

Annual Report and Accounts

For the year ended 31 March 2007

Together with the Report of the Comptroller and Auditor General



Glossary of Abbreviations

AEP	-	Attenuated Energy Projectiles
C&AG	-	Comptroller and Auditor General
CCTV	-	Closed Circuit Television
CETV	-	Cash Equivalent Transfer Value
CPIA	-	Criminal Procedure & Investigations Act 1996
CS Spray	-	CS Incapacitant Spray
DCU	-	District Command Unit
FReM	-	Financial Report Manual
FRS	-	Financial Reporting Standard
HET	-	Historical Enquiries Team
HMRC	-	Her Majesty's Revenue and Customs
ICIS	-	Integrated Crime Information System
IIP	-	Investors in People
IPCC	-	Independent Police Complaints Commission
NDPB	-	Non Departmental Public Body
NIO	-	Northern Ireland Office
NIPB	-	Northern Ireland Policing Board
NIPSA	-	Northern Ireland Public Service Alliance
NISRA	-	Northern Ireland Statistical Research Agency
PACE	-	Police and Criminal Evidence
PCSPS	-	Principal Civil Service Pension Scheme
PPS	-	Public Prosecution Service (formerly DPP)
PSNI	-	Police Service of Northern Ireland
RUC	-	Royal Ulster Constabulary
UKIS	-	United Kingdom Immigration Service

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Police Ombudsman for Northern Ireland

ANNUAL REPORT AND ACCOUNTS FOR THE YEAR ENDED 31 MARCH 2007 Together with the Report of the Comptroller and Auditor General

Laid before the Houses of Parliament by the
Secretary of State for Northern Ireland in
accordance with paragraph 61(3) and (6)
and schedule 3 paragraph 12(1) and (2)
of the Police (Northern Ireland) Act 1998

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Foreword



Dear Secretary of State

I have pleasure in submitting to you the enclosed Report which is my sixth and final report on my work as Police Ombudsman for Northern Ireland.

It has been a privilege to hold this Office, and to serve the people and police of Northern Ireland. The challenges which we face, and have faced, are many, but the commitment, loyalty and dedication of my staff have enabled us to achieve, yet again, an outstanding level of confidence in the Office, both among all the people and among the police. Most notably 78% of the public and 77% of police officers who have been investigated believe in our impartiality. This could not have been achieved without the support of many within the community and within the wider criminal justice world, but, primarily, it is the product of much hard work by my colleagues.

With my Chief Executive and my Senior Management Team, I have much pleasure in commending this Report to you.

Yours sincerely

Nuala O'Loan (Mrs)

Police Ombudsman for Northern Ireland

Index to the Annual Report and Accounts

■ Foreword	2
■ Report of the Police Ombudsman	4-13
■ Report of the Chief Executive	14-21
■ Review of the Work and Performance of the Office	22-51
■ Remuneration Report	52-56
■ Statement of the Police Ombudsman for Northern Ireland and the Chief Executive's Responsibilities	57
■ Statement on Internal Control	58-59
■ The Certificate and Report of the Comptroller and Auditor General to the Houses of Parliament	60-61
■ Operating Cost Statement	62
■ Balance Sheet	63
■ Cash Flow Statement	64
■ Notes to the Accounts	65-79

[CLICK ON SECTION HEADING TO LINK TO RELEVANT PAGE](#)

Report of the Police Ombudsman

CONFIDENCE

I cannot help but reflect that the first time the Northern Ireland Statistics and Research Agency carried out an independent survey of the public's attitude to my Office, in October 2000, just before the Office opened, their figures suggested that 57% of respondents had heard of us.

We have come a long way in the six years since November 2000. When the same research agency surveyed the public earlier this year, their results indicated that 88% of the population had heard of our work: an increase of more than 30%.

More important to me, however, was that the work of my staff is accepted across both communities and by the police officers we have dealt with. Results from the latest survey, carried out in January and February of 2007, indicated that 86% of the population accept that we are an independent organisation. Those figures include 88% of Protestants asked and 83% of Catholics. 78% of people accept that we are impartial (84% Catholic and 74% Protestant). 82% of the population accept that we help police do a good job (87% Catholic and 78% Protestant).

We also surveyed the police officers who have been subject to investigation as a consequence either of a complaint by a member of the public, or as a consequence of a referral or call in. The results indicated that 92% of the officers we investigated believed we had dealt with them in an impartial way. 83% of those officers said we had treated them fairly.

It is not only the public and the police who value the work of my staff. The Security Minister Paul Goggins MP who went on a tour of my Office in July last year, said the police accountability mechanisms we operate are a 'modern day model' which have set very high standards for others to follow.



Former Northern Ireland Security Minister, Mr Paul Goggins MP, pictured with the Police Ombudsman.

Earlier in the year another visit to our headquarters brought about similar praise. In April, the Chairman of the Garda Síochána Ombudsman Commission, Judge Kevin Haugh said the openness and professionalism of everyone he had met was striking.

We also accommodated a number of visits from overseas by government delegations and individuals seeking to understand the police complaints system here and to consider adopting or adapting our system in their own countries. They came, amongst other places, from Turkey, America, Venezuela, England, the United States of America, Canada, Switzerland, Norway, Italy, Australia, Kuala Lumpur, Iraq, and Macedonia.



