million. Belfast is the largest conurbation with approximately 284k with other significant population densities in Lisburn (111k) and Derry (107k).

The Office provides a complaints system primarily for the Royal Ulster Constabulary, but is empowered to investigate complaints against Larne Harbour Police, Belfast Harbour Police, Belfast International Airport Police and Ministry of Defence Police.

The effective strength of the Royal Ulster Constabulary at 31 March 2001 is 7,810 regulars and a further 3,569 full time or part time Reserve Constables.

The RUC are required to respond to the unique security situation within Northern Ireland. Of the 44 murders recorded in the year 2000-2001, 18 were attributed to the security situation. Additionally there were 331 shooting incidents recorded and 186 bombing or incendiary incidents.

In relation to other classifications of recorded crime the RUC record good levels of detection in comparison to other police services in England and Wales. The RUC recorded a detection level of 30.2% in 1999-2000 against a national average of 27%.

Over the past ten years complaints against members of the RUC have ranged between 3,000 to a maximum of 4,000 in 1997-1998.

The level of complaints as a percentage of the effective strength of the RUC is 33%. Greater Manchester Police in the same year, 1999-2000, had an effective strength of 6,867 and complaints 2,281 (33.2%). The Metropolitan Police Service had an effective strength of 24,861 and complaints 6,611 (26.59%).

Prior to the Police Ombudsman taking over responsibility for all complaints against the police, the level of substantiation of complaints against the RUC was 0.78%. In Greater Manchester the level of substantiation recorded in their 1999-2000 report was 1.31% and in the Metropolitan service it was 2.54%. In the 1999 Annual Report of the Garda Síochána Complaints Board, 85% of complaints referred were not substantiated, 9% were considered to be minor breaches of discipline and referred to the Commissioner and 6% were regarded as breaches of discipline and referred to a Tribunal.

The Complaints against Police Office Annual Report for the Hong Kong police for the year 2000 substantiated 6.1% of all allegations investigated, but against the total number of allegations made, the level of substantiated was 2.27%.

In contrast the internal complaints investigation by the Ombudsman for the Prison Service investigated 522 complaints in the year 2000-2001 and upheld 31% of complaints, but that figure included those that were able to be resolved informally.

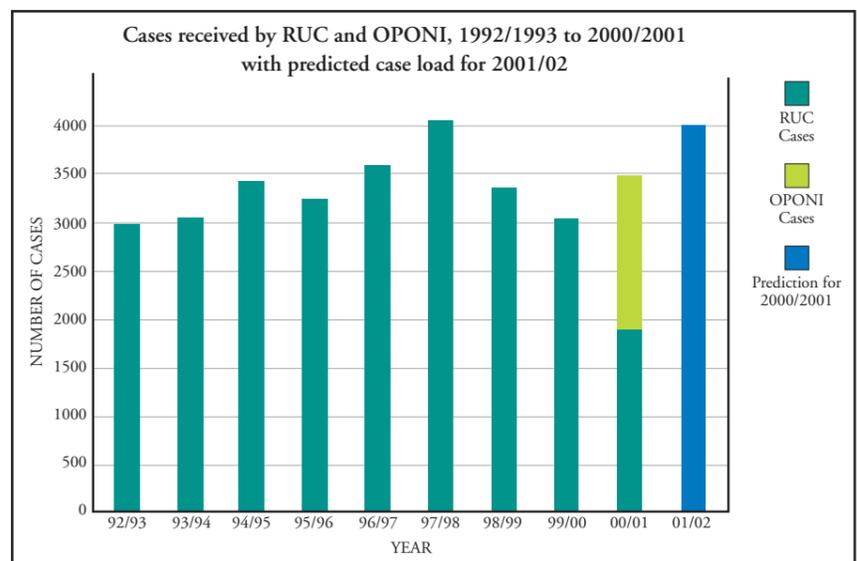
Complaints can be made personally at the office of the Police Ombudsman, by way of telephone, in writing, email or by fax. In certain circumstances a member of the Police Ombudsman staff will visit a complainant's home or attend any other agreed venue to secure details of a complaint. Complaints made at police stations must be referred immediately to the Police Ombudsman.

Complaints, which can be dealt with by the Police Ombudsman, must be about the conduct of a police officer and must be made by or on behalf of a member of the public. Complaints relating to police conduct are considered on the basis of whether a police officer has complied with the Police Code of Conduct.

