

THE POLICE OMBUDSMAN FOR NORTHERN IRELAND



A Report into
Complainant
Non Co-operation
With the Complaints Process

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Foreword by Mrs Nuala O’Loan, Police Ombudsman for Northern Ireland

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FOREWORD

The issue of people making complaints and then choosing not to co-operate is one about which many public sector organisations are concerned. It was because of such concern that we commissioned this report as part of our ongoing search to understand why some people, having made complaints, do not follow through and co-operate in the investigation of those complaints. I have been pleased to see that since the Office opened the proportion of complainants who do not co-operate has reduced from sixty two per cent to twenty eight per cent. This is an achievement but we want to ensure that the Office does not provide or create any deterrent to those who wish to complain about police misconduct.

This Report, therefore looks at the issue of why people on occasions make complaints about the police and then, at some stage after this, choose not to co-operate with my Office when it attempts to deal with their concerns.

My legal duty is to exercise my powers in such manner and to such extent as appear to me “to be best calculated to secure the efficiency, effectiveness and independence of the police complaints system and the confidence of the public and of members of the police force in that system.”

Since I was appointed Police Ombudsman I have utilised considerable resources seeking the views of members of the public about establishing and refining the police complaints system so that, in so far as it is possible to do so, the system will meet their needs.

If the police complaints system is not meeting the needs of some people who turn to it, then this is of great concern to me.

The Report suggests that some people who have chosen not to co-operate with us have done so because of perceptions that are inaccurate. We cannot,

however, dismiss such views. In such cases we must try to establish why such views are held and how we can correct them.

The Report also has highlighted some issues that will help us develop and refine our systems. I take great heart from the fact that two thirds of those interviewed said that on reflection, they would have preferred to co-operate with us. I am also encouraged by the Report's indication that there is a genuine desire to learn more about the Police Ombudsman's Office and to develop a closer relationship with us.

My staff and I are committed to working with the community and its representatives to identify, and where possible remove, any obstacles to using the police complaints system.

Mrs Nuala O'Loan

POLICE OMBUDSMAN FOR NORTHERN IRELAND

EXECUTIVE SUMMARY

Qualitative Research within the Community

The aim of the research conducted by Trademark was to gather and present the views, attitudes and experiences of community groups, voluntary groups, public representatives and representatives from statutory agencies on the issue of why some people who make complaints do not then co-operate with the Office of the Police Ombudsman as we attempt to deal with their concerns (non co-operation complaints – NCCs).

The research team was asked to:

- identify and recruit, in consultation with the Police Ombudsman's Office, interviewees and participants for the focus groups;
- ensure that there was appropriate coverage of representation from community groups, voluntary groups, public representatives and representatives from statutory agencies;
- ensure that the focus groups were representative of Northern Ireland;
- present a written report which would be largely qualitative and analytical including tables and explanatory diagrams where appropriate.

The key issues that stakeholders were asked to discuss at interviews and focus groups included:

- previous experience of the Police Ombudsman's Office;
- views of the Police Ombudsman's Office;
- influences on participants' views on the Police Ombudsman's Office (media, community etc.);
- expectations about the complaints system;
- views and experiences of the complaints system;
- reasons for non co-operative complainants;

- accessibility of the Police Ombudsman's Office;
- suggestions for any changes to the complaints system.

The findings fell naturally into two areas, those of direct and indirect impact on NCCs.

Direct Impact

The nature of those issues that had a direct impact on NCCs can be summarised within eight key areas.

- Issues around accessibility.
- Reservations about engaging with state institutions, particularly in areas with high levels of deprivation and poverty.
- Time taken to deal with complaints and updating complainants of progress.
- The attitude, appearance and general conduct of Investigating Officers.
- Explanation to the community of the Informal Resolution process.
- The role of solicitors in the complaints process.
- Fear of reprisals after making a complaint against the police.
- Abandoning a complaint once the initial anger and adrenalin of the incident has dissipated.

Indirect Impact

- The relationship of the Office of the Police Ombudsman with young people.
- Community awareness and interest in the Police Ombudsman's Office.
- The employment of former police officers in the investigation of complaints.
- Complaints relating to policing practice, policy or operational issues.
- The continued use of local resolution by police.
- The recording of complaints and communication of outcomes.

In reviewing the findings of the research a number of key issues were highlighted. These are issues which the research team believe should be considered by the Police Ombudsman's Office with regard to their forthcoming survey into NCCs, the issues should also be considered in the context of enhancing current policies and procedures.

Key Issues

Accessibility and Awareness

- The Police Ombudsman's Office should review its policy and practice of when and where to conduct interviews and how it communicates this information to complainants.
- The Police Ombudsman's Office should give consideration to the development of an outreach programme and public awareness campaign that should include the targeting of young adults.
- The Police Ombudsman's Office should consider reviewing the style and content of their correspondence with complainants.
- The Police Ombudsman's Office should consider developing policies and procedures in how to assist complainants who may have literacy problems.

Police Ombudsman Response:

- The policy and practice of the Police Ombudsman is, as far as is practicable, to arrange interviews at a time and venue agreeable to complainants.
- Each year the Office of the Police Ombudsman operates a very strategic outreach programme where it targets different groups and sections of Northern Ireland communities, including all Section 75 (Northern Ireland Act 1998) groups and hard to reach rural communities. This involves key personnel explaining its role and function, outlining the process of the complaints procedure and seeking feedback. Additionally each year it writes to all secondary level schools

in Northern Ireland offering to give presentations on the work of the Office to appropriate pupils, carrying out about 20 presentations per year. Information about the police complaints system has also been incorporated into a citizenship and safety workbook for Key Stage Four pupils. The Office is always sensitive to the fact that young adults include the children of police officers and strives to promote awareness of the system rather than focusing on police misconduct.

- The Office continually reviews the style and content of its correspondence and information leaflets. The main information booklet was last reviewed and revised in March 2006.
- The Office provides persons with literacy difficulties every reasonable assistance to make and pursue a complaint.

Investigating Officers

- The Police Ombudsman's Office should conduct an audit of the organisational culture with a focus on how the institution engages with working class communities.
- The Police Ombudsman's Office should consider reviewing training and practice in interview procedures to ensure the complainants are treated with dignity and respect.

Police Ombudsman Response:

- The Police Ombudsman's Office works closely with the Northern Ireland Tenants' Action Project, which involves almost 700 tenants and residents groups in Housing Executive estates across Northern Ireland. It uses this forum to engage with communities and values the good relationships it has established. It has also had extensive interactions with community groups across Northern Ireland.
- Treating people with dignity and respect is an integral part of the training given to Investigating Officers. The Office's Code of Ethics requires staff to treat all those with whom they have contact during investigations with sensitivity and to respect the dignity of all. A breach of this code is potentially a disciplinary offence.

Complaints Procedure

- Complainants would welcome clear guidelines on procedures, timeframes and the range of possible outcomes.
- The Police Ombudsman's Office should inform complainants that they are permitted to have support and / or representation at all meetings / interviews.

Police Ombudsman Response:

- The Police Ombudsman's information leaflet, 'Dealing with Complaints against the Police' gives the reader a simple step by step guide in how to make a complaint, timelines in relation to complaints, what the Police Ombudsman will do about the complaint, ways of dealing with complaints and Police Ombudsman's decisions. It is the Police Ombudsman's policy to update complainants every six weeks in relation to the progress of their complaint.
- Police Ombudsman staff normally will have no objection to meeting complainants in the presence of a third party of their choice and advise the complainant accordingly.

Localised Resolution

- The Police Ombudsman's Office should consider conducting further research into the levels of localised resolution conducted by the PSNI.

Police Ombudsman Response:

- Local resolution of complaints by police is contrary to the law and is an area that may be subject to research by this Office at a later date.

Informal Resolution

- The Police Ombudsman's Office should make it clear to complainants that informal resolution will be conducted by the Internal Investigation Branch of the PSNI.

- The Police Ombudsman's Office should make it clear to complainants that the details of their complaint may be forwarded to the PSNI for consideration.

Police Ombudsman Response:

- The Police Ombudsman's Informal Resolution leaflet forwarded to all complainants who are considering using the process makes it clear that informal resolution is conducted by police. Staff explaining informal resolution to complainants also make this clear.
- In circumstances where complainants agree to attempt to informally resolve their complaint they are informed in writing that details of their complaint will be forwarded to PSNI, who will then contact them.

Analysis of Complaints closed due to Complainant Non Co-operation

- 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.
- Failure to co-operate with the complaints process is disproportionately high for persons who are single, male, Catholic, unemployed or aged under 25 in comparison with other specific groups examined.
- Failure to co-operate is disproportionately high in complaints alleging Oppressive Behaviour on the part of police.

Non Co-operation Complainants Survey

A total of 1,293 questionnaires (see sample questionnaire at Appendix 3) were issued to persons whose complaints had been closed between April

2004 and September 2005 due to their failure to cooperate with the Office of the Police Ombudsman. One hundred and seventy four questionnaires were returned, representing a fourteen per cent response rate.

- Twenty per cent of respondents felt that the Office of the Police Ombudsman did not treat their complaints at all seriously.
- Almost one quarter of respondents found it difficult or very difficult to make a complaint.
- The expectation of the majority of respondents was that the police officers complained of, as well as senior officers, would be told of the complaint.
- More than half of respondents expected to receive a reassurance that a similar incident would not occur. A similar proportion also expected that the officer/s concerned would be disciplined.
- The vast majority of respondents found the Office of the Police Ombudsman staff polite and professional. However, a small number doubted the impartiality and fairness of the Office.
- Almost nine out of ten respondents considered that the Office of the Police Ombudsman correspondence was clear or very clear.
- Fifty nine per cent of respondents decided not to continue with their complaints because they felt that nothing would be done about it.
- Forty four per cent of respondents feared a police reprisal if they made a complaint.
- Sixty eight per cent of respondents stated that on reflection, they would have preferred to have co-operated with the complaints process.

Actions Arising

Emerging from the findings of this report the Police Ombudsman proposes to establish a working group of interested parties, including stakeholder representatives, to draw up an action plan aimed at:

- considering its outreach programme, specifically in relation to young adults;
- examining information leaflets, particularly in respect of informal resolution, complaint outcomes, and complainant entitlement to third party representation;
- increasing the numbers of complainants contacting the Office directly to lodge complaints;
- reviewing the style and content of correspondence;
- evaluating relationships with all communities;
- reviewing staff inter-personal skills training;
- assessing the use of local resolution by police to resolve complaints;
- reducing unnecessary delays in the processing of complaints;
- reviewing time lines in respect of updating complainants about progress of complaints.

INTRODUCTION

The Office of the Police Ombudsman for Northern Ireland was established by the Police (Northern Ireland) Act 1998 to provide an independent system for investigating complaints against police in Northern Ireland. The Office is committed to carrying out research and consultation to improve the quality and effectiveness of the police complaints system and to inform the public about its powers of independent investigation.

During the period between November 2000, when the Office opened, and 31 March 2006 it received over 17,000 complaints containing almost 25,000 allegations. A complaint can contain one or more allegations. During 2005/06, twenty eight per cent of complaints received were closed by the Office as a result of complainants failing to provide reasonable assistance for the purpose of conducting a satisfactory or meaningful investigation. Whilst the levels of co-operation with the Office have significantly improved over the past four years the issue remains an area of concern for the Police Ombudsman (Figure 1).

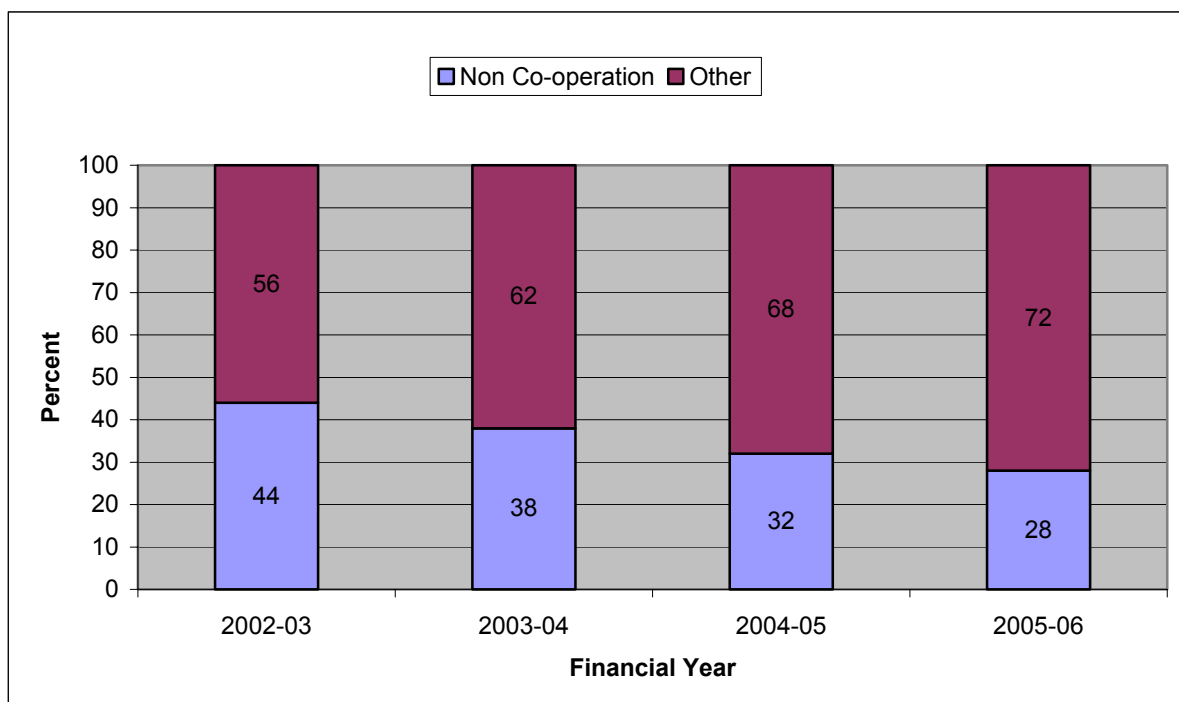


Figure 1: Complaints closed 2002-2006, Non-co-operation and other closures

The issue of complainant non co-operation has been raised with the Office of the Police Ombudsman on a number of occasions, with a vocal lobby maintaining that the high percentage reflects a lack of public confidence in the Office. The Police Ombudsman is not aware of any research that has been conducted into the reasons why people make complaints against police and then subsequently fail to co-operate with the body appointed to investigate the matter.

This report presents the findings of research conducted into the area of complainant non co-operation.

Research Objectives

- To identify the reasons why complainants, having made a complaint, fail to co-operate.
- To identify any demographic patterns or trends in relation to non co-operation such as location, age and gender imbalances.
- To capture the views, attitudes and experiences of the wider community into the area of non co-operation.

Relevant Legislation and Northern Ireland Office Guidance Extracts

Regulation 24 of the RUC (Complaints etc) Regulations 2000 states that where the complainant fails to indicate whether he/she wishes further steps to be taken the provisions of Part VII of the Police (NI) Act 1998 shall not apply in respect of a complaint, where the Ombudsman has written to the complainant by recorded delivery and the complainant has not notified the Investigating Officer within 21 days that he/she wishes any further steps to be taken.

Regulation 25 (a) of the RUC (Complaints etc) Regulations states that where the Ombudsman is of the opinion that a complaint is anonymous or a repetitious one within the meaning of paragraph 2 or 3 of the Schedule or that a complaint is vexatious, oppressive or otherwise an abuse of the procedures for dealing with complaint, or that it is not reasonably practicable to complete the investigation of a complaint the Ombudsman may dispense with the said requirements (Part VII of the Act) as respects the complaint.