The Chief Executive of the Police Ombudsman's Office Mr Sam Pollock (fourth left), pictured with a delegation of journalists from the Basque territory. The journalists were shadowing the Basque Minister of Justice, Joseba Azcarraga, who also visited the Office as part of a fact-finding tour of Northern Ireland.

INVESTIGATION FOLLOWING A DEATH

Every death which may have resulted from the conduct of a police officer must be referred to my Office for investigation. Since I took office in November 2000 we have investigated 31 such deaths. Those deaths have arisen in a variety of circumstances. The Chief Constable also refers to us cases in which there are allegations in relation to the investigation by police of any death.



FATAL INCIDENTS DEALT WITH PREVIOUSLY

In accordance with legal requirements many reports were issued in previous years following investigations of matters relating to deaths which had occurred. These included:

- the death of a man at a railway station shortly after he had been released from police custody;
- a fatal collision, in which a man died, which occurred following a 30 mile police pursuit of a van in 2003;
- the death of a 15 year old boy who had been sniffing solvents and had been challenged by police in 2003;
- the death of a man who was caught in the gates of Strabane Police Station in 2003;
- the death of a man who was struck by a stolen car which had been reported to police some four hours before the fatal accident in 2003;

- the death of a woman following a road traffic accident after police followed a car which left the car park of a public house and was driven at speed in 2002;
- the death of a man who was reported to police to be walking down a motorway one evening in the dark and was struck by a car very shortly after the report was received by police, and before they could reach him, in 2002;
- the death of a man who was knocked down by a police car as he crossed a city street in 2002;
- the death of another man in a police cell in 2001;
- the death of a man found hanged by his shoelaces in police custody in 2001;
- the deaths of 3 people in a road traffic collision following a police pursuit of a car which was initiated, but called off, by police officers in 2001;
- the death of a man following a police chase and an accident in which the car being pursued crashed into a building in 2001;
- the death of a woman who died after falling from a height after police removed her from a hospital psychiatric unit at the request of hospital staff in 2001;
- the death of a man who was found hanged some five hours after he was released from police custody in 2001;
- the death of another man found hanged after he was released from police custody in 2001;
- the death of another man whilst in police custody in 2001;
- the Report into matters relating to the Omagh Bombing in 1998;
- the investigation of the death of a man murdered in 1997;
- the investigation of the murder of a man in 1990;
- the death of a UDR soldier murdered whilst at work in 1987;
- the death of a man in Derry/Londonderry following an attack on him and on his children by police officers in 1969.

FATAL INCIDENTS REPORTED ON THIS YEAR

THE DEATH OF ALICE McLOUGHLIN

In May of 2006 my Office published the findings of a two-year investigation into circumstances surrounding the death of a young Portadown woman, who died from a bullet from an off-duty police officer's gun. I concluded that there was no evidence that her death was anything other than a tragedy. I rejected an allegation that the officer was responsible for the death of 16-year-old Alice McLoughlin, that he lied about knowing her and that police conspired to cover up the relationship. I did, however, partially uphold a complaint that there were significant failings in the RUC investigation of Alice's death, particularly in forensic aspects of the investigation.

THE DEATH OF RAYMOND ROBINSON

In July, we reported our findings following an investigation into circumstances surrounding the death of a 19-year-old man who drowned in a stream following an incident in which the car he was driving was followed by a police car near Whiteabbey in County Antrim. Raymond Robinson got out of his car and began to run. The police car followed him and he ran down into a river. He was drowned when the police car slid down a steep 12-15 foot bank and landed on top of him, trapping him under water. After reviewing the evidence of the case I concluded that while no individual officer was guilty of misconduct, severely deficient police training and pursuit policies may have contributed to the fatality.



The Police Ombudsman, Nuala O'Loan at launch of Raymond McCord Junior report.

THE DEATH OF JEAN McCONVILLE

In August, I made a public statement in which I said that I had found no evidence that Jean McConville, a widow with ten children who was abducted from her home at Divis Flats in west Belfast in December 1972 by the IRA and killed, had been an informant nor had she passed information to the police, the Army or the Security Services. I had been able to make that statement following my investigation into a complaint from Mrs McConville's family that police had not dealt properly with her disappearance. I concluded that police did not conduct any investigation into her disappearance for more than 20 years.

THE DEATH OF STEPHEN RESTORICK

In December I issued the findings of an investigation which found that the murder of Stephen Restorick, the last serving soldier in Northern Ireland to be killed by the IRA, could not have been prevented. Lance Bombardier Stephen Restorick was shot by a sniper on February 12, 1997 as he manned a vehicle checkpoint at Bessbrook in South Armagh. His parents made a complaint to me after they read an article in a Sunday newspaper which claimed his murder could have been prevented.

THE DEATH OF RAYMOND McCORD JUNIOR

In January 2007, I released the findings of our three-and-a-half-year investigation into a series of complaints about police conduct in relation to the murder of Raymond McCord Junior in November 1997.

I upheld a complaint from his father, Raymond McCord, that over a number of years police acted in such a way as to protect informants from being fully accountable to the law.

The investigation proved the most complex we have ever undertaken. More than 100 serving and retired police officers were interviewed, 24 of them 'under caution.' Members of the public were also interviewed. Police computer systems were examined and more than 10,000 items of police documentation were recovered, including material held within intelligence systems, on personal records, in police journals, in crime files and from other sources. Corroborating material was also recovered from a number of other non-police sources.