Detection Rates against Recorded Offences 1999/2000

Classified Offences	Metropolitan Police Service %	Greater Manchester Police %	Royal Ulster Constabulary %
Violence Against the Person	30.7	61.3	63.9
Robbery	11.6	15.3	19.4
Sexual Offences	32.2	65.1	75.1
Burglary	9.9	8.9	16.1
Theft	10.4	16.9	21.6
Fraud and Forgery	9.1	35.1	43.9
Criminal Damage	10.2	13.6	15.2
Drugs	90.8	98.4	88.0
Offences Against the State	Not Classified	Not Classified	61.3
Average	15.8	23.4	30.2

Annual Reports 1999/2000



On the average day the Royal Ulster Constabulary consider that they deal with 329 recorded crimes.

89 crimes are cleared

5 drug seizures, 69 persons are arrested

39 domestic incidents are dealt with

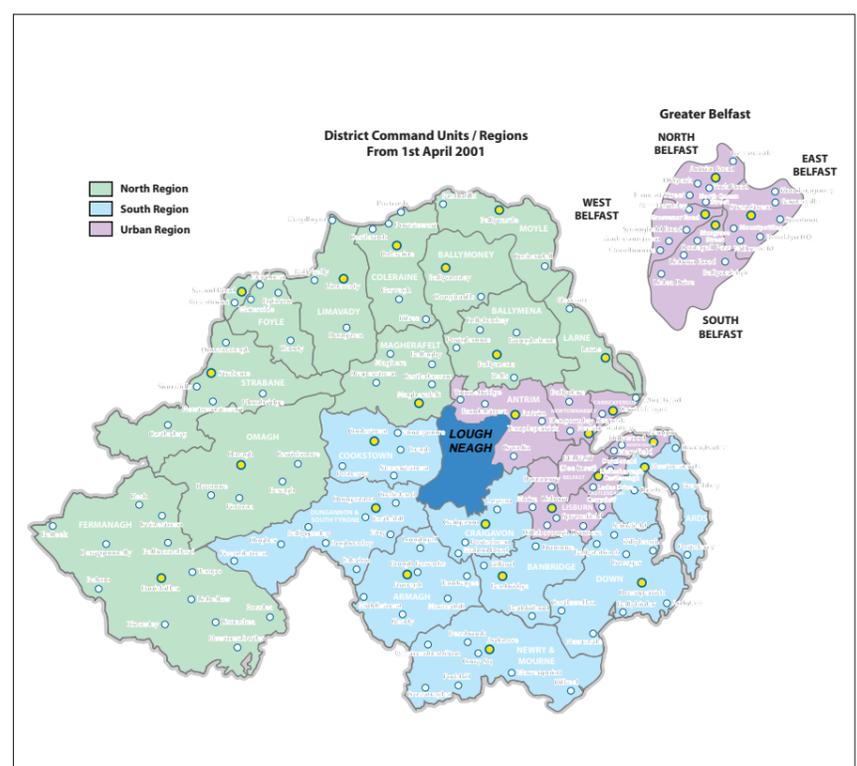
23 road traffic injury accidents are dealt with

9 parades and 4 attacks on police officers

130,000 kilometres travelled by police vehicles

The RUC code is classified under the following headings:

- Honesty and Integrity
- Fairness and Impartiality
- Discrimination
- Politeness and tolerance
- Use of force and abuse of authority
- Performance of duties
- Lawful ordeal
- Confidentiality
- Criminal offences
- Property
- Sobriety
- Appearance.
- General conduct



Complaints and Investigations



Staff who joined the Office of the Police Ombudsman Office from the Independent Commission for Police Complaints: Greg Mullan Senior Complaints Officer, Sandra Cooke Complaints Supervisor and Geraldine Gault Assistant Corporate Services Manager (Finance and Administration)

The primary functions of the Police Ombudsman's Complaints Office are:

To receive complaints made by or on behalf of members of the public.

To meet the public to facilitate the recording of complaints.

To determine whether a complaint can be dealt with by the Police Ombudsman.

To record on the Police Ombudsman's Case Management System details of the complainants.

To identify complaints relating to the direction/control of the RUC by the Chief Constable and forward these to the appropriate RUC authority.

To obtain complainant monitoring information.

To obtain such additional information as may be required to enable a decision to be made about the future handling of a complaint.

To review and make recommendations as to the future handling of the complaint.

To manage the informal resolution process.

To respond to all follow-up queries from complainants.

Complaints which cannot be handled or investigated

Outside of Remit:

Where there is no specific allegation of misconduct by individual officers.

Anonymous:

Where neither the name, address or identity of the complainant is given.

Vexatious:

Where there are no grounds for a complaint or where the complaint is made to cause mischief.

Repetitious:

Matters previously complained of and contain no fresh allegations or allegations.

Oppressive:

Complaints made simply for the purpose of harassing police officers and have no basis.

Abuse of Process:

Where it is clear that the complainant is using the system for a purpose other than the resolution of a complaint.

Non Co-operation:

Which are unable to be properly investigated due to the non-cooperation of the complainant.