Schedule to RUC (Complaints etc) Regulations states that for the purpose of Regulation 25 it shall not be reasonably practicable to complete the investigation of a complaint, if and only if, in the opinion of the Ombudsman it is not reasonably practicable to complete a satisfactory investigation in consequence of: -

(1) the refusal or failure, on the part of the complainant, to make a statement or afford other reasonable assistance for the purpose of the investigation.

Northern Ireland Office Guidance on Police Unsatisfactory Performance, Complaints and Misconduct Procedures.

Complaints where action may be waived by the Ombudsman

Regulation 25 of the Complaints Regulations (and the Schedule thereto) apply where a complaint, which has been recorded under Section 52 of the Act of 1998, appears to fall into one of the following categories:

1. Where a complaint bears no indication of the maker's identity; or, where the complaint is in respect of conduct towards another person, of that other person's identity; or of how such a person can be contacted; or where, after reasonable enquiries it proves impossible to contact him or establish his identity within a reasonable time or by reasonable means.

2. Where investigation is not reasonably practicable because the complainant (or, where the complaint is in respect of conduct towards another person, that other person) refuses to co-operate with the Ombudsman or

police in their enquiries' for example, if, after the completion of related criminal proceedings, he fails to reply to requests asking him to see the Investigating Officer, or to provide other specified assistance or if any other steps detailed by the Ombudsman or police have also failed to secure an interview or the required assistance. Wherever possible a letter should be sent to the complainant by recorded delivery explaining that the Ombudsman will dispense with further investigation if he fails to provide further assistance within a specified time, normally 21 days.

3. If it appears prior to the start of a formal investigation or during a formal investigation that the complaint falls into one of these categories, the Ombudsman may take no further action other than to notify the complainant and police officer concerned accordingly and record the outcome in the complaints register.

Non-Co-Operation – Administrative Process

It is often the case that complaints received at the Police Ombudsman's Office lack sufficient detail to permit a determination as to how best they should be progressed. It may be the case that the complained of officers have not been identified, or the nature of the allegation is unclear or there is only scant detail pertaining to the circumstances giving rise to the complaint. In such circumstances, the Police Ombudsman's Office will write to the complainant or their solicitors asking for further information or seeking to arrange an appointment for interview. The letter sent requests response within seven days and is issued by ordinary post. Should no contact be made with the Office within the stipulated period a reminder letter is issued by both recorded delivery and ordinary post giving the complainant/solicitors a further 21 days to respond and stating that unless contact with the Office is made within 21 days the complaint will be treated as closed. If after 28 days no contact has been made, a letter is issued by ordinary post advising that the complaint has been closed and no further action will be taken.

Should a complainant/solicitor contact the Office following closure the matter will be referred to the Director of Investigations who will consider the circumstances and make the final determination as to whether or not the complaint will be reopened.

COMMUNITY CONSULTATION

Introduction

Trademark was established in late 2001 by a committed group of activists from the community/voluntary, public and trade union sectors. It is an ethically based non-profit organisation which works towards social justice in which the principles of social justice, equality and pluralism are actively pursued. Trademark engages with a number of constituencies across the public/private and community/voluntary sectors delivering training, research and evaluation on a range of related themes including equality and good relations, human rights and peace and reconciliation.

In June 2005 the Office of the Police Ombudsman conducted a procurement exercise for research into Non Co-operation Complainants. Trademark was subsequently awarded the contract for the research and began work on the assignment in August. Fieldwork took place from 30th August through to 30th September 2005.

Since the Office of the Police Ombudsman for Northern Ireland opened in November 2000, forty one per cent of complaints received by the Office were closed due to the complainant not co-operating further with their initial complaint (non co-operation complaint – NCC). This research was designed to inform the Police Ombudsman on the views, attitudes and experiences of the wider public on issues relating to non co-operation complainants. The research will support the Police Ombudsman's Office in meeting its obligations to enhance confidence in the whole complaints system.

The aim of the research was to gather and present to the Police Ombudsman the views, attitudes and experiences of community groups, voluntary groups, public representatives and representatives from statutory agencies in Northern Ireland on why some people who make complaints subsequently fail to co-operate further with the Police Ombudsman's Office. In the following section Trademark details the methodology used in completing this research.

Methodology

Scope

The purpose of this research was to inform the Police Ombudsman on the views, attitudes and experiences of the wider public on issues relating to Non Co-operation Complainants.

Specifically the research team was asked to:

- identify and recruit, in consultation with the Police Ombudsman's Office, interviewees and participants for the focus groups;
- ensure that there was appropriate coverage of representation from community groups, voluntary groups, public representatives and representatives from statutory agencies;
- ensure that the focus groups were representative of Northern Ireland;
- present a written report which would be largely qualitative and analytical including tables and explanatory diagrams where appropriate.

Targeted areas

Before beginning data collection, the research team, in consultation with the Police Ombudsman's Office, reviewed statistical data related to NCCs. This process assisted in selecting the geographic areas to be targeted for the research.

In selecting the targeted areas for the research Trademark studied the data relating to the level of non co-operation complaints within each District Command Unit from the Police Ombudsman's Office opened in November 2000 to July 2005.

Within the scale of this assignment it was not possible to cover all areas that demonstrated higher than average levels of NCCs. A key criterion in selecting

areas was to ensure that the targeted areas reflected the geographic spread of Northern Ireland. Using this criterion the following areas were shortlisted for inclusion in the study:

- West Belfast
- North Belfast
- Foyle
- Newry
- Armagh
- Dungannon and South Tyrone
- Fermanagh
- Antrim
- Ballymena

Stakeholders

The key stakeholders for this assignment were identified as follows:

- Advocacy groups – Pat Finucane Centre, Committee for Administration of Justice (CAJ), Human Rights Commission, Law Society¹
- Public/Statutory Sector – Probation Board, Equality Commission, Police Service for Northern Ireland (PSNI)
- Political representatives – drawn from the targeted area to ensure that they provided localised views and experiences of the Police Ombudsman's Office
- Voluntary/community sector – including representatives from community and voluntary organisations based in the targeted areas.

The stakeholder groups were chosen on the basis of their remit and interest in policing and the Police Ombudsman's Office. A pragmatic and realistic approach in the selection of stakeholder groups was taken in order to reflect the scale of this assignment.

¹ The Law Society were invited to participate but were unable to attend at this time.

Following consultation with the Police Ombudsman's Office, Trademark identified a number of key gatekeepers within each of the targeted areas and from within agreed and relevant stakeholder groups representing the community, voluntary, public and political sectors. The gate keepers² were experienced and respected members of each sector who were then able to, as appropriate, direct Trademark to other individuals and organisations who they felt would have views and experiences on NCCs that they would be willing to share with the research team. Trademark then approached these individuals by telephone and email and conducted a series of semi-structured interviews with two key purposes, firstly to discuss the key issues surrounding non co-operation complaints and also secondly to build credibility into the research process. In an attempt to deal with research fatigue Trademark believed it was important to establish at an early stage the commitment of both Trademark and the Police Ombudsman's Office to this research. This commitment formed a key part of the discussions with the gatekeepers, ensuring that they had a sense of ownership over the research process and to avoid the sense of researchers 'parachuting' into their communities.

Based on previous experience, and exploratory conversations within some of the target areas, Trademark felt it would be beneficial to hold separate 'single identity' focus groups in some areas in order to keep the focus on the specific issues of NCCs. In circumstances where focus groups could not be held due to lack of numbers available within the timeframe allowed, Trademark ensured that a range of views were heard by conducting further semi-structured interviews. In total eight focus groups were conducted in the targeted areas and 11 interviews. This amounted to 57 participants taking part in the research (see Appendix 1 for list of interviewees and focus groups).

Due to its extensive track record throughout Northern Ireland in the community development and community relations sectors Trademark have a

² For guidelines on use of gatekeepers Trademark adhered to the Government Social Researchers Professional Guidance: Ethical Assurance for Social Research in Government (September 2005)

well-respected profile within each of the targeted areas. This undoubtedly helped facilitate contact with gatekeepers and ensured co-operation on this research.

Advocacy groups and public sector organisations were interviewed using a semi-structured questionnaire³ to ascertain their views on the Police Ombudsman's Office and the complaints system, with particular focus on reasons for non co-operation. In total seven interviews were held with these organisations.

A focus group was also held with the Police Ombudsman's Office generic stakeholders. Representatives from women, ethnic minorities and children/young people's groups were invited to attend.

Key Research Questions

The key issues that stakeholders were asked to discuss at interviews and focus groups included:

- previous experience of the Police Ombudsman's Office;
- views of the Police Ombudsman's Office;
- influences on participants' views on the Police Ombudsman's Office (media, community etc.);
- expectations about the complaints system;
- views and experiences of the complaints system;
- reasons for non co-operation complaints;
- accessibility of the Police Ombudsman's Office;
- suggestions for any changes to the complaints system.

As there is a dearth of research in this area, this assignment was largely exploratory in nature, as it sought to uncover the reasons behind NCCs. The fluidity of the research design ensured that through both focus groups and the

³ Copy of questionnaire in Appendix 2

semi-structured interviews the research team was able to respond to new avenues identified by stakeholders in the process of discussions.

The analysis is divided into two sections. The first deals specifically with those areas identified as contributing directly to NCCs. The second deals with issues that have a less obvious direct impact on NCCs but may have a wider impact in undermining confidence in the complaints system.

Findings

Setting the context

This report provides a reflection of the broad range of opinions encountered during this exploratory piece of research. Trademark have, as far as is possible, suggested whether this opinion was widely held, emanated from a particular interest group, or was simply a personal experience that they felt warranted inclusion because of the potential learnings it provides. Following the direction given by the Police Ombudsman's Office staff, Trademark brought together a wide range of opinion based on geographical, sectoral and ethno-political criteria. As a qualitative and descriptive piece of research it inevitably reflects opinions that arise out of these particular contexts and Trademark believe it is strongly indicative of currently held views. It would also point out that some of the statements from interviewees and focus group participants⁴ about the complaints process may be inaccurate in terms of the Police Ombudsman's Office policy and practice but that the views presented here are largely about *perceptions* about the Police Ombudsman's Office and the complaints system and therefore may not reflect actual policy and practice.

Trademark have adhered to the terms of reference for the research in regard to both providing specific reasons for NCCs and also some deeper insight,

⁴ For ease of reading interviewees and focus group members will be referred to throughout the report as interviewees

where possible, into more general factors for NCCs arising out of people's experiences and understanding of the complaints process.

The structure of the findings and key issues is based on an analysis of the data and reflects all the key issues that informed discussion throughout the research; quotes are used to highlight the most salient points and to bring some texture to the report.

The key areas that emerged from the research include:

- accessibility and awareness;
- Investigating Officers;
- treatment of complainants;
- time and transparency;
- operational matters;
- local resolution;
- informal resolution;
- victimisation;
- substantiation rates;
- cooling off.

In looking at the reasons why individuals do not co-operate with the complaints process there will inevitably be a focus on perceived weaknesses with the complaints system; it is Trademark's understanding that the Police Ombudsman's Office have engaged in this research as a way of identifying possible improvements to the system in order to reduce the number of NCCs where appropriate.

"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..."

Direct impact on NCCs

Accessibility and Awareness

The initial meeting and how it is handled is crucial in gaining the trust and confidence of the complainant. Cancelling appointments and moving venues prior to interviews, a situation which one or two had experienced, does not inspire confidence in the process to follow. Interviewees were aware of incidents where nominated venues had been changed at short notice due to being used for other purposes, or because venues chosen by the complainants were rejected by the Police Ombudsman's Office. In some instances, the Police Ombudsman's Office nominated venue of a PSNI station was unacceptable for the complainant.

Having decided to make contact with the Police Ombudsman's Office, a majority of those spoken to mentioned that it was the initial stages of the process that discouraged further contact. Whilst there were positive comments about contacting the Police Ombudsman's Office by telephone and receiving clear, empathetic and consistent advice, further contact was likely to discourage the complainant for a number of reasons. The most salient of these was in relation to the nature of the correspondence received from the Police Ombudsman's Office, which was considered:

"A bit sharp and not exactly encouraging"

"Full of too much jargon, it's not user friendly and can be intimidating..."

For others the formal nature of the correspondence reminded complainants that making a complaint entails engagement in a legal process of an indeterminate nature:

“People get anxious about a formal letter and its implications...they don’t want to be further involved and just drop it...”

In areas with high levels of deprivation and poverty the reservations about engaging with state institutions cannot be underestimated and are exacerbated by issues of confidence, literacy and education:

“Illiteracy is a big issue; there are very deprived wards in our area...”

“It’s about the art of communication, big words confuse people, the letters need to be simple, that’s the biggest thing we hear...”

The relative complexity of official correspondence from the Police Ombudsman’s Office encourages some to either drop the complaint or to seek help, usually from a solicitor:

“I didn’t really understand what was in the letter and had to get help...”

“Easy understood language, keeps people on board, otherwise people will run off to solicitor asking for advice”.

The general view amongst those we spoke to was that whilst it is important for institutions like the Police Ombudsman’s Office to maintain professional standards in its work, this should not prevent it being more accessible to vulnerable and marginalised groups:

“The Prison Ombudsman has a system which offers direct support helping filling in forms...”

Investigating Officers

Whilst Trademark were asked not to target individual complainants, as these would be surveyed later by the Police Ombudsman's Office, a number of the focus groups did contain people who had been through a number of stages of the Police Ombudsman's Office investigation, as did a number of the interviewees. Trademark felt it was important to include their voices as they contributed directly to outlining a number of important issues regarding the interview process which in turn had a direct impact on NCCs.

A number referred to the Investigating Officers *"being like police"*, even when they were unaware that some of the Investigating Officers were in fact former or seconded police officers. This would suggest that there was something in the interview / investigation process that reflected police attitudes, tactics or general approach. Many of the interviewees had clearly not expected this type of approach and it had a negative impact on their views of the whole experience; in a number of cases recounted this did lead to non co-operation in the complaints procedure:

"It felt like an interrogation not an investigation....I swear they were using police interrogation tactics..."

"You felt like you were talking to PSNI – not the Police Ombudsman's Office. We were interrogated...felt like we were being judged, they asked what we wearing, and 'what were you doing out that late at night'...what had that to do with the incident?....the solicitor stepped in then and stopped that..."

"We were having to re-live the incident again, it was too traumatic, I couldn't keep pursuing the complaint. If I was in a situation like that again I wouldn't make a complaint, it was just too stressful, if it was a minor incident yes, but if it was something serious, no I wouldn't contact the Police Ombudsman's Office, the investigators did not make me feel at ease".

It is clearly not an insignificant issue that the attitude, appearance and general conduct of some Investigating Officers is discouraging complainants from continuing with the complaints process:

“We try to convince people to co-operate, but they [the Police Ombudsman’s Office] turn up looking like investigators... wearing suits is a minor issue but it adds to an unwelcoming atmosphere...the culture needs to change”.

Those that had experience of the interview process were also unhappy as they felt it had not been made clear that they were permitted to have support present, whether a family member or indeed a solicitor.

“It would make it less intimidating...you want to have support there...particularly because it’s like being investigated by PSNI...”

The reverse side to this coin, though one articulated much less, is that complainants had greater confidence in the Police Ombudsman’s Office ability to investigate the complaint because the interview was conducted professionally and formally:

“The investigators appeared genuine...they knew what they were doing...”

Treatment of Complainants

The feelings of those who had undertaken a complaint was that the formal nature of the interview process often slipped over into an interrogation of the complainant’s role in the incident as a whole. In some instances the complainants felt that the practice and culture of the investigation did not afford them due respect and dignity:

“We’re the complainants, we shouldn’t be treated as if we’ve done something wrong, we should be treated as victims...”