My investigators encountered a number of difficulties, including the fact that a number of documents were either missing, lost or destroyed. These included parts of murder files, decision logs and intelligence documents. This general absence of records has prevented certain officers from being held to account. It was a difficult, and at times very sad investigation, both to conduct and to report on.

The report was accepted by the Prime Minister, the Secretary of State, the Policing Board and the PSNI, and was also accepted by the Taoiseach of the Republic of Ireland. I believe the PSNI has made significant changes and introduced new policies in relation to its handling of informants. They have accepted all of the recommendations contained in our report. I am satisfied that the PSNI have accepted the mistakes of the past and put in place policies and procedures to help ensure they will not happen in the future.

FATAL SHOOTING INCIDENTS

In addition to these cases we have investigated two fatal shootings by police, one of which occurred in 2003 and one in 2006. The report on the first shooting of a young man in a car in Ballinderry cannot be published until after the trial, for related criminal offences, of a person who was in the car with the deceased and was also shot by police. That trial is expected to occur in September 2007.

The second case involves the death of young man who was shot by police in Ballynahinch in April 2006. That investigation is ongoing.



OTHER SIGNIFICANT REPORTS

PARADES

Incidents arising as a consequence of Parades have to be dealt with by police and are reflected in complaints to this Office. In June of 2006 I recommended that the Parades Commission should issue detailed maps when giving determinations about the routes of marches. It was one of the recommendations arising from my Office's investigation into the police handling of a Black Preceptory parade in Lurgan town centre in July 2004. We found that the Commission ruling contained such a degree of ambiguity that it could have been interpreted in a number of ways. We also found that the PSNI breached a Parades Commission determination, but said that the ruling was unclear and that the police officer in charge acted in good faith.

We returned again to parades in July 2006 when we published findings of an investigation which established that the police handling of an Orange Order parade and Nationalist protests on the evening of 12 July 2004 at Ardoyne in North Belfast was in general justifiable, and was overshadowed by 'intelligence' reports that elements on both sides were planning violence. Representatives of the Nationalist/Republican community - including Sinn Féin, the SDLP, and a group based in Ardoyne - lodged a number of complaints. It was alleged, among other things, that police did not plan for or handle the parade impartially, and that the human rights of Nationalist residents in the area had been compromised. However, while finding that police did not consult with Nationalists/Republicans prior to the parade in the same manner as they did. Orangemen/Loyalists, I said that lack of a formal mechanism to allow consultation between police and Republicans was partly to blame. I also said that there was evidence to show that police had attempted to balance the human rights of both parade supporters and protestors, while attempting to minimise the potential for violence. I also said that there was no overall evidence to indicate that police failed to plan for the event in an impartial way.

The erection of screens along the shop fronts at Ardoyne represented an intrusion into the right of people in the area to 'live, work, shop trade and carry on business' under Article 8 of the European Convention of Human Rights but the police action was justified in the circumstances.

SERIOUS ASSAULT

In July 2007 I released my findings into a complaint that police had not dealt properly with an attack on a man who was assaulted on 23 October 2002 in Larne and suffered extremely serious injuries. I concluded that while many aspects of the police investigation were conducted with due rigour, the initial police response was inadequate. Only seven police officers were on duty in Larne District Command Unit - which has a population of more than 30,000 people. I believe the lack of police resources in Larne on the night of the attack had inhibited the police investigation of the attack.

OTHER STATUTORY REPORTS

I am required by Regulation 20 of the RUC (Complaints etc.) Regulations 2000 to report to the Secretary of State, the Chief Constable and the Northern Ireland Policing Board on matters which are investigated where there has been no public complaint, but there has been a statutory referral to the Office or a decision by me to investigate a matter in the public interest. In the course of the year we issued 26 such reports which are referred to at page 29 of this Annual Report.

WORKING WITH THE PSNI AND OTHERS HAVING POLICE POWERS IN NORTHERN IRELAND

My staff and I interact daily with officers of the Police Service of Northern Ireland at all levels. We have developed a set of structures which mirror the Gold, Silver and Bronze Structures of the National Intelligence Model. Meetings occur regularly, and provide the mechanism through which the two organisations can ensure maximum effectiveness whilst maintaining their independence.

We make regular contributions to police training, and I try to ensure that I meet every class of trainee officers during their initial probationer training.

These sessions are subject to evaluation by the students and their response is almost invariably very positive. I have been much impressed by the calibre of students whom I have met over the year, both those who are embarking on initial training, and those who served for many years in the RUC/PSNI Reserve and who are now training to be full members of the PSNI. In addition to this we make regular contributions to PSNI firearms and senior investigating officer training. This involves a very significant commitment by me and by my staff to police training, and is accepted by all involved as resulting in enhanced understanding of the police complaints system.

We also provided a service in respect of agencies other than the PSNI for whom we have responsibility under the Police (Northern Ireland) Act 1998 - the Ministry of Defence Police, Belfast Harbour Police, Larne Harbour Police and the Belfast International Airport Police. We now have a statutory duty to provide a system for dealing with complaints against the Serious Organised Crime Agency in respect of things done by its staff in Northern Ireland. We are currently engaged in discussions to create an agreement, in relation to these matters, as required by section 55 of the Serious Organised Crime and Police Act 2005.