Withdrawn:

When the Police Ombudsman receives a signed statement from the complainant to the effect that he/she withdraws the complaint.

Lack of Information:

Where there is a lack of the information necessary to conduct a satisfactory investigation.

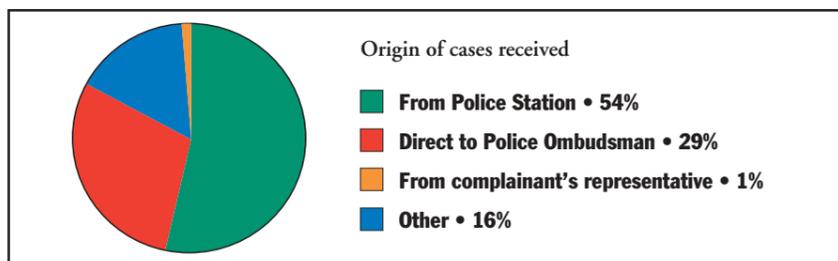
1524 New Complaints in five months

On 6 November 2000, 2243 cases were transferred from ICPC to Police Ombudsman. These cases are continuing to be investigated or supervised by the Ombudsman. 747 of these cases have been completed by Police Ombudsman at 30.4.2001.

Between 6 November 2000 and 31 March 2001, 54% of cases were received via the RUC; this figure is a consequence of, for example, complaints being lodged immediately after a person was arrested and taken to a police station. However, 29% of the cases received came from direct contact between complainants and the Police Ombudsman's Office, mostly by telephone or by letter.

The proportion of complainants contacting the Office directly is likely to rise in the future, as the community becomes more aware of the Office and its role in the complaints system.

Origin of cases received 06.11.00 to 31.03.01			
Place of Origin	Method	Number	Percentage
From police station	In person	782	51%
	By telephone	25	2%
	By letter	10	1%
	Sub-total	817	54%
Direct to Police Ombudsman's Office	By telephone	200	13%
	By letter	118	8%
	In person	99	6%
	By fax or e-mail	26	2%
	Ombudsman's call-in	3	0%
	Sub-total	446	29%
From complainant's representative	Sub-total	244	16%
Other	Sub-total	17	1%
Total		1524	100%



The Police Ombudsman cannot

The Police Ombudsman cannot deal with complaints about the direction and control of police or complaints about unsatisfactory performance, these must be analysed and monitored and referred to the police.

Other categories of complaint, which the Police Ombudsman cannot deal with include:-

- Complaints against traffic wardens.
- Complaints against civilians employed at police establishments.

- Complaints about off duty conduct – unless the fact that someone is a serving police officer is directly relevant to the complaint.
- Complaints made by a police officer against a colleague about matters, which do not affect the public.
- Complaints, which do not fall within legislative time-lines.
- Complaints previously investigated and are or have been subject of disciplinary or criminal proceedings.

Many Complaints do not go for full investigation

60% of complaints are closed without full investigation. The largest proportion, (36%) because of the complainants' failure or unwillingness to co-operate with the Office.

Reasons for closure of cases received before 31.03.01		
Reasons for closure	Number	Percentage
Complainant non co-operation	549	60%
Withdrawn	104	11%
Outside remit	96	10%
Informal Resolution accepted	93	10%
Incapable of Investigation	24	3%
Repetitive	13	1%
Other closed	11	1%
Duplicate	7	1%
Ill-founded	7	1%
Abuse of procedure	6	1%
Disproportionate	4	0%
Oppressive	2	0%
Vexatious	1	0%
Total	917	100%

CASE STUDY

Neglect of Duty

In the early hours of the morning a man, who lived in an isolated area, reported to the police that he had disturbed a burglar at his home. The response time of around 41 minutes before a police vehicle arrived at the scene was the subject of a complaint. In reviewing the case all the available evidence was considered including statements from the complainant and his wife, from the police officers and transcripts of police radio transmissions. The investigation showed that there was no deliberate or unnecessary delay in answering the call. The complainant lived on the edge of a police area and a police car from a neighbouring area, on duty at the time, had been sent to the address which was some 16 miles away in remote countryside. Unfamiliar with the area, the police experienced difficulty finding their way. It was decided that disciplinary action was inappropriate and the complainant and police officer were informed accordingly.

CASE STUDY

Assault

A middle aged man was arrested for Public Order offences and Assault on Police. Whilst detained in the Custody Suite he alleged that an officer using a police baton struck him on three occasions. A complaint was registered and an investigation commenced. This resulted in several officers being interviewed and a report submitted to the Director of Public Prosecutions

CASE STUDY

Common assault /unlawful arrest

Police officers attended a report of a dispute on a housing estate arrested a youth for offences of violence. A second member of the youth's family was also arrested for assault on police. Both persons complained that during the course of the arrest they were assaulted by police officers. An investigation has been conducted and the officers identified and interviewed. A report is being submitted to the Director of Public Prosecutions.