“People need more support in making a complaint, the Police Ombudsman’s Office need to have a conversation with them, have a designated support officer...they need to be approachable and have an easy manner. When you get someone that is uppity, the complaint could stop there...but if you have a personal contact, engage with them, let the complainant know the likely outcomes, be realistic, they want to continue...making a complaint is a big deal for people...”

Although this did not typify all contact with investigators these sentiments were raised on a number of occasions and highlight the difficulty in approaching an alleged incident. Rather than being made to feel guilty some suggested that the complainant be given the status of a victim until proven otherwise:

“If an allegation can’t be proven because there’s not enough evidence, the letter [from the Police Ombudsman’s Office] is very official...the text leaves the victim feeling not heard... informally the Police Ombudsman’s Office explain well, but they’re not imaginative enough in how they convey information...the complainant ends up feeling rejected, it doubles the sense of injustice...”

The issue of socio economic background of both investigators and complainants was raised on a number of occasions. The perception within certain communities is that there is a degree of class prejudice in how complainants are initially treated. This can often stem from the difficulties working class people have in having to address institutions in Standard English, the language of formal state institutions; this is particularly the case in submitting documents where standard written English is expected. These

barriers of linguistic and class prejudice discourage complainants from a working class background from progressing their complaint:

“We have to find an ‘acceptable’ person in the community to make a complaint, the rest of us, if we made a complaint, they would take one look at us and make their minds up...”

Time and Transparency

Several interviewees commented that there appear to be difficulties faced by the Police Ombudsman’s Office in adhering to established timeframes for dealing with complaints. Where the Police Ombudsman’s Office does have control over the process it was strongly argued that they should give unambiguous and definitive timeframes for contact with the complainant; even if the investigation is slow or has indeed stalled, complainants felt that this should not hinder continued and regular contact:

“The complaints system should have a structure and time frame...make it more accountable, people need to know what’s due to happen and when...”

“Whenever they get an initial inquiry, they should categorise it, then tell you ‘we can deal with it in a month’, or ‘we should be able to deal with that in three months’...’However if the investigation reveals more issues the timeframe may need revised and we will advise you of that’”.

Some felt that if the PSNI had taken longer in responding to the Police Ombudsman’s Office than is usual or indeed necessary that the complainant should be informed of this:

“The delays aren’t the ombudsman’s fault necessarily, it’s obvious the PSNI don’t co-operate with them ...you know ‘Officer on

leave, away again, not available for interview'...but we should be told what's going on...".

Even taking into account the difficulties faced by the Police Ombudsman's Office, some felt delays were overly long, creating stress and frustration for the complainant. These negative experiences do have a ripple effect in the community at large and can harm the Police Ombudsman's reputation:

"The length of time taken to deal with complaints is a major problem...up to three years, that puts people off, people get frustrated and lose interest in pursuing it..."

Concerns around the transparency of the investigation were raised in a majority of the interviews. Some were concerned that they hadn't received enough information regarding the detail of the investigative process. Specifically, complainants were unsure about when they would hear back with a definitive answer and about the possible range of outcomes of the investigation. The concerns centred on the length of time between contacts and the breadth of information given to the complainants about how the investigation was progressing, whether the police had responded and so on:

"Need to keep people informed, and assure them that you haven't forgotten about their complaint".

There was disquiet around the issue of disclosure and the perception that complainants' statements were given to police officers involved before the police were interviewed but that there was no reciprocal arrangement for the police statements:

"At no point can you find out or cross-examine what PSNI said, but they get full disclosure of your complaint".

Informal Resolution

In discussion regarding the informal resolution process it is clear that most complainants on first approaching either the PSNI or the Police Ombudsman's Office are entirely unaware that informal resolution is the responsibility of the Internal Investigation Branch (IIB) of the PSNI and not the Police Ombudsman's Office. On revelation of this fact it appears that many chose not to proceed with the complaint as it means dealing directly with the organisation about whom they are complaining:

"It doesn't exactly inspire confidence...I mean come on...the police investigating their own officers...what's the point of an Ombudsman?"

There was also concern regarding the passing of information about the complaint from the Police Ombudsman's Office to the PSNI who would then contact the complainant without warning about their 'confidential' complaint⁵. This has the effect of seriously undermining the complainant's confidence in the Police Ombudsman's Office and in its reputation of independence and impartiality:

"If you go to the Police Ombudsman's Office with a complaint about the police, you do not expect to be contacted by the PSNI, that's the last thing you want..."

Those that do engage with the informal process, from whatever background have experienced a number of inconsistencies in the approach adopted by the PSNI. This tended to occur when the complainant contacted the PSNI directly about their complaint. There were instances when the complainant stated that they wished to progress with a complaint. Some were advised in clear terms about the process, others were told they couldn't register the complaint with the PSNI directly, that they would have to contact the Police

⁵ The Police Ombudsman's Office policy is to get consent from the complainant before passing the case to IIB

Ombudsman's Office themselves, whilst others were provided with very little information by the PSNI on the next stages in the process. This inconsistency has serious implications about the efficacy of the informal resolution process and the resultant drop off in co-operation with the complaint:

"The informal process is not considered effective or independent...it's as simple as that..."

The inconsistencies that surround the informal process are exacerbated by the definition of a serious complaint, which according to one interviewee is one which the Police Ombudsman's Office state might potentially involve a criminal charge. The potential is that all other incidents are therefore by default not considered 'serious' and are referred back to IIB. This has the potential to send a message to the complainant that their case is not important to the Police Ombudsman's Office. The issue of incident-specific events and ensuing complaints versus operational and policy practice issues arose in discussions about the informal process. There was interest in finding out if informal resolution incidents were being recorded in order to spot patterns of behaviour emerging that might require a broader investigation:

"The same things keep happening, sometimes with the same police officers...even if they're informally resolved what's the point if they're not treated as part of a wider issue of police culture and attitude?"

There are obviously a number of serious issues pertaining to the informal resolution process, whether it is venues for meeting, the presence of solicitors or the credibility of the IIB investigation. It was suggested that a possible solution to some of these issues is the creation of a role for either the Police Ombudsman's Office or another suitable functionary to act as an independent conflict mediator which would go some way to guaranteeing a degree of independent control and influence in the process.

The Role of Solicitors

The presence of solicitors at informal meetings also comes in for some criticism. Some PSNI officers don't want to meet in a solicitor's office or even be in the presence of a complainant's solicitor because of suggestions of criminal prosecution; complainants don't want to meet in a police station for similar reasons. The presence of solicitors at any 'informal' meeting is problematic and has created a number of differing reactions. The PSNI perceive their presence as a 'ratcheting up' of the situation which can have a negative affect on attempts at informal resolution of less serious incidents and making it less likely for any individual officer to admit any fault or offer any explanation or indeed apology. Those complainants that wanted an informal resolution felt forced to include a solicitor because of fear of 'negotiating' on their own with the PSNI.

Whilst this might act as a confidence building measure, the inability of the solicitor to approach the process in any other than a legalistic way, means they can often misunderstand the nature of the informal process and the importance for the complainant of getting someone to simply offer an apology. The inclusion of solicitors can therefore further disempower the complainant and make it less likely to secure an apology and / or explanation of the officer's behaviour. Also, the potential use of witness statements in future civil cases has led to complainants being advised by their solicitors not to make a full statement which leads to the Police Ombudsman's Office closing the case due to lack of evidence.

In some instances complainants found the presence of the solicitor helpful in dealing with the Police Ombudsman's Office:

"We went to a solicitor and were happy enough with the process, they were quite helpful. We felt very nervous talking to the Ombudsman, we wouldn't have spoken to them without the solicitor..."

The relationship between the Police Ombudsman's Office and complainants' solicitors has not always been smooth and was criticised:

"the Police Ombudsman's Office doesn't entertain solicitors...they wouldn't give a copy of my statement to my solicitor..."⁶

"Anytime I contact the Police Ombudsman's Office it is through my solicitor, because I know they will HAVE to look at it..."

Victimisation

One of the more serious issues raised which has a direct impact on NCCs, was the fear of reprisals and/or victimisation from PSNI if formal complaints were submitted to the Police Ombudsman's Office, particularly from within the Loyalist communities targeted. Researchers were informed of incidents in which threats were made in order to prevent people contacting the Police Ombudsman's Office and of stories where people were victimised once they had done so:

"You're worried about comeback from PSNI, you would be fearful, you get tortured, automatically stopped...it has happened to me, because I went against them, some PSNI officers will take your number, then they pass it onto their mates in PSNI and tell them 'so and so's got a complaint in against me...'"

The fear of victimisation increased in those areas where there has been some relationship with the police over the years in unofficially resolving issues outside the cognisance of the Police Ombudsman's Office:

⁶ The Police Ombudsman's Office consider each application for copy of statements in the context of the individual case.

“In this area it has to be done informally or there will be repercussions...we’re ‘encouraged’ to do back door deals...”

This fear becomes more acute if PSNI offer to resolve it informally but the complainant presses ahead and contacts the Police Ombudsman’s Office.

“The threat is that “if you complain we’ll press charges against you”, so you just leave it....”

When complaints are made there is a similar difficulty in encouraging witnesses to come forward:

“It’s hard getting others to put their head above the parapet...people don’t want to offer witness statements in support of complaints... People are fearful where it will end up...”

“The perception is that there will be harassment if you complain, particularly if you’re getting others involved, you don’t want to put them in the firing line”.

‘Cooling Off’

Leaving aside issues of process, the remit of the Police Ombudsman’s Office, police attitudes and organisational culture, another key reason for NCCs that was mentioned in a majority of interviews was simply one of a “cooling off” period. After the anger and adrenalin of the incident has dissipated and people have time for reflection they may simply walk away:

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

“Sometimes people just want to sound off, but don’t want to make it go any further”

“You’re just angry about the PSNI – they’re just doing their job in difficult circumstances...when you calm down you realise that it’s not an issue”.

Indirect Impact on NCCs

Accessibility and Awareness

It was obvious from all the focus groups and a number of community-based interviews that there is a very low level of awareness amongst younger people⁷ of the Police Ombudsman’s Office and of their rights in relation to the police. There were concerns expressed that when in conflict with the PSNI, young people in working class areas (particularly in Loyalist⁸ areas) were more likely to approach paramilitaries to *“get something done about it”*. In strengthening the role of the Police Ombudsman and of a culture of human rights in Northern Ireland it is crucial that younger adults are brought in to this culture early and are made aware of the important role played by independent and impartial bodies in relation to criminal justice⁹:

“Young people have problems with officialdom and institutions...they need to know it’s there to protect them...”

As with many institutions in Northern Ireland the Police Ombudsman’s Office suffers from a perception of being Belfast-centric. For some there appears a reluctance to contact them as people were unhappy about having to travel to the Police Ombudsman’s Office to make an official complaint:

“Living in a rural area, the public transport is so poor, Belfast feels VERY far away.”

⁷ For the purposes of this research this refers to under twenty-five year olds.

⁸ For ease of reference the terms Loyalist communities refers to Protestant working class communities and Nationalist refers to Catholic working class communities. These are the standard terms used within community sector in Northern Ireland.

⁹ The Police Ombudsman’s Office operates a schools awareness campaign, targeting mostly secondary level schools

Whilst others are aware that the Police Ombudsman's Office travels to meet complainants there appears to have been difficulties in securing appropriate venues for interviews. Also complainants feel intimidated and / or embarrassed to host a meeting in their home. It was suggested that the Police Ombudsman's Office would need to be more flexible and imaginative in suggestions of when and where to meet:

"There should be options for where to meet and clear instructions of what is going to happen at the meeting".

It is clear that the Police Ombudsman's Office is far from being a nameless and faceless institution and there was a high degree of recognition of its name and some of its remit. However, aside from stakeholders such as PSNI and CAJ this recognition of the Police Ombudsman's Office did not translate into a broader understanding of its work or of an acknowledgement of its accessibility:

"There needs to be some sort of community liaison, informing people about what they do and how it relates to us..."

"They've done nothing to try and reach out to us; they've done nothing at all..."

There were also some indications that people felt the Police Ombudsman's Office only dealt with serious high profile cases and weren't concerned with localised incidents around police behaviour:

"People think it has to be real crime before you go near the Ombudsman, there's no information campaign to tell you otherwise..."

Across all sectors and communities there was a very real interest in developing a closer relationship with the Police Ombudsman's Office and a genuine desire to learn more about what they do and how the process works.

There was a consistently high level of interest in suggesting new ways to create awareness about the Police Ombudsman's Office from the development of an outreach programme to a public awareness campaign:

"There are a lot of networks in this area, we hold monthly forums, we would like to invite the Police Ombudsman's Office along...but they need to be more proactive in engagement"

"We need more information about the process, people don't understand processes...maybe a leaflet to every home or TV campaign for those who don't read anything..."

It was also noted that the Police Ombudsman's Office needed more of a regional presence. To some this meant holding regular 'clinics' in community centres or other accessible venues, to others it meant a more direct physical presence with offices in other parts of Northern Ireland:

"They need localised offices, to be more visible..."

The importance of raising public awareness would, it was suggested, mitigate against some of the key criticisms of the institution. In articulating the extent of its remit, there would be less frustration and antipathy when people's demands weren't met:

"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".

Investigating Officers

The fact that former police officers were employed as the Police Ombudsman's Investigating Officers was an issue for the majority of those that had direct or second hand experience of the process, though none

declared this as a reason for not proceeding with a complaint once it had been made. A number did state that this knowledge of the background of some of the Investigating Officers would make some potential complainants uneasy about approaching the Police Ombudsman's Office in the first place.

A number perceived that there was a high percentage of police officers in the Police Ombudsman's Office investigation staff and were concerned that this would affect their standards of impartiality and might indeed come across as a perceived allegiance to and defence of police actions:

"They look at you as if to say ...the police wouldn't do that".

A small number were not as concerned about the use of former police officers as long as they could be assured they were not former RUC or PSNI officers as this would guarantee a lack of prejudice and local allegiance. On the other hand the use of police officers from outside Northern Ireland brought with it a concern that they wouldn't have the right contextual knowledge to be able to appreciate the detail and context of the complaint.

Operational Matters / Policy and Practice

As outlined previously this research is context bound and so reflects the more recent concerns and experiences of those interviewed. There is no doubt that the civil disorder in Loyalist communities in 2005 led to a serious breakdown in relationships with the PSNI. Some of the following issues reflect this dynamic.

There appears to be a gap in the public's awareness about the remit of the Police Ombudsman's Office, which is leading to an increased sense of frustration and disempowerment within some of the targeted areas. In general, people are unaware that the Police Ombudsman's Office's powers are concentrated on individual complaints being taken against individual officers. At times of serious civil disorder when there may be an increase in complaints about police behaviour, people have been surprised to learn that making a

complaint about operational issues generally is not as clear cut as making a complaint about individual officers. The legislation allows the Police Ombudsman's Office to comment on operational matters which affect the public, however exactly how this is carried out is not clear to the public and it is an increasing source of frustration that there appears to be a minimal response to police actions:

"I wanted to complain about the police actions, not the behaviour of a particular officer...they were all out of order..."

"How do we deal with generic issues without naming individuals?"

In the shorter and medium term it could be damaging to the Police Ombudsman's Office's reputation as it is perceived that the Police Ombudsman is not tackling serious policing issues. The difficulty in making complaints about trends in operational policy and/or practice is particularly important after incidents of civil disorder. The example of Loyalist rioting in 2005 has revealed serious damage to community relations and there were genuine concerns about police behaviour that needed addressed before relationships could be mended.

There also appeared to be gaps relating to police operational and policy matters. If, for instance, a complaint was made against a group of officers or a Land Rover for driving recklessly, complainants claimed that they were informed by the Police Ombudsman's Office that there was little chance of success unless the complainant could identify an individual officer. In civil disorder situations this is further complicated by a perception that the police are well aware of the Police Ombudsman's powers in this regard:

"PSNI officers change their numbers so when you make a complaint they can say, 'no that officer was in the station not out in the community', they cover each others backs..."