Very few complaints are received in respect of these agencies, but the existing Protocols under which we operate are currently working well. Five complaints were received this year against Belfast Harbour Police. No complaints were received against the other organisations.

THE POLICE ASSOCIATION

Relationships with the Superintendents Association and with Chief Officers continue to be good. Although meetings with the Superintendents Association are infrequent, nevertheless necessary business is discussed and dealt with as appropriate. The normal routine of meetings with the Constitution and Discipline Committee of the Police Federation for Northern Ireland continued throughout the year. The last meeting was on 13 March 2007. Much useful business was done and I would like to express my thanks to this Committee for the positive manner in which the members discharged their duties on behalf

of the federated officers. On a number of occasions I have made representations to the Chief Constable in relation to matters involving equipment and resource issues which were troubling the Police Federation and its members.

I would like to place on record my appreciation of the contribution made by Federation "Friends", who accompany officers when there are non-criminal complaints being investigated by my staff. The Federation Friends play an invaluable role in assisting their colleagues in such circumstances. It is regrettable that the Central Committee of the Police Federation for Northern Ireland has consistently refused to meet me since the day of my appointment on 6 November 2000.

INFORMATION

It was a very busy year for my Information Office in telling the public about our work and answering questions from the media and public representatives. We issued 42 press releases last year - the largest number in any year since we opened. Public interest in the Office is higher than it has ever been. During the year newspapers published more than 2,200 stories about our work: that was almost double the previous year's number. Our website attracted almost 12,000 visits each month during the year, which is almost three times the traffic it attracted in previous years. Our web-site is visited more frequently than any other criminal justice organisation apart from the PSNI. During the year we also received 28 requests for information under the Freedom of Information Act and responded to 26 Parliamentary Questions.

As part of our information programme we make it a priority to visit people in the community and hear their views on the police complaints system and to visit police officers and tell them about the work we do. Last year we held at least 52 meetings with members of the public in various locations across Northern Ireland. In our programme to police, we gave presentations to more than 1,700 officers. On each occasion we ensure that those attending have every opportunity to speak privately or publicly to us, as we value these interactions.

HELPING OTHER POLICE OVERSIGHT AGENCIES

During the last twelve months significant work has been done in Scotland and Ireland to introduce new police accountability mechanisms. We were pleased to be able to provide some assistance to the new system for Scotland which is still at the planning stage. We have also worked closely with the Garda Síochána Ombudsman Commission, which was established to deal with complaints against the police in the Republic of Ireland. We provided a significant amount of policy documentation and investigation procedures to the Commission who acknowledged gratefully the help which they had received. We were also pleased to see other agencies developing training on the model devised by this Office with the University which currently provides our training.

In addition to this we were honoured to be invited to attend and speak at a number of overseas events such as the meeting in Paris hosted by the French Police Oversight Commission, the Helsinki Committee for Human Rights Conference in Sweden and the International Congress of Ethics in Ottawa, the National Association for the Civilian Oversight of Law Enforcement in the United States, the Canadian Association for the Civilian Oversight of Law Enforcement and the International Law Enforcement Forum, in addition to all our other speaking engagements both nationally and internationally.



The Police Ombudsman (third right), Chief Executive Sam Pollock (second right), and Senior Director of Investigations Justin Felice (second left), pictured with members of the Garda Ombudsman Commission during a visit to the Police Ombudsman's offices in Belfast.

RETIRED POLICE OFFICERS

When people leave their employment they often want to close that chapter of their life's journey and to move on. We understand that absolutely. However, on many occasions it is necessary to seek assistance from retired police officers who may be able to assist investigations in which we are engaged because of their prior involvement in some or all of the issues. On such occasions we will approach officers and seek their assistance. In some cases they are more than willing to help and we have much appreciated the professionalism of those who do their best to assist an investigation of a matter with which they may have dealt twenty or thirty years ago. We consider that this is clear articulation by them of their continuing professionalism.

There are others, however, who refuse to assist, no matter how respectfully and carefully we approach them. They may be in possession of explanations or information which would assist an enquiry. Were they to share that information with us, it might bring some closure to people who have suffered terribly as a consequence of their suspicions about police misconduct and the consequences thereof in terms of suspected collusion with terrorists.

We do not wish to interview them as suspects. Were that the case we would, of course, conduct formal interviews under caution as required by the Police and Criminal Evidence Order. Rather we want to speak to them as witnesses, and we therefore seek an interview during which we identify whether, and if so how, they can help us. We then prepare a statement, when necessary, for them to sign so that their evidence is articulated with as much clarity as they can achieve. I would like to express my appreciation to those retired officers, and they are many, who have come forward and assisted us as witnesses.

WORKING WITH OTHER AGENCIES AND ORGANISATIONS

Since the Office was established we have worked hard to establish good relationships with our partners in the criminal justice world and beyond it. We have established protocols with a number of the agencies with whom we deal and are currently engaged in the formulation of an additional protocol with HM Coroners, and with the Security Service MI5. These protocols are important because they give clarity to the professional relationship between my Office and the various agencies with which we work or interact. There are, for example, areas of common interest with the Northern Ireland Policing Board, the Northern Ireland Human Rights Commission and the Northern Ireland Commissioner for Children and Young People, and the protocols provide processes through which the organisations co-operate in the interests of those for whom services are provided. We also met, among others, with the Independent Monitoring Commission, Healing Though Remembrance, the Interim Victims Commissioner, the Prisons Ombudsman, the Public Prosecution Service and all the political parties. In addition to this we seek to work as closely as possible with voluntary and community groups who are engaged in work which relates to policing.