CASE STUDY

Allegation of Assault

Following an incident at a fast food restaurant on the outskirts of Belfast, three young men alleged that they had been assaulted by a police officer. After a supervised investigation the police officer in question was prosecuted and pleaded guilty at the Crown Court to charges of common assault on each of the three complainants. He was fined £250 on each count. Subsequently, the officer faced a disciplinary charge of being convicted of criminal offences and was required to resign with immediate effect. He has lodged an appeal against the punishment.

Complaints and Investigations



David Wood
Director of Investigations

In order to ensure effective investigation of complaints from day one, a number of experience secondments were sought from the Metropolitan Police Service to bring a wealth and depth of policing knowledge and experience to the Office.

The Police Ombudsman was fortunate to secure the services of a Police Commander, a Detective Chief Superintendent, a Detective Superintendent and five Detective Sergeants from the Metropolitan Police Service.

Altogether these officers represented 198 years of experience in criminal investigation. Some had been directly involved in the investigation of police misconduct.

There have been further secondments of officers from Surrey, Northumbria, Cumbria, Leicestershire and Hertfordshire Police Services. These staff bring vast experience from varied criminal investigative backgrounds, complaints and discipline departments, regional crime squads and other policing environments. Complaints staff, investigation staff and seconded officers are working together with support and resource staff to build an integrated Police Complaints System.



The Senior Investigation Officer
Martin Voyez in discussion with Blue
Team members

Martin Voyez, Senior Investigation Officer recruited from West Australian Police Service and recently from the Police Integrity Commission, Sydney Australia.

Martin is the manager of one of three investigation teams within the Police Ombudsman's Office. He has a staff of 16, a mixture of Investigation and Assistant investigation Officers. They too have diverse backgrounds; a former barrister, former police officers from Hong Kong, South Africa and the Military police as well as investigators seconded from various British police services.



Brian McClelland
Chief Complaints Officer

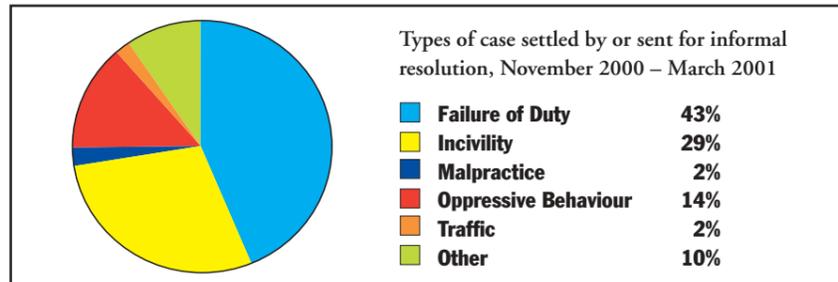
Informal Resolution

Informal Resolution is intended to provide a flexible and simple procedure for dealing with complaints of a minor nature.

It is for the Police Ombudsman to determine whether a complaint is suitable for informal resolution, if the complainant is content for the case to be handled in this way. Complaints are only suitable for informal resolution if the conduct complained of, even if proved, would not justify criminal proceedings. Normally a local senior police officer is directed to conduct the informal resolution procedure following which all related papers are forwarded for the attention of the Police Ombudsman. At this juncture, the Police Ombudsman examines the documentation to ensure that all elements of the complaint have been dealt with; that the process has been properly handled and that the matter has, as far as is practicable, been dealt with to the satisfaction of the parties involved.

Types of cases settled by Informal Resolution

Of those cases either settled by Informal Resolution or sent for Informal Resolution and not yet completed, 43% were allegations of Failure of Duty and a further 29% were allegations of Incivility.

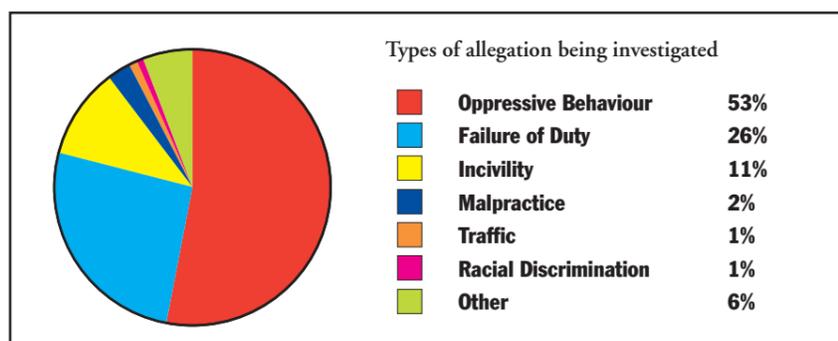


“ OMBUDSMAN RECEIVES COMPLAINTS AFTER BRAWL ”
Derry Journal • January 2001

Independent, Impartial Investigation

The 501 cases received between 6 November and 31 March 2001 that were the subject of investigation involved 671 allegations. The types of allegation being investigated are set out below.