“There’s no identification when they wear boiler suits, no number, they’re told to remove it for their own protection...makes it a wee bit ridiculous, how can you pick them out when they all look the same?”

The Police Ombudsman’s Office policy is that it can substantiate complaints even when an officer cannot be identified. The Police Ombudsman will make every effort to identify officers in these circumstances.

Local Resolution

In some of the areas targeted in this research, notably North and West Belfast, Antrim, Ballymena and East Antrim there is a system of localised resolution, pre-dating the Police Ombudsman’s Office, that has continued to function without the involvement of the Police Ombudsman. In these circumstances the PSNI deal directly with local representatives, whether community workers or individuals linked to paramilitary organisations. In some cases these contacts may be addressing local concerns that would not evolve into actual complaints; nonetheless this process may be blurring the boundaries and preventing access to the complaints procedure. There were a number of other issues for the Police Ombudsman’s Office; the first being a local system of local resolution about which they have no information and in which the PSNI can act without oversight. The second is that in light of the civil disorder in 2005 this localised resolution process (as it stands) has been severely damaged. These same communities have less of a tradition of contacting the Police Ombudsman’s Office and in some areas there is a degree of distrust, which has the potential of leaving whole sections of the Loyalist community without recourse to making complaints.

There is a clear distinction between the Nationalist and Loyalist communities’ attitudes to, and use of, localised resolution. Within certain Loyalist areas there is an established relationship with the PSNI which has allowed a localised resolution process to work well:

“Informal [Local] resolution works well, particularly if it’s resolved early on after the incident...”

This localised resolution did not appear to be used widely within nationalist areas, indeed throughout the research it was mentioned only twice by Nationalists.

In general terms, particularly in Loyalist areas it appears that cases which are not violent in nature have at various times been resolved without recourse to further action:

“Any complaints are dealt with locally...we have a representative in each area who liaises with the PSNI directly...and sometimes we get results. This consultation and negotiation at the local level depends on the personality of the district commander....they’re generally willing to deal in this way”.

Following the civil unrest in 2005 this relationship has now been severely tested in a number of areas, and whilst relationships may improve over time there does appear to be less chance of the localised resolution process being used in the short term:

“In most cases we have just gone down to the station and talked to the officers concerned or their superiors. If it’s informal, we can sort it in 2/3 days, people don’t want to wait 6 months for it to be resolved. In the past the informal [local] system worked well, good communication worked well, ‘til recently...”

Most people were aware that you can submit a complaint directly to the Police Ombudsman’s Office and also at a police station. A number were unaware that the police are obliged to inform the Police Ombudsman’s Office of the complaint immediately as in their experience the officer in question had indicated that this would remain informal unless they wanted to make the complaint ‘official’ by contacting the Police Ombudsman’s Office. On some

occasions the complainant was given clear and concise information and was also informed that the complaint would be forwarded to the Police Ombudsman's Office. This inconsistency is the most salient characteristic of the process as a whole and is one which arose again and again during the research.

Across both communities there is evidence of a huge inconsistency in the advice and attitude of the police to enquiries about making complaints. Unsurprisingly the experiences of the Nationalist community reveal much less informal contact and negotiation at a local level than appears in the Loyalist community. Within the Nationalist community there was little confidence in approaching a police station directly to make a complaint as traditionally this was simply not an option; this dynamic hasn't undergone any radical change.

It is evident that across the DCUs the policy on complaints is not applied uniformly and that in a number of cases they do not forward the complaint to the Police Ombudsman's Office:

"It wasn't mentioned that we could go to the Police Ombudsman's Office...or that they (PSNI) would forward the complaint to them..."

"It appears that some officers have been attempting at best to resolve matters informally without regard to the Police Ombudsman's Office."

Substantiation Rates

Many of the interviewees stated that the Police Ombudsman's substantiation rates and resolution of high profile cases will go some way to de-mystifying the whole process and challenging negative perceptions of the Police Ombudsman's Office. However this hope has not been met in the eyes of some as the presentation of substantiation rates are unclear. Others simply stated that the rates appeared very low and did little to increase confidence in

the organisation. Some put this down to what they believed was a pressure to force people to deal with complaints informally. In relation to NCCs there is a key issue of confidence in the Police Ombudsman's Office to progress the complaint. If delays and other negative experiences are encountered the perceived lack of substantiations can add to a perception of the unlikelihood of the complaint being upheld.

"the Police Ombudsman's Office have limited results and the word gets around, people know there is a push for informal resolution...and people think "why bother?", that's why complaints drop"

"There's no stats on how many cases were made, withdrawn, won, lost...it's not clear if it works"

"Public aren't aware if officers are disciplined or charged...it rarely reaches the public...so they're sceptical".

If the Police Ombudsman's Office wants to increase confidence in the organisation as impartial and independent there is a need for better recording of complaints of an informal nature and a clearer communication of substantiation rates, particularly in relation to informal resolutions carried out by the IIB of the PSNI. Several interviewees stated that there is also a need for a more comprehensive monitoring of the detail of complaints in order to identify patterns and trends both geographically and in the types of incidents reported¹⁰:

"There needs to be better recording of the socio-economic profile of areas where complaints come from – post code breakdown would be useful"

"They need to do more in terms of data – look at trends, types of complaints e.g. about sexism?"

¹⁰ Statistics are published on the Police Ombudsman's Office website www.policeombudsman.org

“What percentage of complaints are upheld? How do we know that? Where is that data? We need to see the stats”.

Summary of Key Issues and Conclusion

Trademark would recommend that all those who took part in the interviews and focus groups should be provided with a summary of the findings. This will help maintain credibility in the process, and avoid the sense that the research team ‘parachuted’ into communities, leaving no feedback on the process or the outcomes of the research.

In the following pages Trademark outline a summary of the key findings in line with the key issues identified through the research. They have combined those that relate directly or indirectly to NCCs as a number of the key issues are common between both.

Accessibility and Awareness

The Police Ombudsman’s Office should review its policy and practice of when and where to conduct interviews and how it communicates this information to complainants.

The Police Ombudsman’s Office should give consideration to the development of an outreach programme and public awareness campaign that should include the targeting of young adults.

The Police Ombudsman’s Office should consider reviewing the style and content of their correspondence with complainants.

The Police Ombudsman’s Office should consider developing policies and procedures in how to assist complainants who have literacy problems.

Police Ombudsman Response:

The policy and practice of the Police Ombudsman is, as far as is practicable, to arrange interviews at a time and venue agreeable to complainants.

Each year the Office of the Police Ombudsman operates a very strategic outreach programme where it targets different groups and sections of Northern Ireland communities, including all Section 75 (Northern Ireland Act 1998) groups and hard to reach rural communities. This involves key personnel explaining its role and function, outlining the process of the complaints procedure and seeking feedback. Additionally each year it has written to all secondary level schools in Northern Ireland offering to give presentations on the work of the Office to appropriate pupils, carrying out about 20 presentations per year. Information about the police complaints system has also been incorporated into a citizenship and safety workbook for Key Stage Four pupils. It is always sensitive to the fact that young adults include the children of police officers and strives to promote awareness of the system rather than focusing on police misconduct.

The Office continually reviews the style and content of its correspondence and information leaflets. The main information booklet was last reviewed and revised in March 2006.

The Office provides those with literacy difficulties every reasonable assistance to make and pursue a complaint.

Investigating Officers

The Police Ombudsman's Office should conduct an audit of its organisational culture with a focus on how the institution engages with working class communities.

The Police Ombudsman's Office should consider reviewing training and practice in interview procedures to ensure the complainants are treated with dignity and respect.

Police Ombudsman Response:

The Police Ombudsman's Office works closely with the Northern Ireland Tenants' Action Project, which involves almost 700 tenants and residents groups in Housing Executive estates across Northern Ireland. It uses this forum to engage with communities and values the good relationships it has established. It has also had extensive interactions with community groups across Northern Ireland.

Treating people with dignity and respect is an integral part of the training given to Investigating Officers. The Office's Code of Ethics requires staff to treat all those with whom they have contact during investigations with sensitivity and to respect the dignity of all. A breach of this code is potentially a disciplinary offence.

Complaints Procedure

Complainants would welcome clear guidelines on procedures, timeframes and the range of possible outcomes.

The Police Ombudsman's Office should inform complainants that they are permitted to have support and/or representation at all meetings / interviews.

Police Ombudsman Response:

The Police Ombudsman's information leaflet, 'Dealing with Complaints against the Police' gives the reader a simple step by step guide in how to make a complaint, timelines in relation to complaints, what the Police Ombudsman will do about the complaint, ways of dealing with complaints and Police

Ombudsman's decisions. It is the Police Ombudsman's policy to update complainants every six weeks in relation to the progress of their complaint.

Police Ombudsman staff normally will have no objection to meeting complainants in the presence of a third party of their choice and advise the complainant accordingly.

Localised Resolution

The Police Ombudsman's Office should consider conducting further research into the levels of localised resolution conducted by the PSNI.

Police Ombudsman Response:

Local resolution of complaints by police is contrary to the law and is an area that may be subject to research by this Office at a later date.

Informal Resolution

The Police Ombudsman's Office should make clear to complainants that informal resolution will be conducted by the Internal Investigations Branch of the PSNI.

The Police Ombudsman's Office should make clear to complainants that the details of their complaint may be forwarded to the PSNI for consideration¹¹.

Police Ombudsman Response:

¹¹ The Police Ombudsman's Office would point out that complainants are informed that it will be a senior police officer who will conduct the Informal Resolution and that their complaint will be forwarded to PSNI who will then contact them. This is confirmed in writing. This is also then confirmed by PSNI, who will inform the complainant of the name of the senior police officer who will be conducting the IR.

The Police Ombudsman's Informal Resolution booklet forwarded to all complainants who are considering using the process makes it clear that informal resolution is conducted by police. Staff explaining informal resolution to complainants also make this clear.

In circumstances where complainants agree to attempt to informally resolve their complaint they are informed in writing that details of their complaint will be forwarded to PSNI, who will then contact them.

Conclusion

This research has been exploratory rather than comprehensive in nature. As such the report is an attempt to provide a description of the issues surrounding NCCs that is qualitative and suggestive of wider views, perceptions and experiences. Through a number of targeted focus groups and interviews Trademark have gathered information from across a wide geographical, ethno-political and cross sectoral domain which they feel provides the Police Ombudsman's Office with a number of key indicative findings that will go a long way to informing any further research into NCCs. The identification of key issues is designed to draw attention to those areas in which the Police Ombudsman's Office might focus its ongoing improvement process.

As stated earlier within this report it is clear that the Police Ombudsman's Office is far from being a nameless and faceless institution and there was a high degree of recognition of its name and some of its remit. Across all sectors and communities there was a very real interest in developing a closer relationship with the Police Ombudsman's Office and a genuine desire to learn more about what they do and how the process works. There was a consistently high level of interest in suggesting new ways to create awareness about the Police Ombudsman's Office. These factors undoubtedly provide a positive opportunity for all concerned in dealing with the issue of NCCs.

ANALYSIS OF COMPLAINTS CLOSED BY THE OFFICE OF THE POLICE OMBUDSMAN 6 NOVEMBER 2000 – 31 MARCH 2006

A total of 6,473 complaints recorded by the Office of the Police Ombudsman was closed as a result of complainant failure to provide reasonable assistance to the Office. This represents forty one per cent of the total number of cases closed during the reporting period (Table 1).

Table 1: Complaints closed 2000/01 - 2005/6	Non Co-operation Closures	Total Closures	Per cent closed Non co-operation
2000/2001[Nov 2000-March 2001]	301	483	62
2001/2002	1765	3159	56
2002/2003	1494	3374	44
2003/2004	1151	3055	38
2004/2005	929	2895	32
2005/2006	833	2929	28

Growing Complainant Co-operation

The percentage of complaints closed as a result of complainant failure to co-operate has steadily decreased since the opening of the Office. This suggests that the Office is making serious progress in securing the support of the public and indicates increasing public confidence in the system for handling complaints against police.

Origin of Complaints

More than three fifths (61%) of complaints made directly at a police station and forwarded to the Police Ombudsman and over two fifths (42%) of complaints made by telephone to a police station were closed due to complainant non co-operation (Figure 2). Just under half of complaints made via a representative (47%) were closed as non co-operation. Around one quarter of complaints made by letter to police (23%), by letter to the Police Ombudsman (24%) or by telephone to the Police Ombudsman (25%) were

closed as non co-operation. Complaints made in person to the Office of the Police Ombudsman (18%) were least likely to be closed as non co-operation.

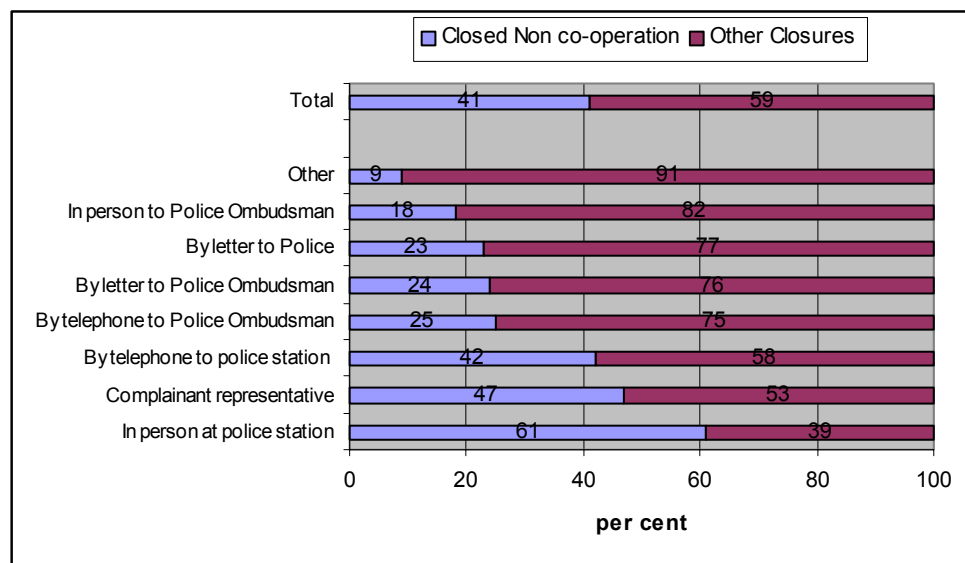


Figure 2: Origin of complaints by closure category

The emerging pattern indicates that complainants who contact the Office of the Police Ombudsman directly to lodge their complaint are more likely to co-operate than those who make complaints via the police or a representative.

Allegations

The 6,473 complaints closed due to complainant failure to co-operate comprised 8,835 allegations. Over half of Oppressive Behaviour allegations (53%) were closed as non co-operation (Figure 3). Thirty nine per cent of allegations of incivility were closed as non co-operation. Allegations of Failure in Duty (26%) were least likely to be closed as non co-operation.

