

Police Ombudsman for Northern Ireland

Scheme of Delegation

Marie Anderson, Police Ombudsman for Northern Ireland

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Police Ombudsman for Northern Ireland
Scheme of Delegation

1. Introduction

- 1.1 The Office of the Police Ombudsman for Northern Ireland (the Office) was established under Part VII of the 1998 Act (the 1998 Act). The Police Ombudsman (the Ombudsman) must exercise her powers so as to secure an efficient, effective and independent police complaints system, and to do so in the way she thinks best calculated to secure the confidence of the public and of the police in that system (section 51(4) of the 1998 Act).
- 1.2 The Police Ombudsman has jurisdiction in respect of complaints about the following organisations when operating in Northern Ireland:
- The Police Service of Northern Ireland including designated civilians
 - The Belfast Harbour Police
 - The Belfast International Airport Police
 - The Ministry of Defence Police
 - The National Crime Agency
- 1.3 In addition, the Police Ombudsman has jurisdiction to investigate serious complaints about:
- Mutual Aid police officers from Great Britain
 - Certain Home Office employees (Immigration officers, designated customs officials and custom revenue officials)
- 1.4 The Police Ombudsman is established as a corporation sole under the 1998 Act. Under Schedule 3, paragraph 9 to the 1998 Act she may authorise any of her functions under the act to be performed by any of her officers.
- 1.5 The Organisational Structure of the Office, to include investigative staffing positions referred to below, is outlined in the Table at Appendix A.

2. Purpose

- 2.1 Staff at all levels within the Office should have confidence in the scope and legality of the functions which they have authority to perform, investigate or decide upon.
- 2.2 The Ombudsman and her staff should have access to a written authority to confirm the powers and decisions reserved solely for the Ombudsman and those powers and decisions delegated to particular staff within the Office.

- 2.3 This Scheme of Delegation (the Scheme) sets out how the Ombudsman delegates her actions and decision making powers as set out in Part VII of the 1998 Act, and as she is entitled to do so under Schedule 3, paragraph 9 of that act.
- 2.4 The Scheme will assist the Ombudsman and her staff in carrying out her functions lawfully and effectively. It will further assist police, the public and stakeholders in their understanding of how decisions are made within the Office, thereby contributing to the Office's ongoing aim of a greater openness and transparency in the decision making process.
- 2.5 Although given a statutory remit to delegate functions within the Office, the Ombudsman must do so in accordance with established legal principles.

3. Scope

- 3.1 This Scheme is limited to the Ombudsman's delegation of her actions and decision making powers in relation to the investigative functions of the Office, as set out in Part VII of the 1998 Act.
- 3.2 All other delegations of authority by the Ombudsman, the Chief Executive or Senior Management in relation to the other functions of the Office are provided for in separate policies.
- 3.3 Corporate Services, under the Direction of the Chief Executive, remains responsible for the day to day administration of the Office's corporate and financial affairs. Nothing in this Scheme applies to any action or decision which is administrative in nature.

4. The Statutory Framework

- 4.1 Section 51 of the 1998 Act provides that there shall be a Police Ombudsman for Northern Ireland who shall exercise his power in such manner and to such extent as appears to him to be best calculated to secure:
 - (a) the efficiency, effectiveness and independence of the police complaints system; and
 - (b) the confidence of the public and of members of the police force in that system.

The current Police Ombudsman is Marie Anderson.

- 4.2 The 1998 Act provides the Ombudsman with specific powers of delegation.
 - Schedule 3, paragraph 9 states that any functions of the Ombudsman under the Act may be performed by any officer of the Ombudsman authorised for the purpose by the Ombudsman.

- Section 56(1) outlines the Ombudsman's required delegation when implementing a formal investigation, in that she shall appoint an officer of the Ombudsman to conduct the investigation.

4.3 Part VII of the 1998 Act provides for the independent investigation of complaints about the police by the Ombudsman.

- Section 52 provides for the receipt and initial classification of complaints.
- Section 53 provides for the informal resolution of the complaints.
- Section 54 provides for the formal investigation of complaints.
- Section 55 provides for the Policing Board, Department of Justice, Secretary of State and Chief Constable to refer certain matters to the Ombudsman for her consideration.
- Section 55 (6) enables the Ombudsman of her own motion/initiative to formally investigate matters where it appears to her that it is desirable in the public interest that she should do so.
- Section 56 outlines how the Ombudsman shall conduct a formal investigation.
- Section 58 outlines steps to be taken after the investigation should the Ombudsman determine that criminal proceedings are appropriate.
- Section 59 outlines steps to be taken after the investigation should the Ombudsman determine that disciplinary proceedings are appropriate.
- Section 60 enables the Ombudsman to enter into an agreement with an authority maintaining a body of Constables where such constabularies are not maintained by the Policing Board, subject to the approval of the Department of Justice.
- Section 60A allows the Ombudsman to investigate a current practice or policy of the police if the practice or policy comes to his attention and he has reason to believe that it would be in the public interest to investigate the practice or policy (subject to the exemption of such conduct mentioned in s65 (5) of the Regulation of Investigatory Powers Act 2000).
- Section 61 requires the Ombudsman to provide reports to the appropriate authority on matters relating generally to the functions of the Ombudsman.
- Section 61AA allows the Ombudsman to provide such statistical information and any other general information as is required to enable the Policing Board to carry out its functions.
- Section 62 allows the Ombudsman to publish a statement as to her actions, her decisions and determinations and the reasons for these.
- Section 63 places restrictions on the disclosure of information obtained by the Ombudsman and her staff.

4.4 This Scheme will outline how the Ombudsman will use her authority to delegate under 4.1 and 4.2 above, to delegate her functions at 4.3 above, where appropriate to do so.

4.5 The 1998 Act allows any of the functions on the Ombudsman under the Act to be performed by any officer of the Ombudsman authorised for the purpose by the Ombudsman (schedule 3, paragraph 9). The Ombudsman has responsibility under Schedule 3, paragraph 3 to employ such staff as she thinks fit to enable her to carry out her functions. The Ombudsman has fulfilled this obligation by employing suitable individuals as officers of the Ombudsman

to various posts within the Office. She now makes use of this Delegation Scheme to make such delegations to the office holders of these posts as are included herein.

5. The Legal Principles

- 5. While given a broad statutory remit to delegate functions within the Office, the Ombudsman must do so in accordance with supporting legislation, published guidance and common law legal principles.

5.1 Principle 1

The lawful exercise of power requires that it is exercised by the authority upon whom it is conferred and no one else.

- 5.1.1 Those actions and decision making powers conferred upon the Ombudsman under the 1998 Act were granted to her as a statutory officer, and not on her staff.
- 5.1.2 Schedule 3, paragraph 9 to the 1998 Act gives the Ombudsman the power to delegate functions under the Act, as outlined above. However, the power to perform the functions of the Ombudsman must be delegated and it cannot be assumed by staff or any other person that they can act on behalf of the Ombudsman without her express authority.
- 5.1.3 The legislation allows for delegation by the Ombudsman to her officers only, and not to any other person outside the Office.
- 5.1.4 It is accepted that individual delegations to all officers of the Ombudsman would be overly bureaucratic and inefficient. This Scheme outlines delegations made by the Ombudsman to various posts held within the Office. The individuals filling such posts within the lifetime of this Scheme have thereby the delegated authority from the Ombudsman to perform the functions named therein as officers of the Ombudsman (subject to withdrawal or amendment – see 10.2).
- 5.1.5 Members of Staff who are temporarily promoted to a relevant role listed in this Scheme will take on the delegated authority applicable to the role only for the remainder of their period of temporary promotion (see 11.5).
- 5.1.6 All designated authorities listed in this Scheme are assigned to specific persons holding the roles only and are not transferrable. Should any staff member move to another role within the office they will relinquish all delegated authority given to them in their previous role upon leaving the post.
- 5.1.7 Some actions and decision making powers are unsuitable for delegation and are reserved only to the Ombudsman, as outlined below.