Types of allegation and sub-allegation being investigated as at 31.03.01			
Allegation type	Allegation sub-type	Number	Percentage
Failure of Duty	Neglect of Duty	77	11%
	Detention Irregularity	28	4%
	Premises/Property	25	4%
	Irregular Procedure	15	2%
	Stop and Search	10	1%
	Unspecified/Multiple	8	1%
	Identification	6	1%
	Breach of Code	4	1%
Sub Total		173	26%
Oppressive Behaviour	Unlawful Arrest	21	3%
	Sexual Assault	1	0%
	Serious Assault	15	2%
	Harassment	62	9%
	Assault	257	38%
Sub Total		356	53%
Incivility	Sub Total	73	11%
Malpractice	Corrupt Practice	10	1%
	Mishandling Property	6	1%
	Evidence Irregularity	3	0%
Sub Total		19	2%
Racial Discrimination	Sub Total	5	1%
Traffic	Sub Total	5	1%
Other	Sub Total	40	6%
TOTAL		671	100%



CASE STUDY

Incivility – Informal resolution

The complainant alleged that when a police officer arrived at the scene of a domestic incident he was unsympathetic and uncivil. The matter was discussed with the complainant and the officer concerned was advised of the importance of maintaining high professional standards at all times. The complainant was appraised of the action taken and was satisfied with the outcome.

CASE STUDY

Incivility – Informal resolution

The complainant's allegation related to the manner in which a police officer spoke to her following a search of her home. It was alleged the officer involved was dismissive of the complainant's concerns and spoke down to her. When interviewed the police officer stated that he regretted the complainant felt hurt after speaking to him, adding that it was not his intention or desire to be dismissive. The officer also expressed his regret that the complainant was left with a poor impression of police following the incident. The complainant expressed satisfaction with the officer's response and the matter was resolved.

CASE STUDY

Excessive use of force

A stolen motor vehicle containing four occupants was chased by the RUC. The vehicle managed to break through a police road block and in attempting to ram one of the police vehicles, the stolen car crashed into a bus stop. The driver was seriously injured. The allegation made by one of the occupants was that the RUC had deliberately driven them off the road into the bus stop. The matter was investigated jointly by the Ombudsman and the Forensic Science Northern Ireland (Accident Investigation Team). The findings confirm the police account that the accident had been caused by the stolen vehicle deliberately driving at the RUC vehicle.

CASE STUDY

Neglect of duty

A student alleges he was violently assaulted outside a local fish and chip shop and received serious facial injuries. He attended the local police station with a friend who had witnessed the attack in order to report the incident. It is alleged that a police officer was disinterested in his predicament, made no attempt to render him any assistance. The officer refused to take a statement from him and would not arrange the taking of photographs of the injuries. An investigation is now commencing.

Complaints and Investigations



Dr Malcolm Ostermeyer
Director Policy and Research

Researching Investigations and Complaints

The legislation setting up this new complaints system (Police (NI) Act 1998 and 2000) requires the Police Ombudsman to supply statistical information regarding all complaints being handled. This is extremely important to the public who lodge complaints, but it is equally important to police officers, District Commanders, the Chief Constable and the Police Authority.

A small Policy and Research office has already succeeded in establishing a monthly reporting mechanism which provides the police with statistics of all complaints received, the policing districts in which the complaints originate, the nature of the complaints and allegations made and other relevant data. The Research Unit will develop and extend a programme of analysing and profiling complaints so that police commanders will be fully informed of specific trends and patterns which may exist or be developing in their Districts as far as conduct and practice issues are concerned.

The Office is also currently looking at specific topics or issues which require examination or research in order to fully understand the nature of complaints being handled. For example, the study and analysis of information in relation to the use of batons, handcuffs and other weapons is obviously an important issue. Currently a study is also being undertaken in relation to solicitors and lawyers ascertaining their views on police complaints issues.

Use of weapons or items of police equipment mentioned in complaints

The use of batons, handcuffs and other weapons or items of police equipment was mentioned in 261 of the 1524 cases (17%). The table below shows the items that were mentioned: it can be seen that batons and handcuffs figured largely in these complaints.