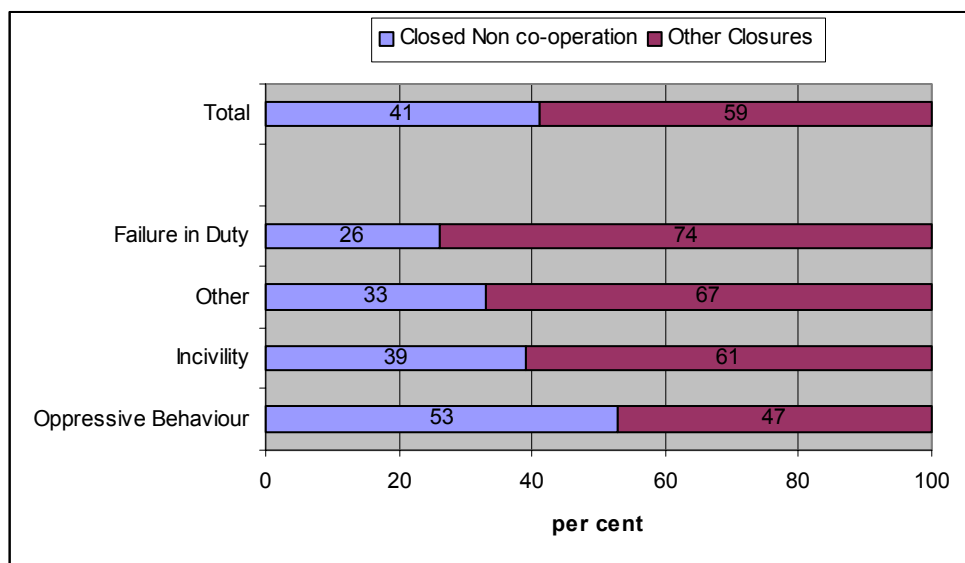


Figure 3: Allegations by closure category

Complainant Demographics

The Office of the Police Ombudsman asks all complainants to complete a confidential equality monitoring questionnaire. This requests information on the nine Section 75¹² categories, as well as employment status, and is entirely voluntary. Overall twenty nine per cent of complainants returned questionnaires. Of complainants who failed to co-operate with the Office, seventeen per cent returned questionnaires. Information on age and gender is often recorded routinely as part of case administration and thus there are available data to boost the sample for these categories.

Age

There were 3,384 complaints closed due to non co-operation and 8,540 cases overall where the complainant's age was known. Younger people are more likely to have their complaint closed as non co-operation than older people (Figure 4). More than half of complainants aged under 25 failed to co-operate with the investigation of their complaint. Generally speaking, as the age of a complainant increases the likelihood of their complaint being closed non co-operation decreases.

¹² Section 75 of the Northern Ireland Act 1998, the "Equality Dutes".

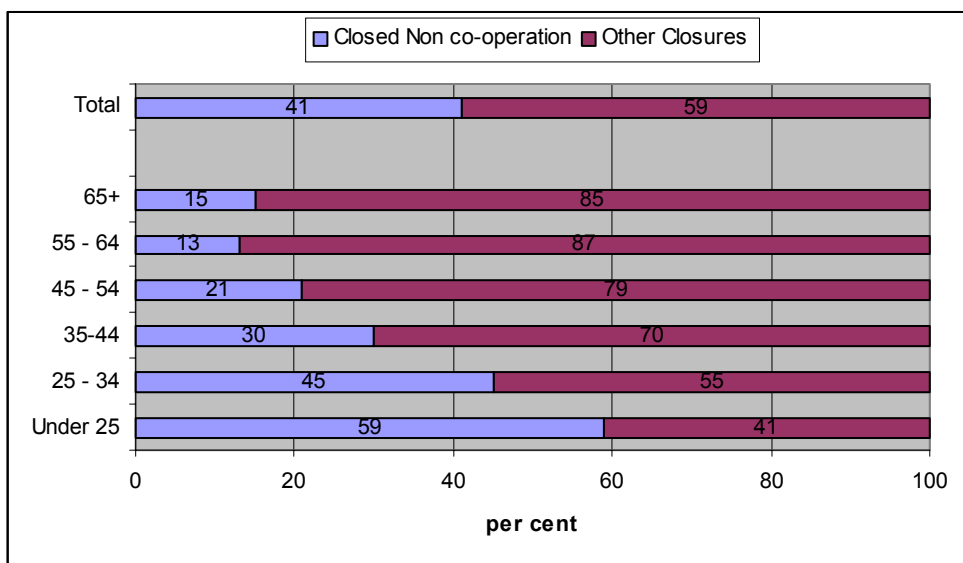


Figure 4: Complainant age group by closure category

Seventy two per cent of complainants aged under 25 who failed to co-operate alleged Oppressive Behaviour by police compared to fifty two per cent aged over 25.

Gender

There were 6,464 complaints closed due to non co-operation and 15,677 cases overall where the complainant's gender was known. Males (45% of complaints closed) were more likely to have their complaint closed as non co-operation than females (32%) (Figure 5).

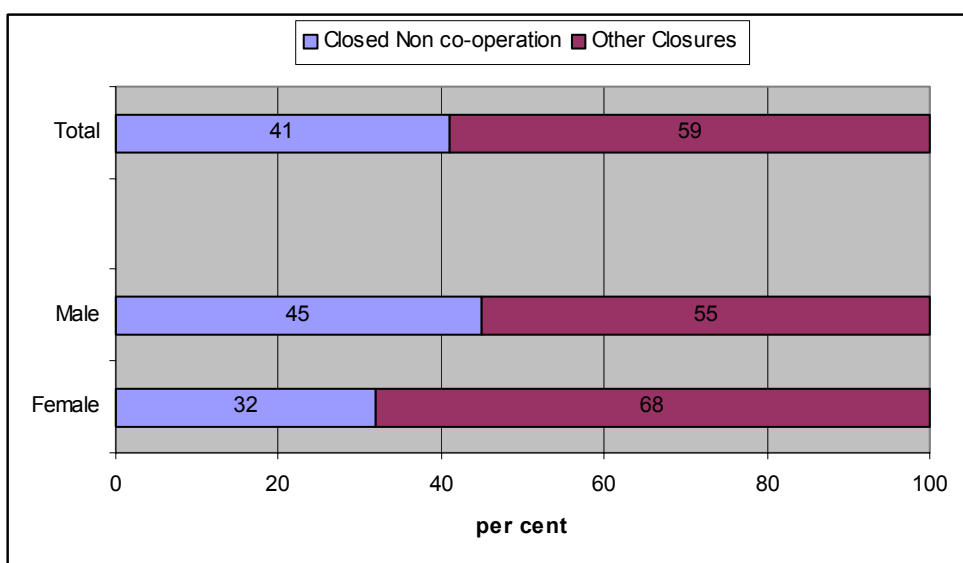


Figure 5: Complainant gender by closure category

It would appear that, having made a complaint, males are more likely than females to fail to co-operate with the complaints process.

Fifty seven per cent of males who failed to co-operate alleged Oppressive Behaviour by police compared to thirty six per cent of females. Thirty two per cent of females alleged Failure in Duty by police compared to eighteen per cent of males.

Employment Status

There were 1,080 complaints closed for non co-operation and 4,063 cases overall where the complainants' employment status was known. Almost half of complainants who were unemployed (48%) failed to co-operate with the investigation of their complaint (Figure 6). Just under a third (31%) of those not working due to sickness or disability and one quarter of students (25%) failed to co-operate. Those least likely to have their complaint closed due to non co-operation were complainants who were retired (13%) or working full time (18%).

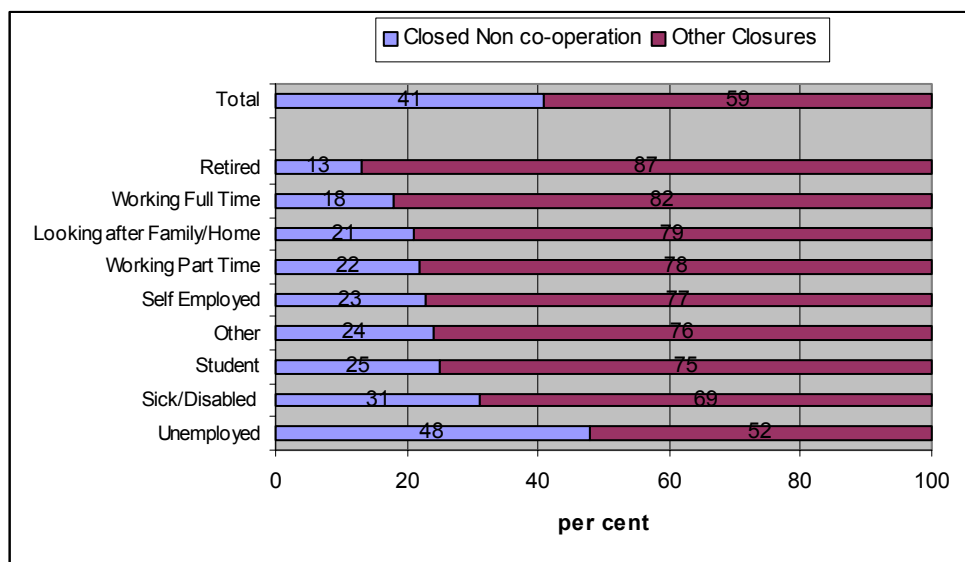


Figure 6: Complainant employment status by closure category

Of unemployed persons who failed to co-operate, fifty seven per cent made complaints directly to police (compared to thirty eight per cent of those

working full time) twenty three per cent made their complaints to the Office of the Police Ombudsman (compared to forty four per cent of those working full time) and twenty per cent made complaints via a representative (compared to eighteen per cent of those working full time).

Religion

There were 785 complaints closed due to non co-operation and 4,685 overall where the complainant's religion was known. Almost one quarter of complainants who described themselves as Catholic (23%) failed to co-operate with the investigation compared to between eleven and fourteen per cent of complainants who described themselves as belonging to one of the main Protestant churches, to other religions or as having no religious belief (Figure 7).

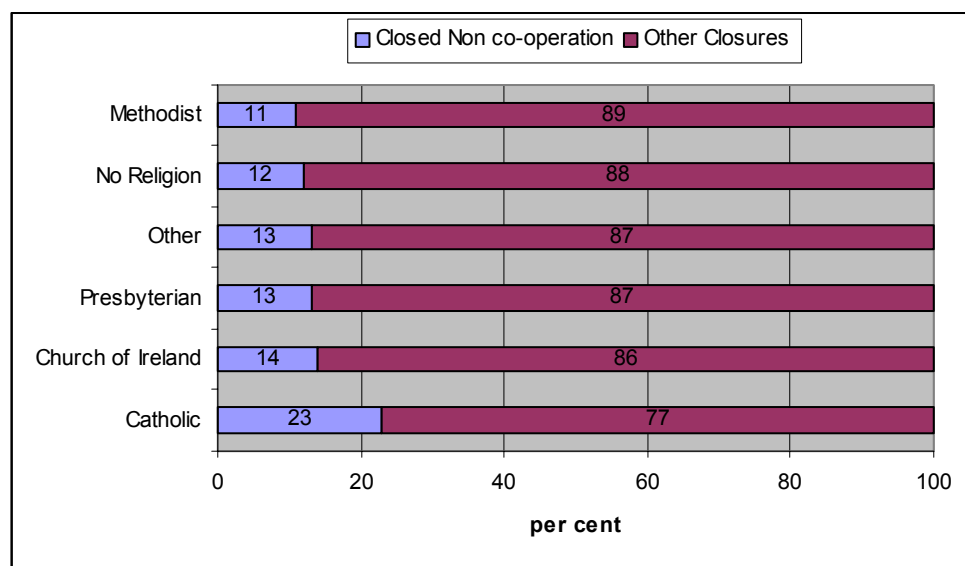


Figure 7: Complainant religion by closure category

Fifty eight per cent of under 25 year-olds who failed to co-operate described themselves as Catholic. This compares with forty per cent who describe themselves as Presbyterian, Methodist, Church of Ireland or other religions.

Catholics who failed to co-operate (50%) were more likely than Protestants (45%) to make allegations relating to Oppressive Behaviour by police.

Protestants complained more of police failing in their duty (27%) than Catholics (22%).

Marital Status

There were 1079 complaints closed due to non co-operation where the complainants’ marital status was known. Almost one third of complainants who were single (32%), a quarter of separated individuals (25%) and just over a fifth of divorced individuals (22%) failed to co-operate with the investigation (Figure 8). Married (12%) or widowed (14%) complainants were least likely to have their complaints closed due to non co-operation.

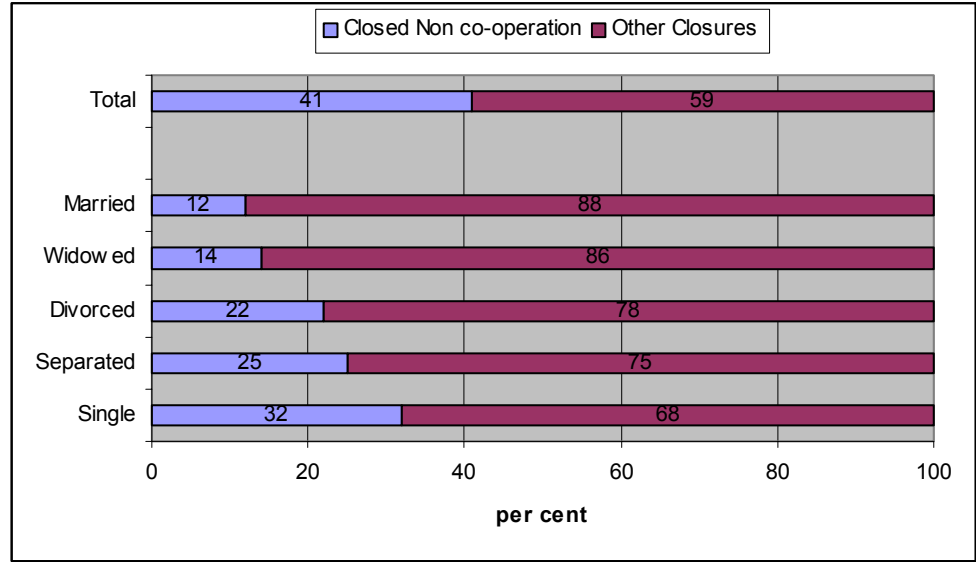


Figure 8: Complainant marital status by closure category

Fifty five per cent of unco-operative complainants who describe themselves as single alleged Oppressive Behaviour by police compared to thirty eight per cent who described themselves as separated or widowed and twenty nine per cent who described themselves as married. Twenty per cent of single complainants who failed to co-operate alleged Failure in Duty by police compared to thirty two per cent of those who stated they were married and thirty five per cent of those who stated they were separated or divorced.

Note that the numbers of non co-operative complainants who declared that they were of a sexual orientation other than heterosexual or that they were of an ethnicity other than White were too small to allow any meaningful analysis.

COMPLAINANT NON CO-OPERATION SURVEY

The Office of the Police Ombudsman for Northern Ireland conducted the complainant consultation survey during November 2005. The purpose of the survey was to elicit the views of complainants in relation to their contact with the Police Ombudsman's Office and their experiences of the complaints process. A total of 1,293 questionnaires (see sample questionnaire at Appendix 3) were issued to persons whose complaints had been closed between April 2004 and September 2005 due to their failure to co-operate. One hundred and seventy four questionnaires were returned, representing a fourteen per cent response rate. Whilst low, this response rate was treated as acceptable, given that the overall sample was of individuals who had failed to engage with the Office on previous occasions despite being encouraged to do so.

The questionnaire sought complainants' views on:

- how easy it was to make a complaint;
- how seriously their complaint was treated;
- expectations of what would happen;
- attitudes of Police Ombudsman staff and the service provided;
- correspondence received;
- Informal Resolution;
- reasons for failure to co-operate;
- independence of the Police Ombudsman.

In addition, respondents were invited to give details of their age, gender, religion, employment status, level of educational attainment, marital status, political opinion and literacy level.

*Results

**Where fewer than 100 respondents answered a given question actual figures rather than percentages are used. Percentages may not add up to 100 per cent due to rounding.*

Did you find it easy to make a complaint to us?

Forty seven per cent of respondents considered it easy or very easy to make a complaint, with twenty four per cent stating that it was difficult or very difficult (Figure 9).