THE TRANSFER OF PRIMACY OVER MATTERS OF NATIONAL SECURITY

This year saw the election of the Northern Ireland Assembly, which had been in suspension for five years. During the year preparations continued for the devolution of justice and security, and our Chief Executive is a member of the Devolution Committee which is working towards devolution in May 2008. At this juncture, whilst policing and justice matters will not yet be devolved, primacy in national security matters will transfer from the PSNI to MI5 in October 2007. As a consequence of these developments police officers will work with MI5 officers, whilst continuing to be accountable, to some extent, to me as Police Ombudsman.

We are therefore currently negotiating a protocol with MI5 and the PSNI to enable the maximum exercise of the accountability arrangements in this novel context.

At the present time, I have a statutory right of access to all information and material held by the police. I do not have such a right in respect of MI5. However, where our investigations have involved alleged serious crime, MI5 have the power to give me access, and they have not refused any request which we have made, and have supplied material in response to such requests. This has been enormously helpful. In the future it will not be possible for my staff to access, as of right, materials and information held by MI5, which are dealt with by the PSNI officers. This causes me significant concern. It is the case that the Criminal Cases Review Commission have a statutory right of access to MI5 files in the exercise of their duty. I do not understand why a similar facility cannot be granted to my Office.

In the McCord Report, which I published this year, I explained how the absence of proper structures for the handling and dissemination of intelligence, in the context of the absolute primacy of Special Branch over the remainder of the PSNI, led to dysfunction, which resulted in failure properly to manage informants, and failure to deal with them for the crimes of which they were suspected.

The perceived impunity with which certain individuals allegedly committed crime after crime, contributed to an element of distrust and disconnectedness from policing. It is vital that the new arrangements for handling national security matters in Northern Ireland are accompanied by proper accountability mechanisms.

During the period covered by my McCord investigation there was deliberate non-compliance with legal requirements for the preservation of documentation such as strategic operational plans, and material relating to individual operations. This must not happen again,

and it is equally vital that all those, such as the Surveillance Commissioner, who have a responsibility for ensuring compliance by handlers, controllers and managers with the law, are robust in their scrutiny, and that PSNI management ensures that all the requirements of the law are complied with at all times.

MEDIATION

Each year as I have prepared my Annual Report, I have reflected on the fact that we still do not have the legislative change which is necessary to enable us to introduce modern methods of dispute resolution to the police complaints process. As I prepare to leave office I am saddened that the public and the police are still required to engage in unnecessarily bureaucratic processes, which are required by statute, in the investigation of the more simple complaints. We have worked incessantly trying to achieve a change in the law, but we have not been able to get the necessary legislative amendment. Our incoming work has grown over the years. Our staff are working with unacceptable case loads, and as a consequence our ability to deliver timely and effective outcomes have been seriously hampered.

We have had to use precious resources to conduct formal investigation of matters which could be rapidly and more effectively dealt with through mediation. The consequential and unavoidable use of resources to investigate that which could and should be mediated is quite simply wrong. It is my very clear hope that government will arrange for the necessary legislative vehicle to enable this long overdue and much needed development in complaints handling.

THE LEGACY OF THE TROUBLES

Parliament legislated in 2001 to give me a statutory duty to investigate grave or exceptional cases where the incident occurred more than a year ago. I have received a huge number of complaints and referrals from the Chief Constable, alleging a variety of police failures. Such matters almost invariably arise as a consequence of murders affecting all parts of the community – Catholic families, Protestant families, families of murdered police officers, soldiers and prison officers. They have included allegations that the police allowed a murder to happen, that a police officer was involved in murder and that police failed to investigate a murder because they wanted to protect someone or something. These really are the most serious of complaints, involving, as they do, allegations of state collusion in murder. The law requires that they be investigated by my Office.

In 2006 the Chief Constable of the PSNI set up the Historic Enquiries Team (HET) with a remit to review all the deaths of the Troubles. Government funded the PSNI to do this work, and provided funding to the Forensic Science Service and the Public Prosecution Service to do the work which would result from the PSNI reviews. No funding was allocated to my Office. The total budget was stated to be £34m. Following representations £93,000 was allocated for the period from January to March 2006, and £497,000 was allocated during 2006/2007 to enable my Office to set up a team (the Sapphire Team) to deal with those referrals which had to come, by law, to this Office for investigation and to begin the investigation of cases. We have the sum of £895,000 for the year 2007/2008.

However, after that we have no assurance of sufficient funding. HET have notified us of the existence of many cases which require to come to the Office for investigation. We are currently working on 44 cases. HET is currently reviewing cases from the period September 1972. It is anticipated by both the PSNI and my Office that further cases will have to be referred by PSNI for investigation.

Most recently we have received a number of complaints from families who claim that their loved ones were murdered as a consequence of the State's failure to deal lawfully with State agents in the Loyalist and Republican communities. These complaints require to be investigated.