5.2 Principle 2

The authority to perform tasks and take decisions should be aligned with the skills and knowledge needed to implement such functions and make such judgments.

- 5.2.1 In the exercise of her authority to delegate under Schedule 3, paragraph 9 of the 1998 Act, and cognisant of her obligations to staff, the public, the police and further stakeholders, it is important that when delegating authority to her officers, the Ombudsman will do so having taken account of the skills and knowledge of such officers.
- 5.2.2 Section 56 (1) of the 1998 Act, outlined above, places an obligation on the Ombudsman to appoint an officer where a complaint or matter is to be formally investigated.
- 5.2.3 The Ombudsman is required to consider and determine whether misconduct or a criminal offence may have been committed by a member of the police force or other body within her remit.
- 5.2.4 The Department of Justice's Departmental Guidance, (September 2016) sets out the procedures for dealing with misconduct cases. Section 4.79 of that Guidance states that, "the rank of the investigating officer appointed by the Ombudsman to investigate a complaint is not dependant on the rank of the officer complained of, unless the investigating officer is a member of the police service on secondment."
- 5.2.5 The Guidance advises the Ombudsman to "consider the seriousness of the allegation to ensure that an officer of sufficient experience is appointed to ensure that the member concerned, and the complainant, are satisfied that there will be a thorough investigation which will establish the facts of the case."
- 5.2.6 The Ombudsman has additional statutory obligations when investigating potential criminal offences.
- 5.2.7 The Ombudsman has an obligation to appoint an officer of sufficient rank to enable them to carry out an act necessary to an investigation under s3(2) and schedule 2 of the *Police and Criminal Evidence (Application to the Police Ombudsman) Order (Northern Ireland) 2009* ("PACE").
- 5.2.8 The Ombudsman should therefore ensure that her officer appointed to carry out an investigation under s 56 (1) of the 1998 Act is of necessary rank to enable them to carry out a necessary act in an investigation under the applicable PACE legislation.
- 5.2.9 The Ombudsman and those of her officers with delegated authority should be aware of the differing obligations in the appointment of investigators in misconduct and criminal investigations.
- 5.2.10 In ensuring that decisions and actions in all investigations are taken by staff with appropriate status, skills and knowledge, the Ombudsman is ensuring compliance with applicable case-law, guidance and legislation, while also maximising the efficiency and effectiveness of staff and resources.

5.3 Principle 3

Officers of the Ombudsman who have received delegated authority to perform her functions must have a clear understanding of the functions which have been delegated to them, the limits of their authority and awareness that they are accountable for the decisions taken by them.

- 5.3.1 The Ombudsman has a wide statutory authority to delegate any of her functions under Schedule 3, paragraph 9 of the 1998 act with the qualification that any such delegation may only be made to her staff within the Office.
- 5.3.2 This Scheme will expressly designate the investigative functions to be delegated to staff at each level within the Office.
- 5.3.4 The delegation of authority from the Ombudsman to her officer does not entitle that officer to sub delegate that authority. Those who have been granted delegated authority from the Ombudsman cannot transfer that authority to another member of staff.
- 5.3.5 Staff who have been delegated decision making powers by the Ombudsman should be aware that they are accountable for decisions which they make under such delegated authority.
- 5.3.6 The Ombudsman will exercise appropriate management and supervision to ensure that she is kept informed and updated as to functions carried out by her officers under delegated authority.
- 5.3.7 The Ombudsman can extend or revoke any delegated authority when desired and will avail of existing processes to review such delegations.
- 5.3.8 The delegated powers outlined at Chapters 7, 8 and Appendix B below will begin upon the date of this Delegation Scheme or an individual's commencement in a named post, whichever is later. The delegation of the powers to an Officer of the Ombudsman will continue until either the officer is removed from or leaves their position, the Ombudsman withdraws or amends such delegation as per 10.2 below or until the revision of this Scheme under Chapter 13.
- 5.3.9 Once the Ombudsman has delegated powers to an officer under this Scheme, she has no control over the actions or decisions taken by the officer under that delegation, other than to withdraw or amend such delegation.
- 5.3.10 The Ombudsman will usually remove a delegated power from an individual by removing or demoting them from their post. The Ombudsman may also withdraw relevant delegated powers and decisions from an individual officer on a permanent or temporary basis with regard to their specific role at a particular time.

5.4 Principle 4

The delegation of authority by the Ombudsman will be lawful, consistent and ensure procedural fairness.

- 5.4.1 In previous Judicial Review proceedings of which the Office was a party, Gillen J endorsed the view “that a procedurally fair decision making process is of benefit both to the decision maker and the individual affected.” (*Re An Application by Officer O for Judicial Review [2008] NIQB 52*).
- 5.4.2 The Ombudsman should ensure that the delegation of her authority under the 1998 Act contributes to a lawful, consistent and fair approach to the investigative actions and decision making processes within the Office.
- 5.4.3 This Scheme will ensure that an officer of the Ombudsman tasked with the taking of an action or the making of a decision can do so confident in the knowledge that he/she has the lawfully delegated authority to make such an action or decision and satisfied that the decision making process is not subject to reproach.
- 5.4.4 This Scheme will ensure that there is a distinction between the performance of delegated actions and the taking of delegated decisions. The Investigations Manual differentiates between such actions and decision making and this is incorporated into Appendix B attached hereto.
- 5.4.5 All delegated actions and decision making powers listed in this Scheme are incorporated from the Investigations Manual and must be exercised in accordance with the Investigations Manual and all supporting Policy and Guidance as issued by the Office.
- 5.4.6 The Ombudsman will be cognisant of the unique functions of the Office when making delegations of authority and the requirement to ensure that delegations are compliant with her obligations under the European Convention on Human Rights, International Treaties and all applicable national and international case law.

6. Investigative Powers and Decisions Reserved for the Ombudsman

- 6.1 The Ombudsman determines that the following investigative powers and decisions are unsuitable for delegation and duly reserves them for her own action only:
- Where a matter is referred to the Ombudsman by the Chief Constable (under s55(4)) or the Director (under s55(4a)), the decision as to whether it is in the public interest to formally investigate the matter, under s55(5) of the 1998 Act.
 - The power to decide to investigate, of her own motion, any matter which appears to the Ombudsman to indicate that a member of the police force may have committed a criminal offence or behaved in a manner which would justify disciplinary proceedings (and is not the subject of a complaint), if it appears to the Ombudsman that it is in the public interest to do so, under s55(6) of the 1998 Act.
 - If disciplinary proceedings are recommended, but the Chief Constable is unwilling to bring such proceedings, the power to direct the Chief Constable to bring disciplinary proceedings (after consulting with him), under s59(5) of the 1998 Act.