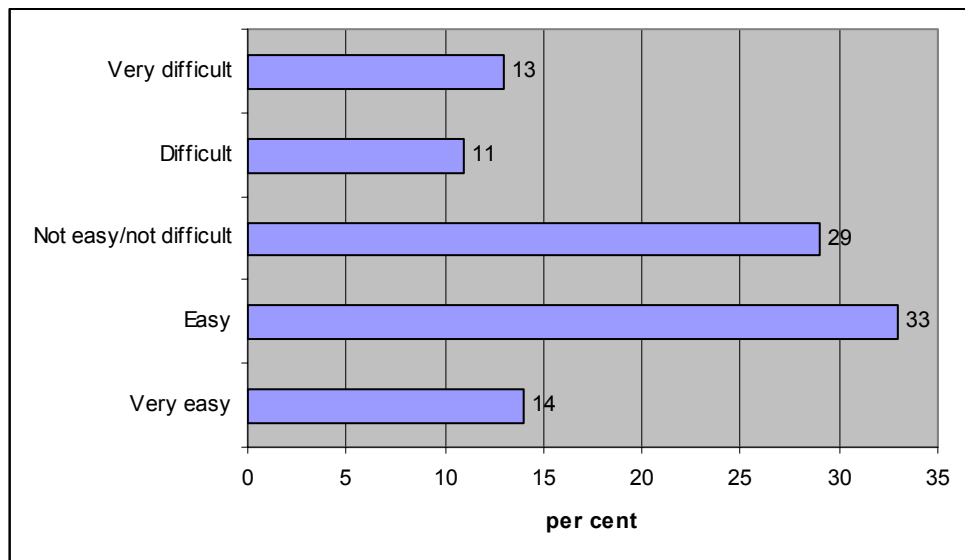


Figure 9: Did you find it easy to make a complaint to us?

How seriously did the Office of the Police Ombudsman treat your complaint?

Just over half (53%) of respondents considered that the Office of the Police Ombudsman treated their complaint fairly or very seriously whilst fewer than 50 per cent considered that their complaint was treated not very or not at all seriously (Figure 10).

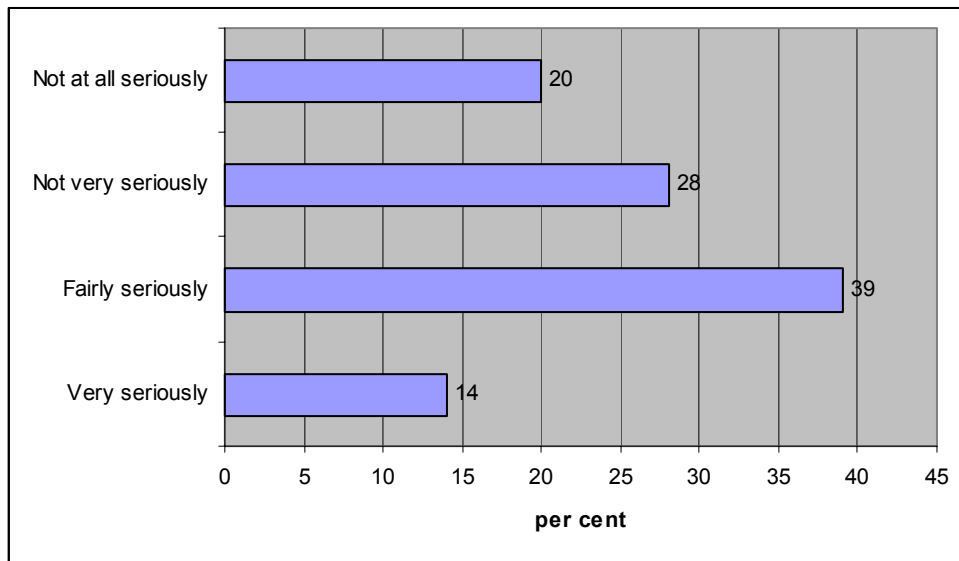


Figure 10: How seriously did the Office of the Police Ombudsman treat your complaint?

What did you expect to happen?

The expectation of the majority of respondents was that the police officer/s concerned as well as senior police officers would be told of the complaint. Most complainants expected a reassurance that a similar incident would not occur and that the officer/s concerned would be disciplined (Table 2).

Table 2: What did you expect to happen?	Respondents Agreeing
Police officers concerned to be told of complaint	62%
Reassurance that similar incident would not occur	57%
Senior police officers to be told of complaint	56%
Police officers concerned to be disciplined	52%
Police officers concerned to apologise	37%
Police officers concerned to be prosecuted	22%
Police officers concerned to be suspended	18%

Contact with Police Ombudsman staff

Ninety respondents stated that they spoke to Police Ombudsman staff. Supplementary questions in relation to this interaction revealed that most

complainants who expressed an opinion viewed staff in a positive way (Figure 11).

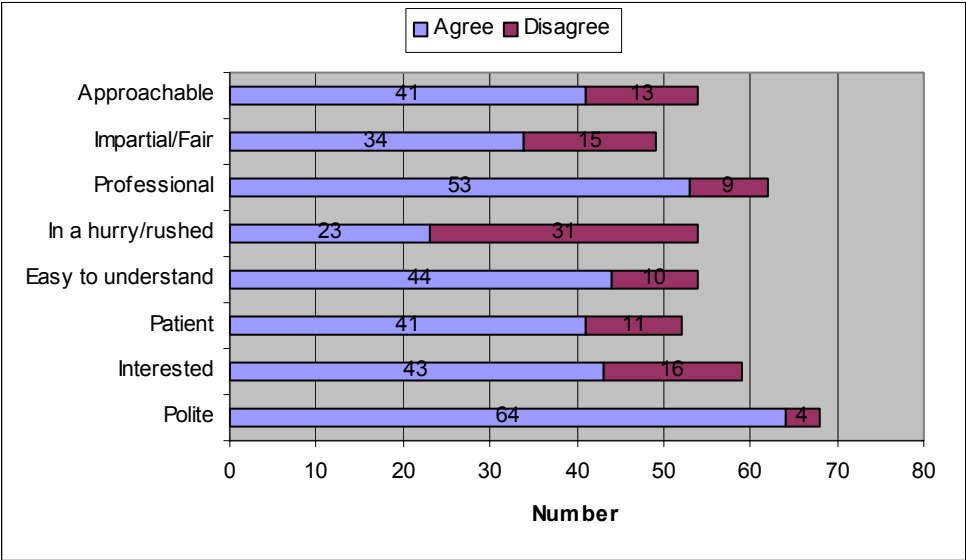


Figure 11: How did staff seem to you?

Advice about making a complaint

Seventy three respondents stated that they had asked for help or advice from Police Ombudsman staff in relation to making a complaint. Thirty eight respondents were satisfied or very satisfied with the advice given while twenty one expressed dissatisfaction (Figure 12).

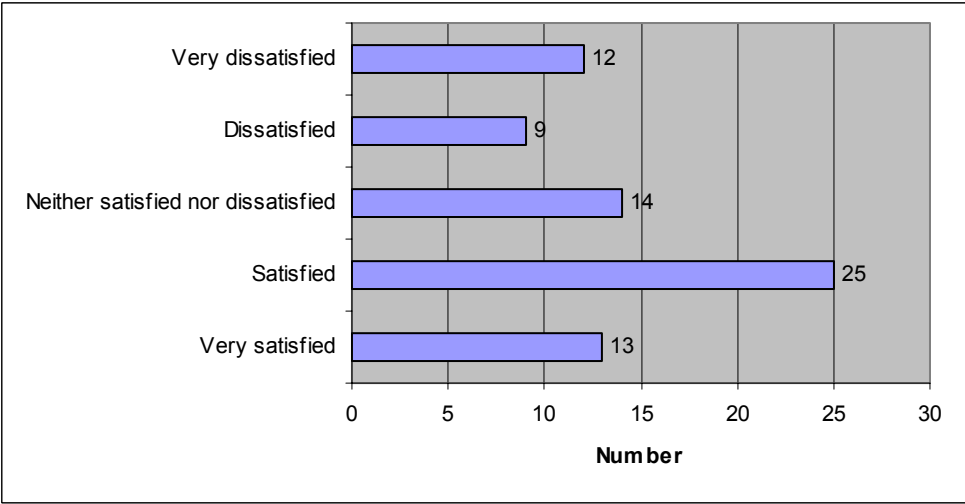


Figure 12: Satisfaction with advice given

Police Ombudsman Correspondence

One hundred and thirty seven respondents (79%) stated that they had received correspondence from the Office of the Police Ombudsman for Northern Ireland. The majority of those (89%) considered that the correspondence was clear or very clear (Figure 13).

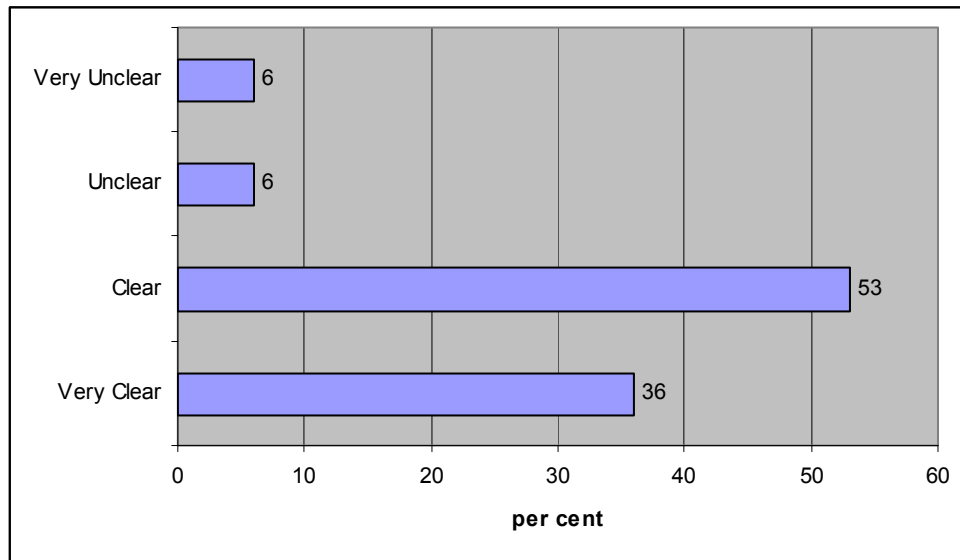


Figure 13: Views on Police Ombudsman correspondence

Informed of progress of complaint

Fifty five per cent of respondents stated that they were kept well or very well informed of how their complaint was being dealt with (Figure 14).

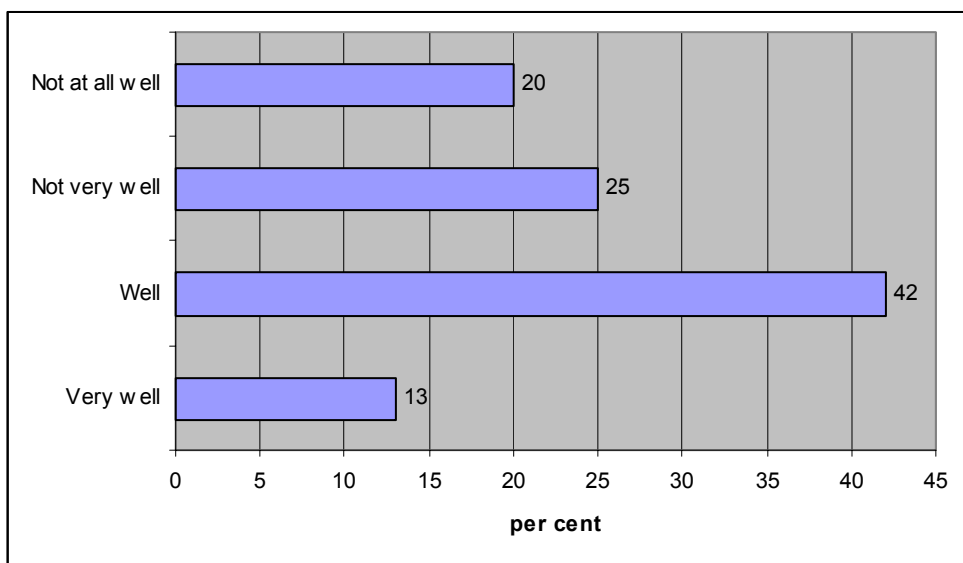


Figure 14: How well were you kept informed about how your complaint was being dealt with or progressing?

Informal Resolution

Fifty five respondents stated that they were asked if they wanted their complaint informally resolved by police. Twenty five respondents agreed to participate in the process.

Meeting Police Ombudsman Staff

Forty six respondents stated that they had had the opportunity to meet Police Ombudsman staff; thirty nine respondents stated that the location of the meeting was convenient and forty two respondents stated that the time of the meeting was convenient.

Reasons for deciding not to continue with complaint

Respondents were asked why they decided not to continue with their complaints. A high proportion (114 or 59%) felt that nothing would be done about it; 99 respondents (57%) felt it would be the police officer's word against theirs and seventy seven (44%) feared a reprisal from the police (Table 3).

Table 3: Reasons for not pursuing complaint	Respondents Agreeing [number, from 174]
Did not hear anything after making complaint	30
Did not fully understand what you had to do next	29
Did not have sufficient time to respond	26
The length of time taken to resolve complaint	32
Put off by form filling	28
Realised complaint was not serious enough	14
Wanted no further action	23
Could not be bothered	9
Felt nothing would be done about complaint	104
Felt it would be the police officers' word against mine	99
Too stressful	41
Felt complaint would not be treated fairly	74
Felt the police may 'take it out on me' for complaining	77
Discouraged by community	9
Discouraged by legal representative	12
Discouraged by Police Ombudsman staff	20

Ninety six respondents (68% of those who answered the question) stated that, on reflection, they would have preferred to have co-operated with the complaints process.

Forty per cent of respondents thought that the Office of the Police Ombudsman was part of the police whilst forty one per cent believed it to be independent. Nineteen per cent of respondents did not know.

More confidence in Police Ombudsman independence

When asked what would make them more confident that the Police Ombudsman is independent of police, the majority (30) of respondents who answered the question considered that a better understanding of the role of the Police Ombudsman would help. Twenty eight respondents considered that the disciplining of more police officers would make them more confident.

Respondent Demographics

Age

Of the 166 respondents who stated their age, twenty eight per cent were aged between 16 and 24, forty five per cent between 25 and 44, twenty six per cent between 45 and 64 and one per cent indicated being over 65 (Figure 15).

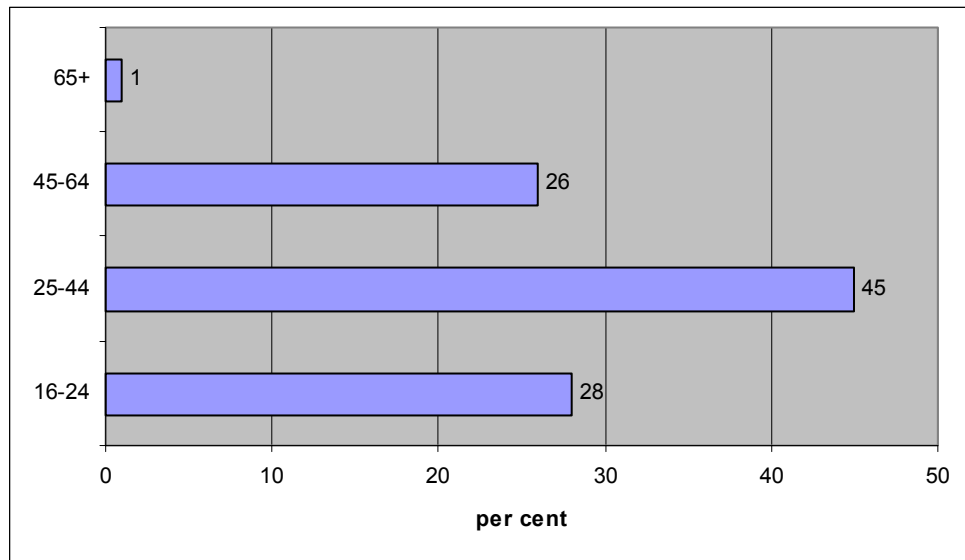


Figure 15: Respondent age group

Compared to other age groups, those aged between 16 and 24;

- found it more difficult to make a complaint;
- felt that the Police Ombudsman would treat their complaint less seriously;
- did not speak to or meet a member of Police Ombudsman staff;
- were less likely to be offered or accept informal resolution;
- were more likely to view the Office of the Police Ombudsman as part of the police.