Weapons or equipment mentioned in complaints

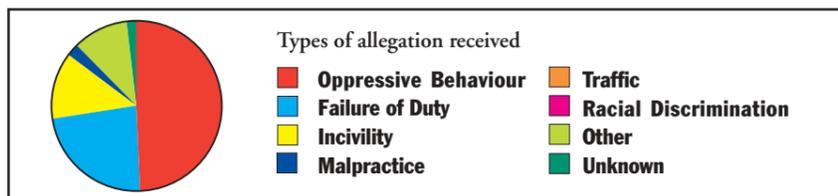
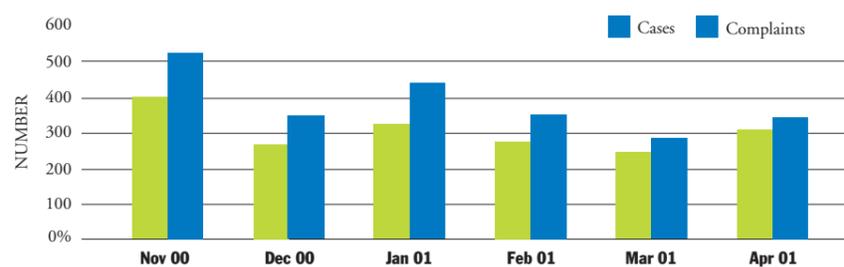
Weapon/Equipment	Number*
Baton	111
Firearm (including discharge)	13
Handcuffs	109
Other	109

* More than one weapon or item of equipment may be mentioned in a number of cases

Volume of Complaints

Between 6 November 2000 and 31 March 2001, a total of 1524 cases involving 1987 allegations were received by the Office. The great majority of these cases (1418, equivalent to 93%) referred to incidents that had taken place between 6 November 2000 and 31 March 2001; only 106 cases (7%) referred to incidents that had taken place before the Office opened on 6 November 2000. It can be seen that allegations of Oppressive Behaviour made up 50% of the total, with allegations of Failure of Duty making up a further 23%.

Types of allegation and sub-allegation received 06.11.00 to 31.03.01			
Allegation type	Allegation sub-type	Number	Percent
Oppressive Behaviour	Assault	700	35%
	Harassment	197	10%
	Unlawful Arrest	57	3%
	Serious Assault	21	1%
	Sexual Assault	6	0%
	Unspecified	3	0%
	Sub-total	984	50%
Failure of Duty	Neglect of Duty	232	12%
	Premises/Property	55	3%
	Detention Irregularity	53	3%
	Irregular procedure	51	3%
	Stop & Search	23	1%
	Identification	14	1%
	Breach of Code	8	0%
	Unspecified/Multiple	19	1%
	Sub-total	455	23%
	Incivility	Sub-total	256
Malpractice	Corrupt Practice	20	1%
	Mishandling Property	18	1%
	Evidence Irregularity	12	1%
	Sub-total	50	3%
Traffic	Sub-total	28	1%
Racial Discrimination	Sub-total	6	0%
Other	Sub-total	168	8%
Unknown	Sub-total	40	2%
Total		1987	100%



Complaints from across the community

(33%) of complainants live in the four Belfast and Castlereagh DCU, with a further 7% living within the Craigavon DCU.

Complainants' DCU's, taken from Post Code information as at 31.03.01		
DCU	Number	Percentage
Belfast (all DCU's) and Castlereagh	509	33%
Craigavon	104	7%
Foyle	90	6%
Down	74	5%
Newtownabbey	60	4%
Coleraine	58	4%
Ballymena	56	4%
Ards	54	4%
North Down	51	3%
Omagh	49	3%
Fermanagh	46	3%
Antrim	39	3%
Strabane	33	2%
Lisburn	31	2%
Armagh	30	2%
Newry & Mourne	26	1%
Dungannon	25	1%
Limavady	24	2%
Larne	21	1%
Carrick	18	1%
Cookstown	16	1%
Magherafelt	15	1%
Banbridge	14	1%
Ballymoney	6	0%
Moyle	1	0%
Unknown	74	5%
TOTAL	1524	100%

CASE STUDY

Failure of duty

A man was brutally murdered by paramilitaries. Having been beaten with baseball bats he was conveyed in the boot of his car to an isolated location, there he was shot seven times. The deceased's family claim that the RUC failed to investigate thoroughly this murder and that the views of the RUC were both sectarian and biased against them. An ongoing Ombudsman investigation is currently reviewing all aspects of the murder investigation.

CASE STUDY

Unlawful detention

Two young persons were playing in a street on a housing estate. Police officers were in the area investigating incidents of Disorder and Vandalism. A police officer spoke to both youths and questioned them in the rear of his vehicle. The parents of both youths have alleged that their children were unlawfully detained against their will. Following an investigation a police officer has been interviewed and a report submitted to the Director of Public Prosecutions.