- The power to enter into agreements regarding Constables not maintained by the Board, the National Crime Agency and Immigrations and Customs Functions, under s60(1) of the 1998 Act.
 - The decision to investigate a current practice or policy of the police in the belief that it would be in the public interest to do so, under s60A(1) of the 1998 Act.
 - If a decision is taken to investigate a current practice or policy of the police, the power to inform the Chief Constable, the Board and the Department of Justice of the decision, the reasons and the practice or policy to be investigated, under s60A(3) of the 1998 Act.
 - The power to make reports to the Secretary of State, the Department of Justice or the Policing Board, under s61 of the 1998 Act.
 - The power to publish a statement as to her actions, decisions and determinations and the reasons for these, to include the power to authorise and approve all press releases to the media, under s62 of the 1998 Act.
 - The power to approve a copy of the report of an investigation prior to it being sent to the Policing Board, the Chief Constable and the Department of Justice under Regulation 20 of *the Royal Ulster Constabulary (Complaints etc) Regulations 2000* ("the 2000 Regulations").
- 6.2 The making of delegations for the performance of her functions shall not prevent the Ombudsman performing these functions herself when required.

7. Investigative Powers and Decisions Delegated only to Members of Senior Management

- 7.1 The Ombudsman delegates the following investigative powers and decisions, other than those listed in Appendix B, to the Director of Historic Investigations (for matters prior to the Good Friday Agreement - April 1998) and to the Director of Current Investigations (for matters post the Good Friday Agreement - April 1998):
- The decision as to whether a complaint made about the conduct of a member of the police, which took place more than 12 months before the date on which the complaint is made, should be investigated, under s6 of *the RUC (Complaints etc) Regulations 2001* (the 2001 Regulations).
 - The decision as to whether a referral made about the conduct of a member of the police, which took place more than 12 months before the date on which the referral is made, should be investigated, under s7 of the 2001 Regulations.
 - The decision as to whether a non-complaint matter concerning the conduct of a member of the police, which took place more than 12 months before that time, should be investigated, under s8 of the 2001 Regulations.

8. Further Investigative Powers and Decisions Delegated to Staff

8.1 The Ombudsman delegates the following investigative powers and decisions, as specified in legislation, to the holders of the following named positions within the Office. Delegated authority is also given as a matter of course to those of any higher position, as well as the named position, for each delegated power or decision.

- The power to record and consider each complaint, under s52(3) of the 1998 Act, is delegated to a Complaints Officer.
- The power to determine whether a complaint is a complaint which is about the conduct of a member of the police force which is made by, or on behalf of, a member of the public under s52(3) of the 1998 Act, is delegated to a Complaints Officer.
- Where the Ombudsman determines that a complaint is not about the conduct of a member of the police force which is made by or on behalf of a member of the public, the power to refer a complaint to the Chief Constable, the Board, the Director or the Department of Justice, under s52(6) of the 1998 Act, is delegated to a Deputy Senior Investigation Officer.
- The power to request to the Chief Constable to take such steps, (as appear to the Chief Constable), to be desirable for the purposes of preserving evidence relating to the conduct complained of, under s52(10) of the 1998 Act, is delegated to a Investigations Officer.
- The decision as to whether a complaint is suitable for informal resolution and, if so, the power to refer it to the appropriate disciplinary authority, under s53(1)(3) of the 1998 Act, is delegated to a Complaints Officer.
- Where a complaint is to be formally investigated, the power to appoint an officer of the Ombudsman to conduct the investigation, under s56(1) of the 1998 Act, is delegated to a Deputy Senior Investigation Officer.
- The authority to receive a report on an investigation, from a person appointed to conduct the investigation, once it has concluded (on behalf of the Ombudsman), under s56(6) of the 1998 Act, is delegated to a Senior Investigation Officer.
- The power to consider any report made at the end of an investigation (under s56(6)) and determine whether a criminal offence may have been committed by a member of the police force, under s58(1) of the 1998 Act, is delegated to a Deputy Senior Investigation Officer in Category C cases and to a Senior Investigation Officer in Category A and B cases.
- Where it is determined that a report indicates that a criminal offence may have been committed by a member of the police force, the power to send a copy of the report to the Director together with such recommendations as appear (to the Ombudsman) to be appropriate, under s58(2) of the 1998 Act, is delegated to a Senior Investigation Officer.
- When a report indicating that a criminal offence may have been committed is sent to the Director, and should the Director request, the power to ascertain and furnish to the Director all such further information in relation to the complaint or matter dealt with in the report as

appears to the director to be necessary, under s58(3) of the 1998 Act, is delegated to a Senior Investigation Officer.

- If it is determined that a report does not indicate that a criminal offence may have been considered and it is considered that a complaint is not a serious one, the power to determine that a complaint is suitable for resolution through mediation, under s58A(1) of the 1998 Act, is delegated to a Deputy Senior Investigation Officer.
- The power to act as a mediator should the complainant and the member of the police force concerned agree to attempt to resolve the complaint through mediation, under s58A(3) of the 1998 Act, is delegated to an Investigation Officer, conditional upon them having received and completed the necessary training for such a role.
- If the Director decides not to initiate criminal proceedings, if such criminal proceedings have concluded or if mediation has been unsuccessful, the power to consider disciplinary proceedings and make a recommendation in this regard, under s59(1B) of the 1998 Act, is delegated to a Deputy Senior Investigation Officer in Category C cases and to a Senior Investigation Officer in Category A and B cases.
- The power to send a memorandum to the appropriate disciplinary authority containing a recommendation as to whether or not disciplinary proceedings should be brought, a statement outlining the reasons for the recommendation and particulars of the disciplinary proceedings which are thought appropriate, under s59(2) of the 1998 Act, is delegated to a Deputy Senior Investigation Officer in Category C cases and to a Senior Investigation Officer in Category A and B cases.
- The decision to appoint an officer of the Ombudsman to investigate a matter, under regulation 14 of the *Police (Conduct) Regulations (Northern Ireland) 2016* ("the 2016 Regulations"), is delegated to a Deputy Senior Investigation Officer.
- The power to request such material as may be required from the Chief Constable relating to a complaint or investigation, under regulation 8 of the *Royal Ulster Constabulary (Complaints etc) Regulations 2000* ("the 2000 Regulations"), is delegated to an Investigation Officer.
- The power to decide whether, in consultation with the Chief Constable, a complaint is a matter of unsatisfactory conduct rather than misconduct, and if so, to notify the Chief Constable and forward all relevant material, under regulation 12 of the 2000 Regulations, is delegated to a Senior Investigation Officer.

9. All Remaining Investigative Powers and Decisions Delegated to Staff where Appropriate in Accordance with the Investigations Manual

- ### **9.1**
- The Investigations Manual is a guide for the Investigative Teams to follow in carrying out the investigative functions of the Office.

- 9.2 All such investigative functions as contained within the Investigations Manual are listed in the table exhibited at Appendix B of this Scheme. Such functions have been classified by action or decision. Each function listed in the Table is accompanied by the specific position within the Office having delegated authority to perform such action or decision.
- 9.3 The Table at Appendix B is cross referenced with the Investigations Manual by page and paragraph number for ease of reference.
- 9.4 All of the powers and decisions referred to the Table are delegated as a matter of course to the Senior Director of Investigations, Director of Current Investigations and Director of Historic Investigations.

10. Investigative Powers and Decisions Delegated to Senior Management in the Event of the Ombudsman's Enforced Absence

- 10.1 To ensure the continued functioning of the Office in the event of the enforced absence of the Ombudsman due to serious illness or other such emergency, the Ombudsman will execute Emergency Instruments of Delegation to allow for the emergency delegation of her compliant investigative powers and decisions to Senior Management in such a scenario.
- 10.2 The Ombudsman will execute the Instruments of Delegation exhibited at Appendix C in respect of the delegation of powers in such an emergency to the Chief Executive, Senior Director of Investigations and Director of Current Investigations.
- 10.3 Such Instruments of Delegation will be reviewed regularly, at the same time as the review of this Scheme, or revised more frequently if necessary.
- 10.4 In the case of such an emergency, and having availed of relevant medical or other suitable evidence, it is for the Chief Executive to determine when these Instruments of Delegation will take effect and how long they will take effect for.