Gender

Seventy seven per cent of respondents were male and twenty three per cent were female (Figure 16).

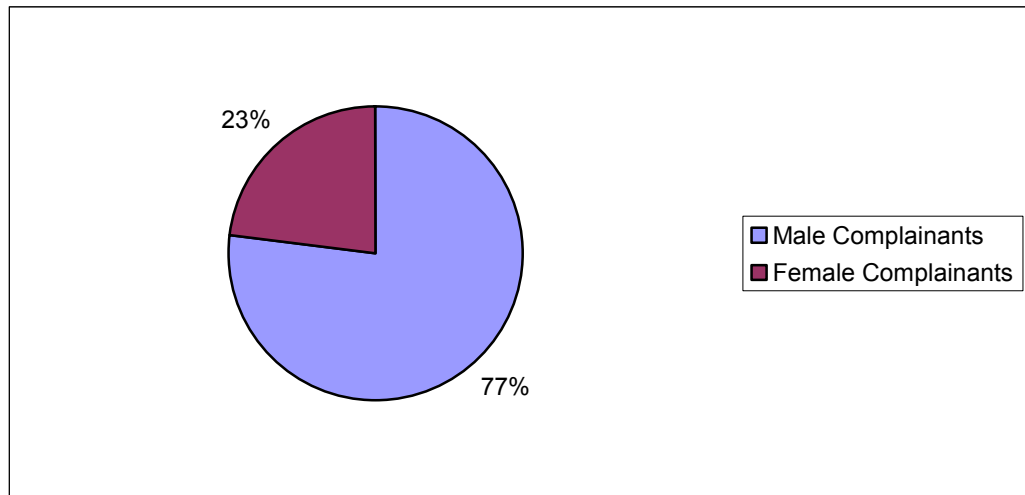


Figure 16: Respondent gender

A disproportionate number of males compared to females had an expectation that police officers complained of would be subject to criminal prosecution and/or suspended.

Employment Status

Of those respondents indicating their employment status, thirty seven per cent were working full or part time and twelve per cent were self-employed. Twenty four per cent were sick or disabled, fifteen per cent were unemployed or in training, four per cent retired and two per cent in full time education (Figure 17).

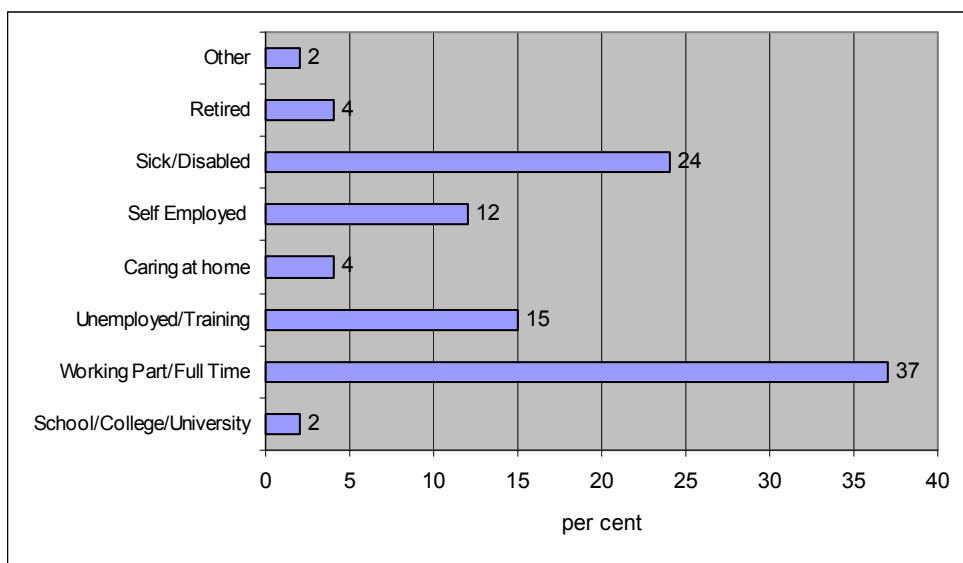


Figure 17: Respondent employment status

Unemployed respondents were more likely than others to:

- feel that the Office of the Police Ombudsman would not treat their complaint seriously;
- have an expectation that the police officers complained of would be prosecuted and/or suspended;
- express concerns about the length of investigation;
- on reflection, have preferred to have had co-operated with the complaints process.

Education

Of those respondents indicating their level of educational attainment, twenty two per cent had no educational qualifications, thirty four per cent had qualifications up to GCSE 'A' level and forty three per cent had NVQ/BTEC/HND/degree or other qualifications (Figure 18).

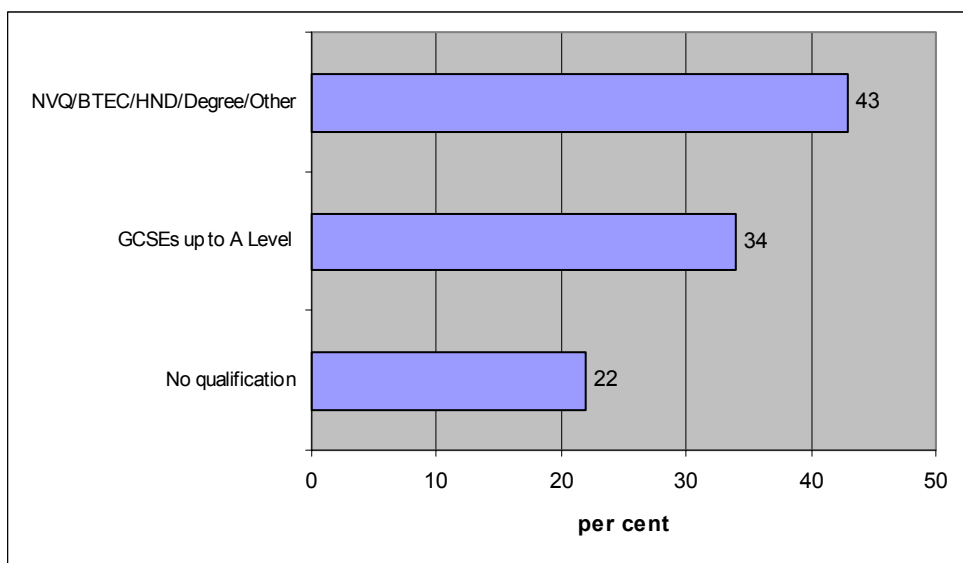


Figure 18: Respondent educational attainment level

A higher number of respondents with no educational qualifications compared to other groups stated that, on reflection, they would have preferred to have had co-operated with the complaints process.

Religion

One hundred and fifty nine respondents answered this question. Forty five per cent were Catholic, sixteen per cent Presbyterian, fifteen per cent Church of Ireland, three per cent Methodist, four per cent other Christian religions and six per cent other religions. Eleven per cent of respondents declared that they were of no religion (Figure 19).

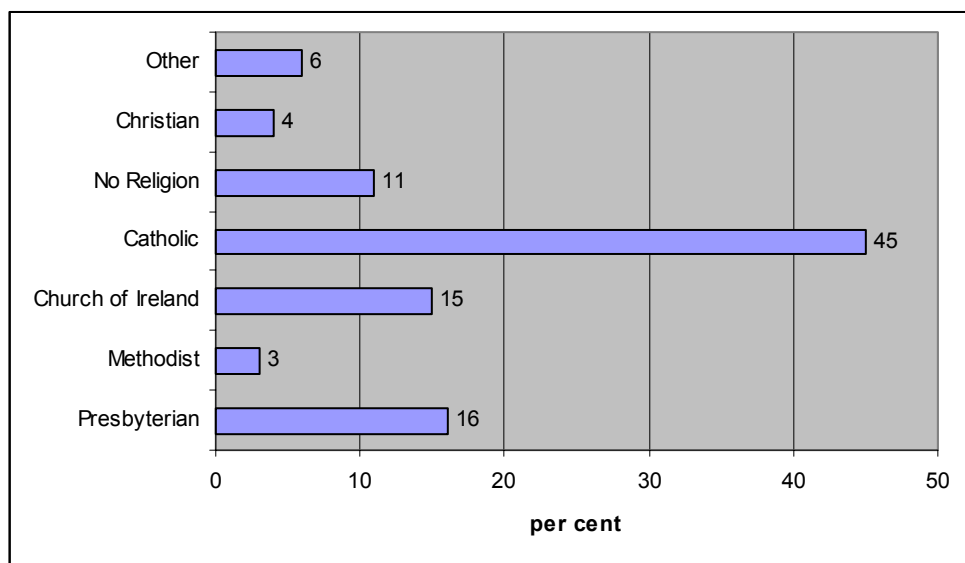


Figure 19: Respondent religious belief

A higher proportion of Protestant respondents compared to others stated that they were put off by form filling.

Political Opinion

One hundred and four (60%) respondents answered this question. Twenty nine per cent of those respondents declared that they supported Unionist parties, of which twenty one per cent supported the Democratic Unionist Party, seven per cent the Ulster Unionist Party and one per cent the Progressive Unionist Party. Twenty one per cent supported Nationalist parties, of which eleven percent supported Sinn Fein and ten per cent the Social Democratic and Labour Party. Three per cent of respondents supported the Alliance Party and eight per cent supported other parties. Forty per cent of respondents declared that they did not support any party (Figure 20).

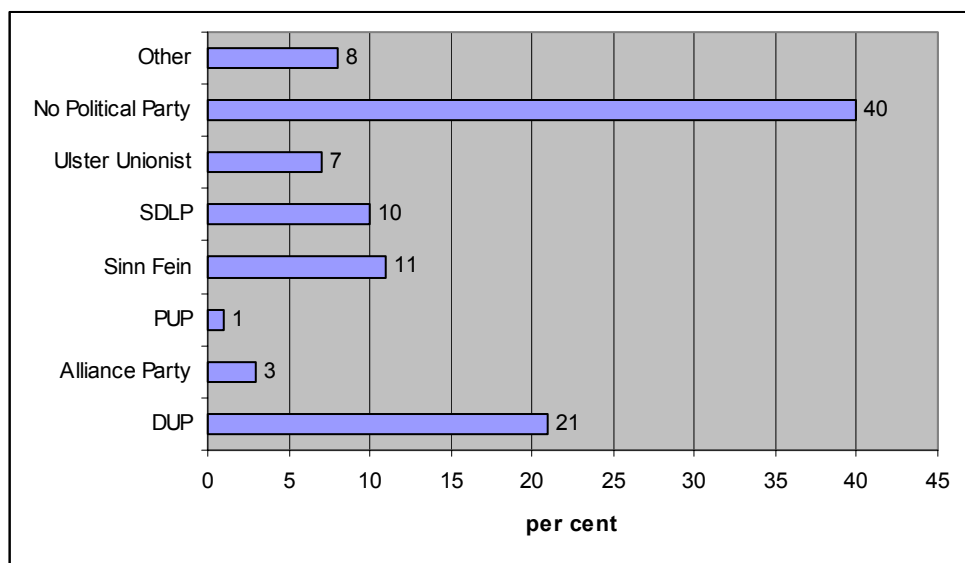


Figure 20: Respondent political opinion

All respondents who identified themselves as voting Sinn Fein had an expectation of an apology from police as well as receiving a reassurance that a similar incident would not occur. There was also a higher proportion of Sinn Fein voters who considered police officers complained of should be prosecuted and/or suspended. A higher proportion of DUP voters stated that they did not continue with their complaint because it was too stressful and, on reflection, would have preferred to have co-operated with the complaint process. A higher proportion of DUP voters also considered that the Office of the Police Ombudsman was 'part of the police'.

Marital Status

One hundred and sixty two respondents answered this question. Fifty one per cent of respondents were single, thirty four per cent were married or co-habiting, thirteen per cent separated or divorced and two per cent widowed (Figure 21).

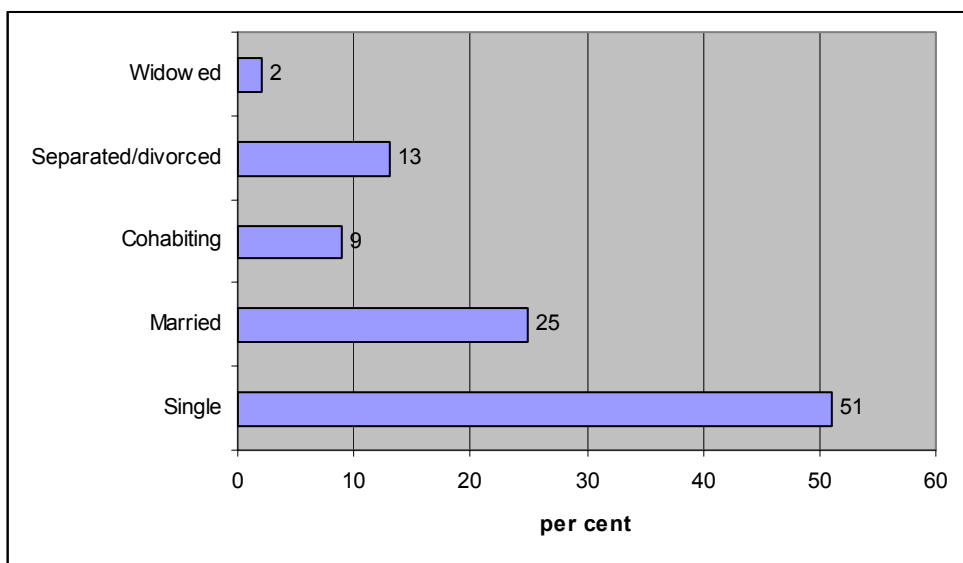


Figure 21: Respondent marital status

A higher than average proportion of single respondents stated that they were not asked to have their complaints informally resolved. Of those who were asked a higher than average number refused to engage in the process. A higher proportion of single respondents also considered that the Office of the Police Ombudsman was 'part of the police'.

Literacy Level

Eighty nine per cent of respondents stated that they were able to read English fluently whilst eleven per cent of respondents stated that they were not.

CONCLUSION AND RECOMMENDATIONS

It is encouraging that since the inception of the Office of the Police Ombudsman on 6 November 2000 there has been an increasing percentage of complainants prepared to co-operate with the process for handling complaints against police. It is also heartening that the survey of complainants who failed to co-operate indicated that over two thirds of respondents stated that, on reflection, they would have preferred to have co-operated with the Office of the Police Ombudsman.

Overall the findings of the research suggest that there is a disproportionately high reluctance to co-operate within the young adult male population. It is also interesting that the majority of complainants consider that a greater understanding of the role of the Office of the Police Ombudsman would increase their confidence in the independence of the Office.

There is clearly a need for the Office of the Police Ombudsman to pursue a policy of even greater engagement with the younger generation in an effort to build confidence in the complaints process within this section of the community. The Office also requires to encourage complainants to make complaints directly to the Police Ombudsman where the procedures involved can be clearly explained and complainants assured that their complaints would be dealt with fairly and impartially. There is an onus on the Office to dispel the perception that it is pointless lodging a complaint against police as inevitably no action will be taken in consequence of it.