Whilst I recognise that society may choose, in the future, to develop alternative methods of dealing with the past, I am required by law to investigate these cases. I do not have any discretion in the matter. The budget allocated for the normal work of the Office is insufficient to resource the work of our Sapphire Team. I am therefore asking Government to ensure that I have the funds necessary to carry out my statutory duty. Without those funds it will be the case that the PSNI will be able to investigate all the murders of the Troubles other than those where there is a suspicion of police involvement. However, cases where there are allegations of breaches by the United Kingdom of its obligations under Article 2 of the European Convention on Human Rights will not be investigated. Quite simply unless my Office is resourced for this work, serious allegations including police collusion in murder may not be investigated.



The Police Ombudsman with representatives from People with Disabilities in Ireland at the 'Experiences of Young People with Disabilities in Rural Areas' conference.



Police Ombudsman staff present a cheque to Ulster Cancer Foundation following a series of fundraising events.

OUR STAFF

Much work has been done since the Office was established to ensure that our staff have access to as much training and support as possible. The work which we do is, on many occasions, both sensitive and difficult. Community confidence in the Office is at its highest since the Office was established, and this is the consequence of the hard work of so many people within the Office. We were very pleased to attend the Investors in People Award Ceremony in November to receive our IIP award. It comes as a recognition of the investment which we have made in staff over the six years, and of the care and concern which staff manifest towards each other in their daily work. I wish to record, in this my final Annual Report, my gratitude to my colleagues for the loyalty, commitment and professionalism which they have displayed since the Office opened, and which has been recognised across the whole community.



Director of Corporate Services Olwen Laird (right) and Training Officer Sharon Browne receive the Investors in People award from David McAuley of the Department of Education and Learning.

Nuala O'Loan

Police Ombudsman for Northern Ireland

Report of the Chief Executive



INTRODUCTION

I am pleased to report to the Police Ombudsman and through her to the Secretary of State on the business and performance of the Office. I appreciate the work of our Directors and staff in providing information and detail for this Report. I also appreciate the great effort of the Auditors in undertaking their audit work in time to meet the statutory requirement for this Report to be provided to the Secretary of State by 30 June and laid in Parliament in July. The work of all Directorates within the Office is illustrated in detail in the Review of the Work and Performance of the Office page 24 to 82. I also recommend that you visit our website for more detail on our work. www.policeombudsman.org.

VISION

This is the sixth Annual Report to be issued by the Police Ombudsman. Mrs Nuala O'Loan, Police Ombudsman, has continued to provide vision and leadership as we seek to consolidate a Police complaints system in which the public and the Police Service can have confidence.

MISSION

Our mission, in three parts, has provided steady direction over the past six years: we have striven to ensure that the public are not only aware of the complaints system but know how and when it is appropriate to make a complaint; that building a professional and evidence based investigation capacity has been of paramount importance; and that whether complaints are substantiated or not, lessons are learnt from a vibrant complaints system and we work well with PSNI in the development of a good service to the public and to PSNI members.

GOALS

Our primary goal remains one of building excellence into every part of this very unique police complaints system here in Northern Ireland. The overall achievements in the last year have been exceptionally high, but the build up of work, both in terms of volume and complexity, created pressures which were difficult to resource and contain. There has been slippage in terms of some efficiency targets during the year. The Police Ombudsman was able to finalise her review of existing legislation and has forwarded to the Secretary of State twenty-four recommendations which, in our view, would strengthen the effectiveness of the police complaints system. It is obviously a matter for the Northern Ireland Office to consult further on these recommendations and where appropriate make the considered necessary amendments.

Our second goal in the course of the last twelve months was to establish a specific unit to deal with work transferring from the Historic Enquiry Team set up by the Chief Constable. This was a difficult challenge but a team of investigators is now in place and actively working on the cases which have been referred to it. Other related matters emanating from members of the public are taken in for investigation but it is not possible to deal with all of these matters and they are therefore now dealt with in order of priority. Resources put into this function have impacted adversely on available experience and skills within other core work and again the effect of this has been that investigation time on core investigations remains too long in many cases.

Our third goal was to maintain public confidence and results continue to be extremely good. We now also have a large database of feedback information from police officers who have been subject to investigation and the results are also extremely encouraging in terms of how the Office is viewed in terms of its fairness, impartially, independence and professionalism.

CORPORATE BUSINESS PLAN 2006/07

The objectives, indicators and targets for the year 2006/07 were set by the Police Ombudsman in consultation with directors, managers and staff.

Progress in relation to 2006/07 targets was reviewed quarterly by all Directorates and steps taken throughout the year to focus effort on those targets requiring attention. At the end of the six month and twelve month periods the progress achievement and performance of the Office was formally reviewed by managers and reported to the Police Ombudsman. A quarterly report was provided to the Permanent Secretary through the Northern Ireland Office Policing Division.

The 2007/08 Corporate Business Plan has now been developed and is available on the Office website at www.policeombudsman.org.

STATUTORY DUTIES AND BACKGROUND

The Police Ombudsman for Northern Ireland was established under the Police (Northern Ireland) Act 1998, is accountable to Parliament through the Secretary of State for Northern Ireland and is required to have regard to any guidance given by the Secretary of State. The Office was established on 6 November 2000 by virtue of Statutory Rule 2000 No 399, Police (Northern Ireland) Act 1998 (Commencement) order (Northern Ireland) 2000. The Office is a Non Departmental Public Body (NDPB). It is not governed by a Board, but is headed by the Police Ombudsman as a Corporation Sole who is appointed by Royal Warrant and serves for a period of seven years. The Office of the Police Ombudsman is constituted and operated independently of the Northern Ireland Office, the Northern Ireland Policing Board and the Chief Constable of the Police Service of Northern Ireland.