11. Withdrawal or Amendment of Delegated Authority

- 11.1 The Ombudsman will usually remove a delegated power from an individual by removing them or demoting them from their position.
- 11.2 Alternatively, the Ombudsman may withdraw or amend delegated powers from a member of staff, while allowing that member of staff to remain in their position. Such withdrawal or amendment may be for a permanent or temporary basis. The withdrawal or amendment must be done in writing from the Ombudsman to the member of staff, with a copy given to their line manager. Such Notice of Revocation must outline the beginning of the revocation, the powers to be revoked and the date for review or cancellation of the revocation. A copy will be given to the officer's Line Manager and to Human Resources for placing on the officer's file.

12. Duration of Delegated Authority

- 12.1 All delegated authorities listed in this Scheme are assigned to specific positions within the office and not to named individuals.
- 12.2 Upon commencement of their appointment to a specific position, each individual member of staff will assume the delegated authority granted to that position under this Scheme.
- 12.3 Any member of staff who leaves the Office will relinquish the delegated authority granted to them upon the cessation of their employment.
- 12.4 Any member of staff who moves to another position within the Office will relinquish the delegated authority granted to their previous position upon leaving that post.
- 12.5 Any member of staff who is temporarily promoted within the Office will only assume the delegated authority granted to the new position for the time in which they hold the temporary position.
- 12.6 Members of staff may also have their delegated authority withdrawn or amended as per 10.2 above.

13. Other Related Policies

- 13.1 This Scheme should be read in conjunction with all other relevant policies and materials issued by the Office and available on its website.

14. Retention and Review of this Scheme

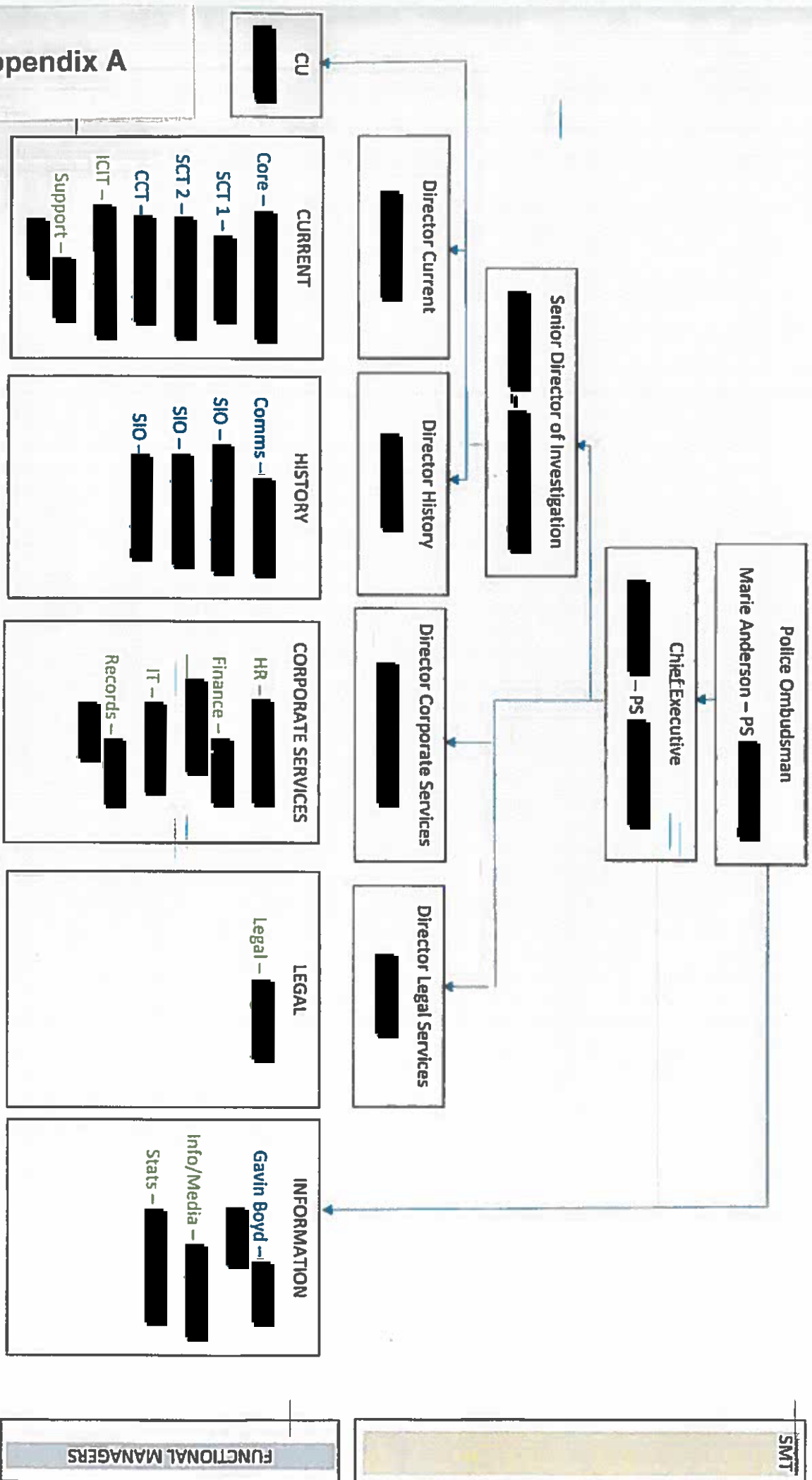
- 14.1 This Scheme will be reviewed every three years or revised more frequently if necessary.
- 14.2 This Scheme details the Delegations made by the Police Ombudsman for Northern Ireland Marie Anderson to her staff within the Office. It should be reviewed by her successor upon the commencement of their tenure and if accepted, will require adoption by them at that stage.

Appendix A: The Organisational Structure of the Office

Appendix B: Table of Investigative Powers Delegated in Accordance with Investigations Manual

Appendix C: Emergency Instruments of Delegation

POLICE OMBUDSMAN FOR NORTHERN IRELAND – ORGANISATIONAL CHART AT FEBRUARY 2021



Appendix A

Appendix B

Table of Investigative Powers Delegated in Accordance with the Investigations Manual

- 1.1 The following delegations are classified in accordance with listed powers of decision making or action. They are cross referenced with the applicable section and page number of the *Police Ombudsman for Northern Ireland Investigations Manual* (November 2013) ("the Investigations Manual").
- 1.2 All of the powers of decision and action referred to below are delegated as a matter of course to the Senior Director of Investigations, Director of Current Investigations and Director of Historic Investigations.
- 1.3 Only those chapters listing specified powers of decision and action within the Investigations Manual have been included.