The issues identified by Trademark arising from its consultation with the community are valid and need to be addressed. This is particularly relevant in relation to issues surrounding accessibility, awareness, organisational culture, staff training, community outreach, local resolution, informal resolution, correspondence, interviews and education.

The Office of the Police Ombudsman, having digested the main findings of this report, proposes to take a proactive approach in its response. To this end the Police Ombudsman proposes to establish a working group, consisting of Ombudsman staff together with stakeholder representatives. The role of this group will be to develop an action plan aimed at increasing confidence in the process for handling complaints against police.

In particular, the working group will be tasked to:

- consider the Police Ombudsman's outreach programme, specifically in relation to young adults;
- examine information leaflets, particularly in respect of informal resolution, complaint outcomes, and complainant entitlement to third party representation;
- increase the numbers of complainants contacting the Office directly to lodge complaints;
- review the style and content of correspondence;
- evaluate relationships with all communities;
- review staff inter-personal skills training;
- assess the use of local resolution by police to resolve complaints;
- reduce unnecessary delays in the processing of complaints;
- review time lines in respect of updating complainants about progress of complaints.

APPENDIX 1

The Police Ombudsman's Office - NCC RESEARCH FIELDWORK

	Name	Organisation	Area	Method	Community background
1.	Billy Mitchell	Linc Resource Centre	NI	Interview	Loyalist/ Unionist
2.	Linda Moore	Human Rights Commission	NI	Interview	
3.	Manager	Equality Commission	NI	Interview	
4.	Paul O'Connor	Pat Finucane Centre	NI	Interview	
5.	Maggie Beirne	Committee for Administration of Justice	NI	Interview	
6.	Project officer	Committee for Administration of Justice	NI	Interview	
7.	Chief Inspector Ruth McConnell	Internal Investigations PSNI	NI	Interview	
8.	Manager	Probation Board NI	NI	Interview	
9.	Pat Convery	SDLP Deputy Mayor, Belfast City Council	Belfast	Interview	Nationalist / Republican
10.	Nelson McCausland	DUP	North Belfast	Interview	Loyalist/ Unionist
11.	Mark Coulter	Community worker	North Belfast	Interview	Loyalist/ Unionist
12.	Frank McArdle	Dunclug partnership	Ballymena	Interview	Nationalist / Republican
13.	Billy McGaughey	Community worker	Ballymena	Interview	Loyalist/ Unionist
14.	Ken Livingston	Messines	Antrim	Interview	Loyalist/ Unionist
15.	Peter Maguire	Community development worker	Foyle	Interview	Loyalist/ Unionist
16.	Ursula Mhic An tSaor	Altram	South Armagh	Interview	Nationalist / Republican
17.	Mel Corry	Counteract	Dungannon and South Tyrone	Interview	Nationalist / Republican
18.	Nigel McKinney	Community Foundation NI	Fermanagh	Interview	

	Name	Organisation	Area	Method	Community background
1.	2 development workers	Women's resource centre, Contact Youth	NI	Focus group	
2.	2 community development workers	Steps	Dungannon and South Tyrone	Focus group	Nationalist / Republican
3.	4 (including MLA, council officer and community representatives)	Newry District Council	Newry	Focus group	Loyalist/ Unionist
4.	14 community development workers	East Antrim Conflict Transformation Forum	North Belfast, Newtownabbey, Carrickfergus, Larne	Focus group	Loyalist/ Unionist
5.	3 community development workers	Linc Resource Centre, Alternatives NI (north Belfast office)	North Belfast	Focus group	Loyalist/ Unionist
6.	4 community workers	Altram	South and West Belfast	Focus group	Nationalist / Republican
7.	6 community development workers	Intercomm	North Belfast	Focus group	Nationalist / Republican
8.	2 community workers, 2 members of local community	Spectrum centre	West Belfast	Focus group	Loyalist/ Unionist

Profile of Research Participants		
Gender	Age	Social Class
55% male 45% female	Under 25 – 20% 25-50- 45% 50+35%	Working class – 65% Middle class – 35%

APPENDIX 2
TRADEMARK THE POLICE OMBUDSMAN'S OFFICE NCC RESEARCH
SEMI STRUCTURED INTERVIEW SCHEDULE

Interviewer _____

Date/time/location _____

Interviewee _____

Instructions –Thank you for agreeing to participate in this research. As I explained in my email/ telephone call to you Trademark has been appointed by the Police Ombudsman's Office to conduct preliminary research into Non Co-Operative Complaints. The outcomes of this research will help inform a survey of non co-operative complainants.

I have a number of questions I wish to go through with you. Anything you tell me will be treated as confidential.

We have been asked to provide the Police Ombudsman's Office with a list of names of those taking part in this research. When we analyse the outcomes of the research we will not attribute your name to any comments that you have made. Are you happy for me to provide your name? Yes/no

The interview should last around 45 minutes to 1 hour.

1. What is your previous experience of the Police Ombudsman's Office?
2. What is your overall view of the Police Ombudsman's Office?
3. What would you say has influenced your views on the Police Ombudsman's Office (media, community etc.)?
4. What are your expectations about the complaints system?

5. Have you any direct experience of the complaints system? If yes can you tell me about them? You do not have to provide any specific details, just your general thoughts on the experience
6. In your view what are possible reasons for non co-operative complaints?
7. Do you think the Police Ombudsman's Office is accessible?
8. Have you any suggestions for changes to the complaints system?
9. Any other comments you would like to add?

Thank you for your time and co-operation.

Appendix 3

NON CO-OPERATION SURVEY QUESTIONNAIRE

Our records show that a complaint, which you made about Police Officers, was received by the Office of the Police Ombudsman for Northern Ireland. However, the complaint was closed because at some stage you decided not to co-operate with us in trying to deal with your complaint. We want to make sure that our systems are as good as can be. We would like to know if there was any part of your dealings with us that you did not find helpful. To help us understand your needs we would ask that you complete and return this form in the enclosed prepaid envelope.

1. DID YOU FIND IT EASY TO MAKE A COMPLAINT TO US?

Please tick the appropriate box.

Very Easy ☐ Easy ☐ Not Easy/Not Difficult ☐ Difficult ☐ Very Difficult ☐

2. HOW SERIOUSLY DID THE OFFICE OF THE POLICE OMBUDSMAN TREAT YOUR COMPLAINT?

Please tick the appropriate box.

Very Seriously ☐ Fairly Seriously ☐ Not Very Seriously ☐ Not at all Seriously ☐

3. WHAT DID YOU EXPECT TO HAPPEN?

Please tick the appropriate box.

	Yes	No
Police Officers concerned would be told of my complaint	<input type="checkbox"/>	<input type="checkbox"/>
Police Officers concerned would apologise to me	<input type="checkbox"/>	<input type="checkbox"/>
Senior Police Officers would be told of my complaint	<input type="checkbox"/>	<input type="checkbox"/>
Reassured that what happened to me would not happen again to me or anyone else	<input type="checkbox"/>	<input type="checkbox"/>
Police Officers concerned would be disciplined	<input type="checkbox"/>	<input type="checkbox"/>
Police Officers concerned would be suspended	<input type="checkbox"/>	<input type="checkbox"/>
Police Officers concerned would be prosecuted	<input type="checkbox"/>	<input type="checkbox"/>

4. DID YOU AT ANY TIME SPEAK TO THE STAFF OF THE POLICE OMBUDSMAN'S OFFICE?

Please tick the appropriate box.

Yes (Continue) ☐ No (Please go to Question 8) ☐

5. HOW DID THEY SEEM TO YOU?

Please tick the appropriate box

	Yes	No
Polite	<input type="checkbox"/>	<input type="checkbox"/>
Interested	<input type="checkbox"/>	<input type="checkbox"/>
Patient	<input type="checkbox"/>	<input type="checkbox"/>
Easy to understand	<input type="checkbox"/>	<input type="checkbox"/>
In a hurry or rushed	<input type="checkbox"/>	<input type="checkbox"/>
Professional	<input type="checkbox"/>	<input type="checkbox"/>
Impartial/Fair	<input type="checkbox"/>	<input type="checkbox"/>
Approachable	<input type="checkbox"/>	<input type="checkbox"/>

6. DID YOU ASK ANYONE AT THE POLICE OMBUDSMAN'S OFFICE FOR HELP OR ADVICE IN HOW TO GO ABOUT MAKING A COMPLAINT?

Please tick the appropriate box.

Yes ☐ No (Please go to Question 8) ☐

7. HOW SATISFIED WERE YOU WITH THIS ADVICE?

Please tick the appropriate box.

Very Satisfied ☐ Satisfied ☐ Neither Satisfied or Dissatisfied ☐ Dissatisfied ☐ Very Dissatisfied ☐

8. DID YOU RECEIVE A LETTER (EITHER DIRECTLY OR VIA YOUR SOLICITOR) FROM THE POLICE OMBUDSMAN'S OFFICE AT ANY STAGE?

Please tick the appropriate box.

Yes (Continue) ☐ No (Please go to Question 11) ☐

9. HOW CLEAR WAS THIS LETTER?

Please tick the appropriate box.

Very Clear ☐ Clear ☐ Unclear ☐ Very Unclear ☐

10. HOW WELL WERE YOU KEPT INFORMED ABOUT HOW YOUR COMPLAINT WAS BEING DEALT WITH OR PROGRESSING?

Please tick the appropriate box.

Very Well ☐ Fairly Well ☐ Not Very Well ☐ Not at all Well ☐

11. WERE YOU ASKED IF YOU WANTED YOUR COMPLAINT TO BE INFORMALLY RESOLVED BY THE POLICE?

Please tick the appropriate box.

Yes (Continue) ☐ No (Please go to Question 13) ☐

12. DID YOU AGREE TO GO FOR INFORMAL RESOLUTION?

Please tick the appropriate box.

Yes ☐ No ☐**13. WERE YOU GIVEN THE OPPORTUNITY TO MEET THE POLICE OMBUDSMAN'S STAFF HANDLING YOUR COMPLAINT?**

Please tick the appropriate box.

Yes (Continue) ☐ No (Please go to Question 16) ☐**14. WAS THE LOCATION OF THE MEETING CONVENIENT FOR YOU?**

Please tick the appropriate box.

Yes ☐ No ☐**15. WAS THE TIME OF THE MEETING CONVENIENT FOR YOU?**

Please tick the appropriate box.

Yes ☐ No ☐**16. ARE ANY OF THE FOLLOWING LISTED, A REASON WHY YOU DECIDED NOT TO CONTINUE WITH YOUR COMPLAINT?**

Please tick as many reasons as you think apply.

	Yes	No
Didn't hear anything after making my complaint	<input type="checkbox"/>	<input type="checkbox"/>
Didn't fully understand what I had to do next	<input type="checkbox"/>	<input type="checkbox"/>
Didn't have enough time to respond	<input type="checkbox"/>	<input type="checkbox"/>
The length of time taken to resolve my complaint	<input type="checkbox"/>	<input type="checkbox"/>
Put off by form filling	<input type="checkbox"/>	<input type="checkbox"/>
Realised complaint was not serious enough	<input type="checkbox"/>	<input type="checkbox"/>
Didn't want any more action taken	<input type="checkbox"/>	<input type="checkbox"/>
Couldn't be bothered	<input type="checkbox"/>	<input type="checkbox"/>
Felt nothing would be done about it	<input type="checkbox"/>	<input type="checkbox"/>
Felt it would be the Police's word against mine	<input type="checkbox"/>	<input type="checkbox"/>
Too stressful	<input type="checkbox"/>	<input type="checkbox"/>
Felt my complaint would not be treated fairly	<input type="checkbox"/>	<input type="checkbox"/>
Concerned the Police may 'take it out on me' for complaining	<input type="checkbox"/>	<input type="checkbox"/>
Discouraged by people in my community	<input type="checkbox"/>	<input type="checkbox"/>
Discouraged by legal representative	<input type="checkbox"/>	<input type="checkbox"/>
Discouraged by Police Ombudsman's staff	<input type="checkbox"/>	<input type="checkbox"/>
Other (Please specify) <input type="text"/>		

17. LOOKING BACK ON YOUR COMPLAINT WOULD YOU HAVE PREFERRED TO HAVE HAD CO-OPERATED WITH THE COMPLAINTS PROCESS TO ITS END?

Please tick the appropriate box.

Yes ☐ No ☐

18. DO YOU THINK THE POLICE OMBUDSMAN FOR NORTHERN IRELAND IS PART OF THE POLICE OR INDEPENDENT OF THE POLICE?

Please tick the appropriate box.

Part of the Police ☐ Independent of the Police ☐ Don't Know/Refused/No Answer ☐

19. WHAT WOULD MAKE YOU MORE CONFIDENT THAT THE POLICE OMBUDSMAN IS INDEPENDENT OF THE POLICE?

Please tick main one.

Better understanding of the role of the Police Ombudsman ☐

More transparent ☐

More published statistics ☐

More Police Officers disciplined ☐

More Police Officers prosecuted ☐

Investigations were not so similar to Police investigations ☐

20. ARE THERE ANY AREAS WHERE YOU THINK THE POLICE OMBUDSMAN COULD IMPROVE ITS SERVICE?

FINALLY, WOULD YOU BE KIND ENOUGH TO GIVE A FEW DETAILS ABOUT YOURSELF.

(If you are under 16 you do not need to answer Questions 22-28)

Please tick as appropriate.

21. HOW OLD ARE YOU?

Under 16 ☐ 16-24 ☐ 25-44 ☐ 45-64 ☐ 65 or older ☐

22. ARE YOU?

Please tick the appropriate box.

Male ☐ Female ☐

23. ARE YOU?

Please tick the appropriate box.

Single ☐ Married ☐ Co-habiting (living together) ☐ Separated ☐ Divorced ☐ Widowed ☐

24. IN TERMS OF YOUR RELIGION, PLEASE TICK

Please tick the appropriate box.

Presbyterian ☐ Methodist ☐ Church of Ireland ☐ Catholic ☐ No Religion ☐

Christian Other

25. ARE YOU CURRENTLY:

Please tick the appropriate box.

At School ☐
At College ☐
At University ☐
Working Part-time ☐
Working Full-time ☐
Unemployed ☐
In Training ☐
Caring after home and/or family ☐
Self-employed ☐
Retired ☐
Not working because you are sick or disabled ☐
Other (please specify)

26. WHAT IS THE HIGHEST LEVEL OF EDUCATIONAL QUALIFICATION YOU HAVE OBTAINED OR ARE CURRENTLY STUDYING FOR?

Tick one.

None ☐ GCSE's ☐ A-levels or equivalent ☐ NVQ/BTEC/HND/Degree or higher ☐
Other

27. POLITICAL OPINION: PLEASE INDICATE FROM THE LIST BELOW THE POLITICAL PARTY THAT BEST REPRESENTS YOUR CURRENT POLITICAL OPINION

Tick one.

The Alliance Party	<input type="checkbox"/>
The Democratic Unionist Party (DUP)	<input type="checkbox"/>
The Progressive Unionist Party (PUP)	<input type="checkbox"/>
Sinn Fein(SF)	<input type="checkbox"/>
The Social Democratic & Labour Party (SDLP)	<input type="checkbox"/>
The Ulster Unionist Party (UUP)	<input type="checkbox"/>
The United Kingdom Unionist Party	<input type="checkbox"/>
No Political Party	<input type="checkbox"/>
Other (please specify)	<input type="text"/>
I do not wish to answer this question	<input type="checkbox"/>

28. IN TERMS OF YOUR ABILITY TO READ ENGLISH, ARE YOU?

Please tick the appropriate box.

Not able to read English at all (Require assistance)	<input type="checkbox"/>	Able to read English to some extent	<input type="checkbox"/>
Not able to read English satisfactorily	<input type="checkbox"/>	Able to read English fluently	<input type="checkbox"/>

Thank you for completing this form