CASE STUDY

Oppressive behaviour

The police attended an incident, which had started as a dispute between neighbours but degenerated into serious public disorder. Whilst attempting to disperse a large crowd, the complainant, a young person, alleges that he was hit with a baton by an officer incurring bruising to the face. The investigation undertaken on behalf of the Ombudsman was able to secure the evidence from an independent witness and despite the large number of RUC officers present at the incident, the officer was identified. The investigation is ongoing.

CASE STUDY

Excessive use of force

During a high-speed pursuit of a stolen motor vehicle, an RUC officer giving chase discharged his revolver in the direction of the vehicle. The vehicle continued undeterred and it does not appear that any person was injured. The car and passengers evaded capture by the pursuing officer. The investigation by the Ombudsman is concerned with the proportionality and necessity of the officer's actions and the level of danger to other members of the public.

Corporate Services



Eunan McMullan
Director Legal Services

Eunan McMullan joined the Office of the Police Ombudsman in June 2001, as the Director of Legal Services. He will head a small legal team advising the Police Ombudsman and the various Directorates of the Office on legal matters, representing the Ombudsman in legal and other forums as appropriate.

Mr McMullan was called to the Bar in 1983 after obtaining an honours degree in law at Queens University. He practiced law as an independent barrister in both the criminal and civil fields until 1991 when he joined the Fair Employment Commission, working in the Legal Services Department. Whilst managing a legal team there he obtained a Master's degree in Social Sciences from Queen's University. He latterly worked with the Fair Employment Commission and the Equality Commission as an Advocate, representing in tribunals in regard to Fair Employment, sex discrimination and race cases. He was responsible for writing the Step by Step Guide to taking a case to the Fair Employment Tribunal, and editing the 4th Edition Fair Employment Case Law Book.



Katrina McLaverty, Ian Craig and Joanne Fitzsimons three of the initial staff to join the Office of the Police Ombudsman



Administration and Personnel Unit



Staff attending a team briefing at the Office of the Police Ombudsman

Staffing Resource available at the commencement of the Office

Staff Grouping	No. in Post 06.11.00	No. in Post 01.03.01
Executive Managers	5	6
Corporate Service	8	11
Complaints	10	14
Investigations	30	39
Policy and Research	7	8
Legal Services	0	
TOTAL	60	78

Recruiting staff from all communities

COMPLYING WITH EQUAL OPPORTUNITY MONITORING

First report to Equality Commission on 1.3.01 indicated a community and gender profile as follows:

	Male		Female		
Protestant	18		21		39 50% Protestant
Catholic	14		13		27 35% Catholic
Other	10		2		12 15% Other
	42	54% Male	36	46% Female	78



Staff at work processing complaints

Core Training Programme for Staff

Training in:
Functions and Powers of the Office
Security Issues
The Legal System in NI including Criminal Law, Civil Law, Human Rights
Equality Issues
Forensic Science and handling of exhibits
Police and Criminal Evidence including Evidence, Statements of Evidence, Statements, Cautions, Arrest, Powers whilst in Custody, Disclosure
Use of Force
Misconduct Procedures
Investigation Procedures
Investigative Skills
Prepare Engage and Explain Account Closure Evaluation interviewing
Mediation including civic integrity, effective engagement with the police and meditative approaches
IT training

Corporate Services Directorate

The Corporate Services Directorate is the core support service to the organisation, providing a full range of financial, human resource and administration services to the Complaints and Investigation Directorate.

Significant work has been carried out in the development and implementation of a range of policies and procedures addressing both finance and personnel issues. Computer systems which support and facilitate the work of Corporate Services have been implemented and are operational, including payroll, personnel and accounting systems.

Key internal consultative and management groups have been set up, including an Employment Issues Group and an Information Technology Group. Arrangements have been put in place in critical areas such as pension administration and internal audit. Vital personnel work has commenced and remains ongoing in relation to the gathering and processing of monitoring information to ensure the Office of the Police Ombudsman meets its obligations under employment and equal opportunity legislation.

The Directorate is also playing the lead role in a major recruitment campaign which the Office has been embarked upon.



Jim O'Hagan
Director Corporate Services

Summary of Expenditure (Cash) for the period 6 November 2000 to 31 March 2001

Staff Costs

This represents a significant area of expenditure and is 44% of non capital spend. Staff costs will increase over the course of the next year as staff numbers are increased in line with the approved complement.

£760,000

Recruitment, Training and Personnel Costs

This expenditure reflects the recruitment drive and subsequent initial training necessary in establishing the core staffing infrastructure within the Office.

£235,000

Premises and Related Costs

This includes such items as office equipment, telecommunications, rent, rates and other associated expenses.

£163,000

Other Office Support Costs

Other expenditure covers a range of miscellaneous items, including computer maintenance and support, motor expenses, travel and subsistence costs, printing, stationery, postage and case related expenditure. The figure of £539K is approximately 32% of non capital expenditure for the period.