	The Ombudsman delegates the listed DECISION MAKING powers to:	The Ombudsman delegates the power to perform the listed investigative ACTION to:
INVESTIGATIONS: INITIAL STAGES (INVESTIGATIONS MANUAL – CHAPTER 3)		
Referral from Complaints Office		
Decide if a complaint is suitable for investigation, in accordance with Complaints Office Procedures. (p13)	Complaints Officer	
Forward either: - complaint (s52), - referral (by Policing Board or Secretary of State (s55(1)) - referral by Chief Constable (s55(2) and s55(4)) - matter which appears to the Ombudsman to be desirable in the public interest (s55(6)) to investigations team for immediate investigation. (p13)		Complaints Officer
Allocation of Cases		
Having received complaint, referral or matter of public interest, allocate investigation to an Investigation Officer, taking into consideration the nature and complexity of the investigation. (p13)	Senior Investigation Officer Deputy Senior Investigation Officer	
Provide written direction on the CHS to an Investigation Officer regarding the investigation. (p13)		Senior Investigation Officer Deputy Senior Investigation Officer
Planning the Investigation		
Constantly review decisions made in the course of the investigation, avoid an entrenched position regarding a possible hypothesis and change investigative direction where appropriate. (p13-14)	Investigation Officer	
Immediate Investigations		
Decide if a complaint should be sent for immediate investigation. (p14)	Complaints Officer	
Immediate Action		
Upon allocation of a case, ensure all available evidence, documentation and forensic material is retrieved at the earliest opportunity. (p14)		Investigation Officer
Where a crime scene relates to both alleged misconduct by a police officer and a criminal offence by the complainant, follow the principles as outlined in the Investigations Manual (p14-15)		Investigation Officer
Notification to the Appropriate Authority, the Complainant and the Police Officer Concerned		
Where a complaint has been recorded against a member, send a copy of, or a record of it to the appropriate authority and the complainant (Regulation 6 of RUC (Complaints etc) Regulations) (p15)		Complaints Officer Investigation Officer

	The Ombudsman delegates the listed DECISION MAKING powers to:	The Ombudsman delegates the power to perform the listed Investigative ACTION to:
Where a complaint has been received against a member, or the Ombudsman is to investigate any other matter under s55 of the 1998 Act, send a copy of, or a record of it to a member, when relevant, unless to do so would impede the investigation or any other investigation of the matter. (Regulation 6 of RUC (Complaints etc) Regulations) (p15)		Complaints Officer Investigation Officer
Notification Forms		
Once a complaint is recorded on the CHS, complete Form OMB50 and email it to Internal Investigations Branch. (p16)		Complaints Officer Investigation Officer
If additional allegations are made against member concerned, complete Form OMB50A and email it to Internal Investigations Branch. (p16)		Complaints Officer Investigation Officer
If another member concerned is identified, complete Form OMB50, reflecting the closure status of each allegation made against all the members concerned, and email it to Internal Investigations Branch. (p16)		Complaints Officer Investigation Officer
When a complaint is closed, complete Form OMB51 and email it to PSD (p16)		Complaints Officer Investigation Officer
When a member concerned is positively identified, populate the member's details on the CHS. Complete Form OMB52 in respect of all the allegations against the member concerned and email it to the relevant District Command Unit. (p16)		Complaints Officer Investigation Officer
If further allegations are made against the member concerned, complete form OMB52A and email it to the relevant District Command Unit for dissemination to the member concerned. (p16)		Complaints Officer Investigation Officer
When a complaint is finalised, complete Form OMB53, with each allegation given a closure status, and email it to the relevant District Command Unit for dissemination to the member concerned. If further allegations are made against the member concerned, complete form OMB52A and email it to the relevant District Command Unit for dissemination to the member concerned. (p16)		Complaints Officer Investigation Officer
Nominal Roll		
Look up particular police officers' details on the Nominal Roll (p17)		Complaints Officer Investigation Officer
Protocol for Notification in outside remit or repetitious cases		
Decide that it is clear, from the outset, that a case falls outside the remit of the Office or that it is repetitious. (p17)	Complaints Officer	
Furnish PSD with hard copies of related copies in outside remit cases. (p17)		Investigation Officer Complaints Officer
Where a case has been recorded, but subsequently decided to be outside remit, issue Form OMB51 and OMB53 to advise member concerned and Internal Classification Branch that case has been closed under such classification. (p18)		Investigation Officer Complaints Officer
Identification of Police Officer Subject to Complaint		
Carry out all steps listed in Manual to identify police officer where identification is not established. (p18)		Investigation Officer
Regulation 9 (OMB3) of the Royal Ulster Constabulary (Conduct) Regulations 2000		

	The Ombudsman delegates the listed DECISION MAKING powers to:	The Ombudsman delegates the power to perform the listed Investigative ACTION to:
Decide whether a Regulation 9 Notice should be served. (p18)		Investigation Officer
Record decision of whether Regulation 9 Notice should be served, giving rationale behind determination. (p18)		Investigation Officer
Complete Regulation 9 Notice and detail allegation made. (p18)		Investigation Officer
Sign Regulation 9 (p19)		Investigation Officer
Sign Regulation 9 (in absence of Investigation Officer) (p19)		Senior Investigation Officer Deputy Senior Investigation Officer
Approve content of Regulation 9 Notice (p19)	Senior Investigation Officer Deputy Senior Investigation Officer	
Regulation 6 (OMB50-53) of the RUC (Discipline and Disciplinary Appeals) Regulations 1988 and Regulation 5 of the RUC Reserve Discipline and Disciplinary Appeals Regulations 1988		
For conduct prior to 6 November 2000, issue Form OMB3A along with explanatory note Form OMB3A, using same principles for a Regulation 6 Notice as for a Regulation 9 Notice.	As above for issue of Regulation 9 Notice	As above for issue of Regulation 9 Notice
Service of Regulation 9 Notice (OMB3s)		
Forward completed and approved Regulation 9 Notice to police officer's District Command Unit (DCU) Commander, with cover letter stating service requirements. (p20)		Investigation Officer
Update CHS of all stages relating to Regulation 9 Notice.		Investigation Officer
Notice to police officer no longer subject to Investigation		
Provide approval for service of Form OMB4 / OMB4A / OMB4B. (p20)	Senior Investigation Officer Deputy Senior Investigation Officer	
Where it has been established that the police officer previously served with Form OMB3 / OMB3A / OMB3B, could not have been involved in the conduct alleged in said Form, to serve OMB4 / OMB4A / OMB4B where appropriate (and having obtained approval from SIO or DSIO above). (p20)		Investigation Officer
Risk Assessments		
Carry out risk assessments where appropriate and in accordance with Investigations Manual. (p21)		Senior Investigation Officer Deputy Senior Investigation Officer Investigation Officer
When a potential risk has been identified, decide and then take appropriate action to eliminate or reduce the risks.	Senior Investigation Officer Deputy Senior Investigation Officer Investigation Officer	Senior Investigation Officer Deputy Senior Investigation Officer Investigation Officer

	The Ombudsman delegates the listed DECISION MAKING powers to:	The Ombudsman delegates the power to perform the listed Investigative ACTION to:
DEALING WITH COMPLAINTS (INVESTIGATIONS MANUAL CHAPTER 4)		
Contacting the complainant		
Arrange to see complainant without delay at outset of the investigation. (p23)		Investigation Officer
Record all attempts to contact the complainant on the progress report. (p23)		Investigation Officer
Complainants arrested and detained by police		
Make representations about access to Custody Officer where complainant arrested and detained by police. (p24)		Investigation Officer
Conditional co-operation		
Seek clarification or greater detail about an incident and attempt to meet any conditions to co-operation set by complainant. (p25)		Investigation Officer
Nature of Allegations		
Identify whether the complainant is accusing the officer of criminal conduct. (p25)		Investigation Officer
Identifying and realising complainant's expectations		
Manage complainant's expectations regarding the outcome of his complaint. (p25)		Investigation Officer
Attendance at court		
Advise complainant about potential requirement for attendance at court and / or misconduct hearing. (p26)		Investigation Officer
Investigation without the complainant's co-operation		
Attempt to obtain material which would assist an investigation, even where the complainant fails to provide a statement of complaint. (p26)		Investigation Officer
Provide advice as to the proportionality of pursuing lines of enquiry where the complainant fails to provide a statement of complaint. (p26)	Senior Investigation Officer Deputy Senior Investigation Officer	
Attendance at Complainant's criminal proceedings		
Assess case to identify relevant issues that would require court attendance to monitor proceedings. (p26)	Investigation Officer	
Provide advice as to the possible requirement to attend court to monitor proceedings. (p26)	Senior Investigation Officer Deputy Senior Investigation Officer	
Dealing with aggressive or violent complainants		
Actively promote the safety of staff from threat of violence when carrying out official duties, in accordance with guidance in Investigations Manual. (p27-28)		Senior Investigation Officer Deputy Senior Investigation Officer Investigation Officer
SPECIAL CASES FAST TRACK PROCEDURE (INVESTIGATIONS MANUAL CHAPTER 5)		

