



# **Dealing With Complaints**

and concerns about the conduct of  
police officers during 'The Troubles'

**T**he Police Ombudsman's Office deals mainly with complaints about the conduct of police officers in Northern Ireland. It deals with those matters in a way which is independent and impartial and free of improper influence from the police, the government or the people who make those complaints. The Police Ombudsman is Mrs Marie Anderson.

# THE CONDUCT OF POLICE OFFICERS DURING 'THE TROUBLES'

**The law does not permit the police in Northern Ireland to investigate complaints from members of the public - that is the role of the Police Ombudsman's Office.**

The Office normally deals with complaints about matters which have happened within the previous 12 months. It can, however, consider matters from much longer ago if it believes them to be grave or exceptional. Such complaints would allege that police had been involved in murder, attempted murder as well as conspiracy and incitement to murder.

The Office's Historical Investigations Directorate deals with many of these types of complaints which are linked to events which happened during 'The Troubles' (the term often used to describe the period in Northern Ireland between 1968 and the Good Friday Agreement in 1998).

It has used the term 'historical' to set this work apart from the Office's work dealing with complaints about current policing.

The Historical Investigations Directorate deals with complaints from members of the public where it is alleged that members of the Royal Ulster Constabulary may have been responsible for deaths or other serious criminality.

It also deals with matters referred to it by the PSNI's Legacy Investigation Branch where possible police criminality may have occurred during this period.

The Directorate was established in 2010 and since then has built up considerable experience in dealing with people and issues affected by events during 'The Troubles'.

It has no legal power to investigate matters related to the conduct of the military, the security services or members of the public.

## INDEPENDENCE

**The Police Ombudsman's Historical Investigations Directorate provides independent and impartial investigation, which is free from police, government or community interest.**

The Directorate will on occasion discuss with such groups the services it provides, but will not share details about the progress or direction of its investigations.

It may on occasion investigate incidents that are subject of simultaneous investigation by the PSNI's Major Crime Unit, its Legacy Investigations Branch or the State Coroner.

The Directorate's investigations are carried out independently.

None of its investigators have been previously connected to matters they investigate.

## MAKING A COMPLAINT



**By phone on 0300 123 2989**  
(charged at local rate)



By email to **[complaints@policeombudsman.org](mailto:complaints@policeombudsman.org)**



By visiting our website: **[www.policeombudsman.org](http://www.policeombudsman.org)**



**By calling at our offices 9am- 5pm, Monday - Friday**  
(Please check in advance that our offices are not closed to the public as a result of Covid restrictions. Our address is on the back cover of this leaflet).

## THE FIRST STAGES OF A DEALING WITH A COMPLAINT:

### INITIAL ASSESSMENT

**When a person or family makes a complaint to us we will seek as much specific detail and information from them as is possible about the incident.**

In doing this we seek to establish if the matter is grave or exceptional, is something we are legally empowered to investigate and is capable of investigation.

When we have established that a matter should be investigated, we will set about gathering and reviewing all the available evidence about the incident in question. This might include transcripts from legal proceedings or other public sources. The Office also has access to material held by police and as a first step we will gather documentation held within relevant RUC files and databases. We will also seek to gather any new material which has come to light in recent years.

Having assessed all this material, we will establish if there is enough information to provide answers to the questions which have been raised. If so, we will provide those answers. If not, the matters will be subject to further investigation.

## PRIORITISING COMPLAINTS

**The Police Ombudsman's Office has limited resources for this work and has to carefully prioritise the investigations it has to carry out. After consulting with the public and the police, it has developed a policy to help achieve a fair and equitable approach when deciding the order in which to carry out those investigations.**

In the first instance it considers whether the alleged criminality in question represents an ongoing and immediate threat to life or threat of serious injury or damage to property.

If no such threat exists, it then considers the nature of the alleged police behaviour to establish if there is a direct causal link between police action and a death (such as the firing of a police weapon).

It considers in detail the gravity of the alleged offence and whether it represents possible criminal behaviour or police misconduct. Alleged murder or criminal conspiracy would demand more immediate consideration than alleged police misconduct, for example.

It also considers whether there are related criminal or inquest proceedings.

Once these issues have been considered, it may also take into account other factors such as if there has been a proven miscarriage of justice, or the age or infirmity of immediate relatives of the deceased.

## INVESTIGATING COMPLAINTS

**Investigating any complaint involves enquiries which seek to find information and evidence to indicate whether there is any substance to the allegation.**

Looking in detail at events which may have happened decades ago is a specialised form of investigation, with its own demands and which require a specialised skill set.

The work includes speaking to members of bereaved families, former members of the RUC and members of the public to help gather as much factual information as possible and in doing so get a better understanding of the time and place under investigation.

Whether a person has brought a complaint to us or they are a former police officer who is providing us with witness evidence, we make the following commitments:

- We will deal with them in an independent manner; none of our staff have any connection to the matters they investigate.
- We will be influenced only by relevant information and evidence and not be subject to undue influence from the police or the community.
- We will deal with them in a manner which recognises they may have been, or still are, deeply affected by the events under investigation.
- We will not discuss our investigations in public, nor will make public the names of individuals who are involved in the case or provide us with information.



- We will make and honour a 'communication contract' with them. We will appoint a member of staff to keep them updated on the progress of the investigation when and how they choose.
- We may appoint a Liaison Officer to support members of the bereaved families.

We ask that

- People cooperate with us and provide us with as much information as they can throughout the investigation.
- People do not undermine the investigation in any way. Investigations can be put at risk by discussing issues in public.

## AT THE END OF AN INVESTIGATION

**When an investigation has been completed, and if there is evidence that a criminal offence may have been committed by an identifiable officer, we will refer the matter to the Public Prosecution Service to consider if someone should face criminal charges.**

At the completion of an investigation and following any court proceedings, we will provide the complainant with a detailed statement of our findings, which in most cases will also be published in the form of a Public Statement.

The Office will guarantee that such statements will give as clear an understanding as possible of the events in question, our findings and the reasons for them.

Previous public statements about the investigation of events during 'The Troubles' are available on our website.

As an independent investigative body, the Police Ombudsman's Office cannot guarantee it will be able to provide answers to all the questions posed in an investigation, nor that those answers which it does provide will be welcomed by everyone.

## HELP AND SUPPORT

The Victims and Survivors Service provides help and support for those who have been bereaved or traumatised as a result of 'The Troubles.' They can be contacted on 028 9027 9100 or by e mail on [enquiries@vssni.org](mailto:enquiries@vssni.org) Further information is available online at [www.victimsservice.org](http://www.victimsservice.org)





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