SUMMARY OF WORK AND PERFORMANCE 2006/07

OBJECTIVE 1

To deliver the highest quality of service to complainants in the receipt, recording and processing of complaints

- 3,249 new complaints, an increase of 3%, were recorded in the last year
- 3,091 complaints were closed in the same period, an increase of 5%
- 5,411 allegations, a small decrease of 1%, were identified within complaints
- 74% of complaints were acknowledged and actioned within 4 working days
- The average time taken to administer and process complaints is 35 days but this is below the target of 32 days
- 63% of complainants were satisfied or very satisfied with the service received, an increase over last year
- 76% of complainants would use the system again, an increase over last year
- 93% of complainants are contacted by an Investigating Officer within 3 working days once a case has been allocated. This is well above target
- 91% of complaints suitable for Informal Resolution are referred within 3 working days, once consent is received from the complainant. This is above target.

Overview

Overall, there has been a high level of achievement and performance. The level of complaints being closed has increased by 5% over the previous year. The complaints team has had particular resource difficulties, due to recruitment issues, so some performance in relation to targets has dropped. Responsiveness of the Office to complainants in terms of initial contact and action is extremely high.

OBJECTIVE 2

To provide an independent and impartial investigation process which is timely and of the highest quality

- 61 matters of a serious nature were referred by the Chief Constable during the 12 months, 51 involving deaths
- 46 of these were historic cases
- A Senior Investigator, and when necessary other investigators, responded to referrals by the Chief Constable at any time of the day or night within 1.5 hours or 3 hours if outside the Belfast area
- 26 reports on serious matters referred by the Chief Constable were submitted to PSNI, Policing Board and NIO
- 67% of investigations are completed within 120 working days and the average for core investigations is 111 days, an improvement from last year
- 33% of critical incidents or serious matters referred by the Chief Constable are now completed within 200 working days
- 51% of all investigations were monitored in line with Quality Assurance indicators
- 86% of complainants and 73% of police officers are updated every 6 weeks
- A team was established to receive referrals from PSNI HET

Overview

The resourcing of the Investigations Directorate has been stabilised and streamlined in respect of the key functions of core investigations and those matters subject of historic enquiry. The requirement to respond at short notice to critical matters referred by the Chief Constable and the weight of work emanating from the Historic Enquiries Team impacts on core investigations, but performance in this area is improving and output is extremely high.

OBJECTIVE 3

To ensure the public and police are accurately informed about and have confidence in the Office of the Police Ombudsman

- 88% of members of the public had heard of the Police Ombudsman
- 86% of members of the public felt the Office was independent of the Police Service of Northern Ireland
- 78% of members of the public were confident that the Police Ombudsman acted impartially
- 82% of members of the public felt the Office helped police to do a good job
- 83% of police officers investigated thought that they were treated fairly
- 93% of police officers investigated thought investigators acted professionally
- 92% of police officers investigated thought investigators acted impartially
- 95% of police officers investigated thought investigators were patient
- 88% of police officers investigated thought they were knowledgeable
- 97% of police officers investigated thought the investigators were polite
- 52 meetings with the public were held in various locations across Northern Ireland
- Presentations were made to more than 1,700 PSNI officers

Overview

The level of confidence and satisfaction of members of the public remains one of the most significant achievements in the life of the Office and is higher than levels of confidence recorded in other criminal justice organisations. Members of the community, whether Protestant or Catholic, view the Office positively. The extent to which police officers, who have been subject of investigations, have confidence and satisfaction in how they are treated is a credit to the professionalism and objectivity of the staff.

OBJECTIVE 4

To report on trends and patterns in police complaints, on investigations into police policy and practice and on associated research

- Monthly and quarterly reports are issued on time
- Reports on the tracking of multiple complaints against individual officers are issued monthly to District Commanders
- Quarterly presentations to the Policing Board Community and Human Rights Committee contribute to the exercise of the functions of the Board
- A Policy and Practice Report on police searches of domestic premises was issued in July 2006
- Two Policy and Practice investigations are ongoing but not yet completed
- A Complainant Satisfaction Survey Report was completed in June 2006
- A Non Co-operation of Complainants Report was completed in July 2006
- A Public Attitudes Survey Report was completed in July 2006
- An Equality Monitoring of Complainants Report was completed in September 2006
- A Police Officer Satisfaction Survey Report was completed in November 2006
- The Mediation Project is behind target because the necessary legislative amendments have yet to be made

Overview

The Policy and Practice Directorate produces many reports and publications adding value to the functions of the Office. The investigation carried out jointly with the PSNI into searches of domestic premises produced recommendations highly relevant to this area of police practice. The statistical information reports provided to the District Commanders and Policing Board also contribute to the wider context of policing. Five important research papers were issued.