	The Ombudsman delegates the listed DECISION MAKING powers to:	The Ombudsman delegates the power to perform the listed Investigative ACTION to:
Criteria		
Having identified conduct which would warrant the fast track procedure (taking into account criteria under Regulation 39(1) and Schedule 3, Part 1 of the Royal Ulster Constabulary (Conduct) Regulations 2000), refer case immediately to Senior Investigation Officer or Deputy Senior Investigation Officer. (p28).		Investigation Officer
Suspension / Repositioning of a police officer		
Determine whether an allegation against a police officer is of a very serious nature. (p29)	Senior Investigation Officer Deputy Senior Investigation Officer	
Having identified that an allegation may necessitate consideration for suspension, complete a report to the Senior Investigation Officer or Deputy Senior Investigation Officer, containing considerations from the PSNI Code, Section 9, Appendix 9 (9) with full regard to the particular circumstances of each individual case, and to include a recommendation for suspension where appropriate. (p30-31)		Investigation Officer
Should a report recommend suspension of an officer, advise the PSNI Chief Constable of such recommendation. (p31)		Senior Investigation Officer Deputy Senior Investigation Officer Director of Investigations
Keep the investigation under review for developments that would bring the continued decision to suspend the police officer into question. (p31)		Investigation Officer
Review all cases involving suspended officers every six weeks and record the review outcome in the progress report. (p31)		Senior Investigation Officer Deputy Senior Investigation Officer
<u>INTERVIEWS AND TAPE RECORDING</u> <u>(INVESTIGATIONS MANUAL CHAPTER 6)</u>		
Misconduct Interviews		
Arrange misconduct interviews through the Operational Planning Office and confirm in writing via the Operational Planning Office to the police officer concerned. (p32)		Investigation Officer
Assess whether a police officer's failure to attend for interview would constitute absence without leave and would therefore be a further breach of the Code of Conduct / Code of Ethics. (p32)	Senior Investigation Officer Deputy Senior Investigation Officer	
Introductions on commencement / recommencement of taped Interviews		
In a criminal interview, assess as to whether there is a reason for the exclusion a 'friend' or Federation Representative from the interview. (p35)	Investigation Officer	
In a misconduct interview, assess as to whether there is a reason for the exclusion the officer's solicitor from the interview. (p35)	Investigation Officer	
In a discipline interview, assess as to whether there is a reason for the exclusion the officer's solicitor from the interview. (p36)	Investigation Officer	
Solicitors and pre-interview disclosure		
Compile a pre-interview disclosure pack for accused police officer and his solicitor in advance of interview.		Investigation Officer
Excluding a solicitor from an interview		

	The Ombudsman delegates the listed DECISION MAKING powers to:	The Ombudsman delegates the power to perform the listed Investigative ACTION to:
Having assessed that a solicitor's approach or conduct prevents or unreasonably obstructs proper questions being put to the suspect or his response being recorded, decide to stop an interview and consult with a superior.	Investigation Officer	
Having been advised by an Investigation Officer of the stopping of an interview due to the approach or conduct of a solicitor, decide as to whether the interview will continue in the presence of that solicitor. If a decision is made to remove the solicitor from the interview, the decision as to whether that solicitor should be reported to the Law Society (p38-39)	Senior Investigation Officer Deputy Senior Investigation Officer Investigation Officer* (*Only if unconnected to investigation and if SIO or DSIO are unavailable)	
<u>PROGRESS REPORT</u> <u>(INVESTIGATIONS MANUAL CHAPTER 7)</u>		
Upon allocation of an investigation by the Senior Investigation Officer or Deputy Senior Investigation Officer, open a progress report, complete a summary of the complaint and subsequently record each action taken (or not taken) and rationale supporting that action (or non-action) in accordance with Investigations Manual. (p39-40)		Investigation Officer
<u>Sensitive Information</u>		
Should sensitive information come into the possession of the Investigation Officer, provide advice as to the methodology for recording it. (p41)		Senior Investigation Officer Deputy Senior Investigation Officer
<u>Confidentiality and security</u>		
Approve all letters to party leaders or senior members. (p42)		Director of Investigations
Provide permission for files to be taken out of the office.		Senior Investigation Officer Deputy Senior Investigation Officer
<u>60-Day Investigation Review Process</u>		
Review all cases 60 days after the case has been allocated to an Investigation Officer, in accordance with the Investigations Manual. (p42)		Senior Investigation Officer Deputy Senior Investigation Officer
<u>Updating complainants and police officers subject to the investigation</u>		
Provide complainants and police officers subject to an investigation with a meaningful update as to the progress of the investigation every 8-12 weeks (and record details on the CHS). (p 43)		Investigation Officer
Provide authority for the contacting of a police officer at their home address (on a rare occasion when this may be required). (p 43)		Senior Investigation Officer
<u>Advice or decisions made by senior personnel</u>		
Record case conferences with Senior Investigation Officer, Deputy Senior Investigation Officer or a member of Senior Management Team. (p43-44)		Investigation Officer
<u>Conclusions and recommendations</u>		
Include a summary of the investigation, recommendations to Senior Investigating Officer and the relevant closure category in progress report at the conclusion of an investigation. (p44)		Investigation Officer
<u>CONCLUSION OF AN INVESTIGATION</u> <u>(INVESTIGATIONS MANUAL CHAPTER 8)</u>		

	The Ombudsman delegates the listed DECISION MAKING powers to:	The Ombudsman delegates the power to perform the listed Investigative ACTION to:
Case closure options on CHS		
Decide on the appropriate closure classification at the conclusion of a case. (p45-46)	Investigation Officer	
Provide advice and direction in relation to the appropriate closure classification where required. (p45-46)		Line Management Research & Performance Directorate
Approve the closure of a call in / out case. (p45)		Director of Investigations
Refer complaints classified as 'Outside Remit' and 'Outside Remit (Policy)' to PSD or, if appropriate, the relevant MOD or Airport / Harbour Police Authority. (p47)		Senior Investigation Officer Deputy Senior Investigation Officer
The Informal Resolution process		
Identify if a case is suitable for Informal Resolution. (P51)	Investigation Officer	
Having deemed a case suitable for informal resolution and obtained the complainant's consent, refer details of the complaint and all relevant material to the Professional Standards Department of the PSNI. (p51)		ICO Complaints Officer Investigation Officer
Records		
If it has proved possible to resolve a complaint by informal resolution, forward a record of the outcome of the complaint to the Police Ombudsman (Reg 5(2) Royal Ulster Constabulary (Complaints) (Informal Resolution) Regulations 2000). (p53)		Complaints Officer Investigation Officer
Send a letter to the complainant on behalf of the Police Ombudsman in confirmation of the understanding that they are satisfied with the outcome and consider no further action necessary (Reg 5(1) Royal Ulster Constabulary (Complaints) (Informal Resolution) Regulations 2000). Send a copy of the Record of Outcome to the complainant if requested, and if so, the sending of a further copy to the member concerned. (p53)		Complaints Officer Investigation Officer Complaints Officer Investigation Officer
If at any stage prior to a statement of satisfaction being recorded, the complainant is no longer happy with the informal resolution process or the informal resolution is unsuccessful, terminate the procedure and return the complaint to the Police Ombudsman for formal investigation (s53(6) Police Northern Ireland Act 1998) (p53-54)		Complaints Officer Investigation Officer
Identifying risks at the end of an Investigation		
Complete a risk assessment at the conclusion of an investigation to highlight inadequacies or concerns. (p54)		Senior Investigation Officer Deputy Senior Investigation Officer Investigation Officer
Unsatisfactory Performance		
Decide as to whether unsatisfactory performance (as opposed to misconduct procedures) are to be invoked. (p55)		Senior Investigation Officer
Identify the performance issues in a memorandum to the Chief Constable of the PSNI. (p55)	Senior Investigation Officer	
Reopening cases of complaint		
Decide whether or not a closed case should be reopened. (p55-56)	Deputy Senior Investigation Officer	