£539,000

Capital

This is the highest area of expenditure and reflects the capital investment in infrastructure assets, including the refurbishment of New cathedral Buildings, development and purchase of information systems and information technology and the procurement of furniture and fittings.

£1,182,000

Total Expenditure

£2,879,000

Percentage analysis of cash spend for the period 6 November 2000 to 31 March 2001



Staff costs	44%
Training, personnel and recruitment	14%
Premises, telecommunications and office equipment	10%
Other office establishment costs	32%

Building a New Complaints Office

VISION

The Police Ombudsman will strive for excellence in providing an independent impartial police complaints service in which the public and the police have confidence.

MISSION

To ensure maximum awareness of the Police Ombudsman complaints service and that it 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.

CORPORATE OBJECTIVES

April 2001 to March 2002

Complaints and Investigation

Objective 1

To achieve high levels of customer satisfaction through timeliness of response complaints and completion of investigation.

Objective 2

To establish a robust quality assurance process to ensure high standards and independent decision making in the investigation of complaints.

Policy and Research

Objective 3

To enhance public awareness of the work of the Police Ombudsman.

Objective 4

To inform and improve policing policy and practice through the analysis and research of police complaints.

Corporate Services

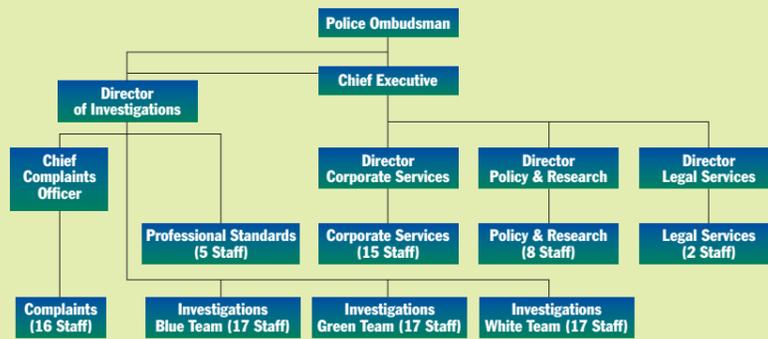
Objective 5

To create an environment in which the skills and professionalism of staff are developed and valued.

Objective 6

To ensure resources are best targeted to support the vision and work of the Police Ombudsman.

Office of the Police Ombudsman for Northern Ireland • Organisation and Staffing Structure



Samuel Pollock
Chief Executive

If you have a complaint about the conduct of a police officer, you should contact us.

You can:

write to us at the address given below;

call in at the office between 9am and 5pm, Monday to Friday;

phone the office on 0845 601 2931 or 028 9082 8600; telephone calls to this office may be monitored for training and quality assurance purposes

send us a fax at any time on 028 9082 8659;

e-mail us at info@policeombudsman.org; or

visit our website at www.policeombudsman.org



The Chief Executive, Samuel Pollock in discussion with the Director of Corporate Services, Jim O'Hagan, the Director of Legal Services Eunan McMullan and the Director of Research and Policy Dr Malcolm Ostermeyer

In line with Government accounting cycles, the Office of the Police Ombudsman for Northern Ireland will report to Parliament through the Secretary of State with an Annual Report for the period ending 31st March 2002. It has been crucially important to maintain openness and communication by the Office with the public and the police in these early months in the life of the organisation. It was felt that a brief Review of the life and work of the Office should be issued, though the Review is not intended to constitute an Annual Report.

Since November the workload in complaints and investigation has been immense. The Office took over responsibility for a large number of cases at that stage being supervised under the Independent Commission for Police Complaints and the RUC. In the five months following almost 400 new allegations per month were received, representing over 1500 new cases to be handled by this Office.

This Review gives an insight and snapshot of the structure, staffing and systems which have been developed to ensure that this new police complaints system is effective and, above all, that we establish the highest standards of independence and impartiality in the operation of the Office.

There has never been a totally independent system for dealing with all complaints against the police anywhere else in the world. When Mrs Nuala O'Loan was appointed, her first job was to build around her a team which could take on this extraordinary but vital work.

A small implementation and development group of Civil Servants was established to assist the Police Ombudsman in creating the structure and systems for the Office which was opened in November 2000. Premises were identified and work began to fit them out. Fixtures and fittings were bought and an IT system was installed.

A recruitment programme had been launched in March 2000 and by September key investigation staff and other support staff had been appointed. A training and induction programme was prepared and delivered over a six week period leading to the opening of the Office.

Over the next few months we aim to engage with many groups in the community and with all sections of the police to ensure that there is a full and accurate understanding of the role, responsibilities and work of the Police Ombudsman's Office, so that the Office can play our part in helping build and strengthen policing conduct and integrity. The Ombudsman and I welcome feedback on the information in this Review.