	The Ombudsman delegates the listed DECISION MAKING powers to:	The Ombudsman delegates the power to perform the listed investigative ACTION to:
Having consulted with the Senior Investigation Officer or Deputy Senior Investigation Officer, record the rational behind his/her decision whether or not to reopen a closed case. (p55-56)		Director of Investigations
Trending and Tracking		
When it becomes apparent that an individual police officer is subject to multiple complaints, decide whether a further investigation should be conducted. (p56)	Senior Investigation Officer Deputy Senior Investigation Officer	
Directions from the Public Prosecution Service		
Once notification of a direction is received from the Public Prosecution Service, complete the following: <ul style="list-style-type: none"> - Inform the named police officer and his/her DCU commander of the PPS direction in writing. - Liase with PSD. - Submit a written report to the Police Ombudsman and the Director of Investigations, outlining the police officer's suspension or removal from operational duty. - Prepare a misconduct file in the event of a guilty finding in the criminal court. (p56) 		Senior Investigation Officer Deputy Senior Investigation Officer
<u>STANDARDS OF PROOF</u> <u>(INVESTIGATIONS MANUAL CHAPTER 9)</u>		
Criminal standards of proof		
In cases where criminal allegations have been made, decide as to appropriate recommendations to be made to the PPS. (p57)	Senior Investigation Officer Deputy Senior Investigation Officer	
Send a copy of the Investigation Officer's report to the PPS, together with such recommendations as appear to be appropriate (p57)		Senior Investigation Officer Deputy Senior Investigation Officer
Upon receipt of the PPS decision, advise the complainant either that the PPS has directed no prosecution or that the PPS has directed a prosecution, with brief details of the nature of any offence. (p57)		Senior Investigation Officer Deputy Senior Investigation Officer
<u>MISCONDUCT</u> <u>(INVESTIGATIONS MANUAL CHAPTER 10)</u>		
Police Act (Northern Ireland) 1998 s59(2) - Memorandum		
After any criminal charges have been dealt with, send a memorandum to the appropriate authority containing: <ul style="list-style-type: none"> -The recommendation as to whether or not disciplinary proceedings should be brought in respect of the conduct which is the subject of investigation. - A written statement of the reasons for making that recommendation. - Where proceedings are recommended, such particulars as are thought appropriate (p58) 		Senior Investigation Officer Deputy Senior Investigation Officer
Decide as to the appropriate particulars for inclusion with the memorandum to the appropriate authority. (p58)	Senior Investigation Officer Deputy Senior Investigation Officer	
Misconduct reports		
Compile Investigation Officer's recommendation for Misconduct file. (p58)	Investigation Officer	
Compile Senior Investigation Officer / Senior Investigation Officer's recommendation for Misconduct file. (p58)	Deputy Senior Investigation Officer Senior Investigation Officer Deputy Senior Investigation Officer	

	The Ombudsman delegates the listed DECISION MAKING powers to:	The Ombudsman delegates the power to perform the listed Investigative ACTION to:
Where misconduct has been identified, complete a file with inclusion of Investigation Officer's recommendation, Senior Investigation Officer or Senior Investigation Officer's recommendation and other documentation as listed in Investigations Manual, and forward the file to the PSNI. (p58)		Senior Investigation Officer Deputy Senior Investigation Officer
Transcripts of taped interviews		
Prepare interview summaries. (p59)		Investigation Officer
Provide authority for a full transcript.		Senior Investigation Officer
Misconduct file recommendations		
Decide on recommendations for misconduct within a file. (p60)	Investigation Officer	
Examine Investigation Officer's conclusions and recommendations on misconduct to ensure that they are sensible and justifiable. (p60)		Senior Investigation Officer Deputy Senior Investigation Officer
Referral to the PSNI		
Sign the misconduct file, with appropriate recommendations, prior to it being sent to the PSNI. (p61)		Director of Investigations Senior Investigation Officer Deputy Senior Investigation Officer
Directed tribunals		
Should Chief Constable of the PSNI disagree with the PONI decision to recommend a disciplinary charge, and wish to discuss whether it is possible to seek agreement that no charge is brought or that the charge be varied, to hold such discussion with the Chief Constable. (p62)		Senior Investigation Officer
Having had such discussions with the Chief Constable, decide whether to accept the reasons given, enter into further discussions, or direct that specific charges be brought, giving reasons in writing. (p62)	Senior Investigation Officer	
In exceptional circumstances, recommend to the Chief Constable of the PSNI that a special tribunal be held. (p62)	Senior Investigation Officer	
Present the case to the special tribunal on behalf of the Police Ombudsman. (p62)		Senior Investigation Officer Deputy Senior Investigation Officer
Attendance at misconduct hearings		
Should the presiding officer decide, attend the whole or part of (as directed by the presiding officer) a misconduct hearing. (p62)		Senior Investigation Officer Deputy Senior Investigation Officer Investigation Officer
DISCLOSURE (INVESTIGATIONS MANUAL CHAPTER 11)		
To the complainant		
Having decided that exceptional circumstances exist, provide authorisation to an Investigating Officer to provide a report (to PSNI or PPS) or other documentation, to the complainant or officer under investigation.	Senior Investigation Officer	
Third party disclosure for criminal trial		
Where an Investigator is aware that there are related proceedings, write to PPS to advise that a complaint has been made, that PONI hold relevant information and request an outline of the case against the		Investigation Officer

	The Ombudsman delegates the listed DECISION MAKING powers to:	The Ombudsman delegates the power to perform the listed investigative ACTION to:
defendant and any known or anticipated defence (in order to review case under Criminal Procedure and Investigations Act 1996) (p64)		
Upon receipt of a response from PPS, review the material held by PONI and decide if any material either undermines the prosecution case or assists the defence. (p64)	Investigation Officer	
Provide guidance in relation to disclosure, especially where use of PONI material may have the effect of undermining PONI's independent role and confidence generally in the complaints system. (p64)		Senior Investigation Officer
In civil proceedings		
Having received a request for material to assist in civil proceedings, along with the relevant civil bill or writ, conduct a review of the investigation file and decide if there is material relevant to the issues (and is not confidential), which should be disclosed to each party in the proceedings. (p65)	Investigation Officer	
Make such disclosure to both parties in the civil proceedings and provide guidance to the Investigation Officer when necessary (p65)		Senior Investigation Officer
To the Coroner		
Provide guidance to an Investigation Officer when sensitive material is included within material to be provided to the Coroner. (p65)		Senior Investigation Officer
Disclosure to the police		
Provide advice to an Investigation Officer when consideration is being made as to whether information or evidence should be disclosed to police under the Criminal Law (Miscellaneous Provisions) (NI) Order 2007, Criminal Law Act 1967 or the Terrorism Act 2000. (p65-66)		Senior Investigation Officer
Threats to officers		
Having become aware of a threat to an officer, and where the circumstances are perceived as urgent, pass the information by telephone to PSD immediately.		Investigation Officer
In non-urgent circumstances, pass the information to PSD by means of a 5x5 intelligence report, having reported the matter to a Senior Investigation Officer. (p66)		Complaints Officer Investigation Officer
<u>CONFIDENTIAL UNIT</u> <u>(INVESTIGATIONS MANUAL CHAPTER 12)</u>		
Submitting Intelligence		
Having obtained intelligence from any source, submit it to the Intelligence Unit, via a CHS Controller, on a National Intelligence Form (5x5x5 Form). (p67)		Investigation Officer
With the assistance of the CHS Controller, grade the intelligence using the 5x5x5 system. (p67)	Investigation Officer CHS Controller	
Record all intelligence and perform any necessary dissemination. (p67)		Intelligence Manager
Communications Data		
Having been consulted regarding the completion of the application form for access to communications data (Form ACD1), endorse the form and forward it to the Single Point of Contact (SPOC) within the Intelligence Unit.		Senior Investigation Officer Deputy Senior Investigation Officer

	The Ombudsman delegates the listed DECISION MAKING powers to:	The Ombudsman delegates the power to perform the listed Investigative ACTION to:
Having received a request for communications data, conduct an assessment to ensure the data requested is necessary and proportionate to the investigation. (p67)	Authorised Single Point of Contact (Within Intelligence Unit)	
Provide authorisation for the provision of requested communications data (once approved by the SPOC). (p67-68)	Director of Investigations	
CRITICAL INCIDENTS (INVESTIGATIONS MANUAL CHAPTER 13)		
Having been advised of a critical incident, establish a response team of Investigation Officers and Assistant Investigation Officers. (p69)		Senior Investigation Officer (on-call) Deputy Senior Investigation Officer (on-call)
Core Roles and Responsibilities		
Decide as to whether a matter should be treated as a critical incident, in accordance with the Investigations Manual. (p69)	Senior Investigation Officer (on-call) Deputy Senior Investigation Officer (on-call)	
Complete a call out / attendance at scenes form on each occasion that they attend a scene as a result of a call out (and subsequently forward the form to the Director of Investigations). (p70)		Senior Investigation Officer Deputy Senior Investigation Officer
Establish a response team to perform various roles in the investigation, as per the Investigations Manual (p69)		Senior Investigation Officer Deputy Senior Investigation Officer
To fulfil core roles and responsibilities as per the direction of the on-call Senior Investigation Officer or on-call Deputy Senior Investigation Officer in accordance with the Investigations Manual. (p70-74)		Investigation Officer Office Manager Loggist Receiver and Document Reader Action Manager / Indexer Exhibits Officer Family Liaison Officer Search Co-Ordinator House to House Co-Ordinator Intelligence Officer
Conclusion of Investigation Into Suspicious Deaths		
Liaise with Police, Coroner and Pathologist to decide on the issue of tissue retention. (p80)	Senior Investigation Officer Deputy Senior Investigation Officer	
DISCHARGE OF FIREARMS (INVESTIGATIONS MANUAL CHAPTER 15)		
Procedures		
Following the investigation involving the discharge of firearms, compile a report under Regulation 20 of the Royal Ulster Constabulary (Complaints etc) Regulations 2000 (p90)		Senior Investigation Officer
Joint Protocol Investigations		
In joint protocol investigations, agree protocols involving primacy at scenes, exhibit and forensic strategies and media appeals with the PSNI. (p96)	Senior Investigation Officer	
Tasers		

	The Ombudsman delegates the listed DECISION MAKING powers to:	The Ombudsman delegates the power to perform the listed Investigative ACTION to:
Decide as to whether to commence an investigation in response to reports relating to a Taser device being arced or the aiming of the aiming of the laser sight red dot on a subject. (p96)	Senior Investigation Officer	
DEATHS IN POLICE CUSTODY (INVESTIGATIONS MANUAL CHAPTER 16)		
Remit and Exceptions		
Decide as to whether a potential death in custody case is within the remit of the Police Ombudsman, as per directions in the Investigations Manual. (p100)	Senior Investigation Officer	
RECONSTRUCTIONS (INVESTIGATIONS MANUAL CHAPTER 17)		
Arranging a reconstruction		
Having consulted with the Senior Investigating Officer or the Deputy Senior Investigation Officer, decide on the form of the reconstruction, to include the impact the reconstruction may have on the victim's family, the objectives of the reconstruction and what should and should not be revealed. (p105)	Investigation Officer	
The post mortem		
Brief the pathologist to ensure the investigative needs are fully communicated. (p106)		Senior Investigation Officer Deputy Senior Investigation Officer Investigation Officer
Take samples as required, seize and exhibit the deceased's clothing and photograph the body (p107)		Scenes of Crime Officer
DISCHARGE OF AEPS (INVESTIGATIONS MANUAL CHAPTER 18)		
Following such an investigation, compile a report under Regulation 20 of the Royal Ulster Constabulary (Complaints etc) Regulations 2000 (p110)		Senior Investigation Officer
Arrests		
Decide on an Arrest Strategy, in accordance with strategic issues outlined in Investigations Manual (and record in Decision Log). Further document reasons for arrest and why certain preparatory action taken / not taken (p114-115)		Senior Investigation Officer Deputy Senior Investigation Officer Investigation Officer
Pre-Arrest – Legal Points		
Decide as to whether to apply to the Magistrates Court for a warrant under Article 10 Police and Criminal Evidence (NI) Order 1989. (p115)	Senior Investigation Officer Deputy Senior Investigation Officer Investigation Officer	
Risk Assessment		
Conduct a risk assessment of the arrest, based upon all the available evidence. (p117)		Senior Investigation Officer Deputy Senior Investigation Officer Investigation Officer
Exhibits		
Nominate an Investigations Officer to perform the role of Exhibits Officer. (p121)	Senior Investigation Officer	

Appendix C

Police (Northern Ireland) Act (Northern Ireland) 1998 (the 1998 Act)

I, Marie Anderson, Police Ombudsman for Northern Ireland hereby authorise [REDACTED] Chief Executive the function of exercising all of my powers pursuant to Part VII of the 1998 Act other than those powers under sections 52 to 54 and section 55(6) of the 1998 Act.

Dated this day of 2020

Signed _____
Marie Anderson

Police (Northern Ireland) Act (Northern Ireland) 1998 (the 1998 Act)

**I, Marie Anderson, Police Ombudsman for Northern Ireland hereby authorise [REDACTED]
[REDACTED] the Senior Director of Investigations the function of exercising my power to
commence an own initiative investigation pursuant to section 55(6) of the 1998 Act.**

Dated this day of 2020

Signed _____

Marie Anderson

Police (Northern Ireland) Act (Northern Ireland) 1998 (the 1998 Act)

**I, Marie Anderson, Police Ombudsman for Northern Ireland hereby authorise [REDACTED]
[REDACTED], Director of Current Investigations the function of exercising my power
to receive, classify, informally resolve and formally investigate complaints pursuant
to section 52 to 54 of the 1998 Act.**

Dated this day of 2020

Signed _____

Marie Anderson