OBJECTIVE 5

To develop and monitor all the resources necessary for the functions of the Office

- Expenditure has been maintained within grant-in-aid
- The third cohort of investigators were accredited on schedule
- 65% of staff training needs were actioned
- There was a reduction in the level of self certified absence
- Development of a new records management system is ongoing
- The new case handling system is now being tested
- All statutory equality reports have been issued in line with statutory requirements
- The profile of staff as at 1 January 2007 indicates that 54% of staff are male and 46% female
- The profile of staff as at 1 January 2007 indicates that 46% of staff are Protestant, 46% Catholic and 8% are non-determined

Overview

The Office succeeded in managing within its grant in aid despite a delay in decisions with regard to resources for HET related work which resulted in the resources for core investigations being diverted. The capacity of fully accredited investigators continues to grow and the policy of recruiting and training new investigators has been a tremendous success. Absence levels within the Office have always been low in comparison to other parts of the Civil Service and Public Service Agencies and self certified absence was reduced further in this past twelve months.

PRINCIPAL ACTIVITIES

The Office of the Police Ombudsman for Northern Ireland provides an independent impartial police complaints system for the people and the police of Northern Ireland. It investigates complaints against the Police Service of Northern Ireland, the Belfast Harbour Police, the Larne Harbour Police, the Belfast International Airport Police and Ministry of Defence Police in Northern Ireland and the Serious Organised Crime Agency when its staff operate in this jurisdiction. There are continuing discussions with the Office by officials in HMRC and UKIS regarding the investigation of criminal allegations against their staff while exercising the powers of constable here in Northern Ireland.

The Police Ombudsman investigates complaints about the conduct of police officers and where appropriate makes recommendations in respect of criminal, disciplinary and misconduct matters. The Police Ombudsman also investigates matters of public interest, and all grave or exceptional matters referred to her and reports as appropriate. In addition the Police Ombudsman publishes reports and makes policy recommendations aimed at improving policing within Northern Ireland. She also provides statistical reports for management purposes to the Police Service of Northern Ireland, the Northern Ireland Policing Board and the Secretary of State.

THE POLICE OMBUDSMAN FOR NORTHERN IRELAND IS:

- established by the Police (NI) Act 1998;
- accountable to Parliament through the Secretary of State;
- constituted and operated independently of the Northern Ireland Policing Board (NIPB) and the Chief Constable;
- required to have regard to any guidance given by the Secretary of State;
- an executive non-departmental public body financed by a Grant in Aid from the Northern Ireland Office

THE POLICE (NI) ACT 1998 DIRECTS THE POLICE OMBUDSMAN TO:

- exercise her powers in the way she thinks best calculated to secure
 - the efficiency, effectiveness and independence of the complaints system;
 - the confidence of the public and of members of the police force in that system
- observe all requirements as to confidentiality;
- receive complaints and other referred matters and to decide how to deal with them;
- investigate complaints, referred matters and matters called in for investigation by the Police Ombudsman
- receive and record policy complaints and refer them to the Chief Constable;
- make recommendations to the Director of Public Prosecutions for criminal prosecution;
- make recommendations and directions in respect of disciplinary action against police officers;
- notify the Secretary of State, NIPB and Chief Constable of the outcome of certain complaints, referred matters and any investigation which the Ombudsman initiates without a complaint;
- report to the Secretary of State annually.

THE POLICE (NI) ACT 2000 DIRECTS THE POLICE OMBUDSMAN TO:

- carry out inquiries as directed by the Secretary of State;
- supply statistical information to the NIPB.

THE POLICE (NI) ACT 2003 DIRECTS THE POLICE OMBUDSMAN TO:

- investigate a current practice or policy of the police if;
 - the practice or policy comes to her attention under the Act,
 - she has reason to believe that it would be in the public interest to investigate the practice or policy

FUNDING AND FINANCIAL ACCOUNTABILITY

The Permanent Secretary, who is the Principal Accounting Officer of the Northern Ireland Office, has designated me as Chief Executive and Accounting Officer for the Office of the Police Ombudsman for Northern Ireland. The Office of the Police Ombudsman operates under a management framework, in accordance with Treasury Guidelines. The Police Ombudsman is financed by a Grant in Aid from the Northern Ireland Office. The allocation from which this funding comes is the NIO Request for Resources 1 which enables the NIO to play a full part in implementing the Good Friday Agreement; representing the interests of Northern Ireland in the United Kingdom Government; supporting and developing an efficient, effective and responsive Criminal Justice System; upholding and sustaining the rule of law and preventing crime; maintaining a secure and humane prison service and reducing the risk of re-offending.

EXPENDITURE AND ACCOUNTS

The statutory authority to incur expenditure is Schedule 3, Paragraph 11 of the Police (Northern Ireland) Act 1998 and these accounts have been prepared in a form directed by the Secretary of State for Northern Ireland in accordance with Schedule 3, Paragraph 12 of the Police (Northern Ireland) Act 1998.

FINANCIAL POSITION AS AT 31 MARCH 2007

The financial position at the end of the financial year is set out in the Operating Cost Statement and the Balance Sheet on pages 62 and 63 respectively. The Office incurred a net operating cost for the year of £8,432,917 (£7,953,145 in 2005/06). The Office draws cash resource from the NIO on the basis of need to pay and not as costs are accrued. As a consequence, at the end of the financial year the Office had net current liabilities of £366,963 (£272,809 in 2005/06). The Office continues to be funded by the NIO and the financial statements have been prepared on a going concern basis.

FUTURE DEVELOPMENTS

It is anticipated that there will be a significant change in the context within which the police complaints system and the policing service will operate in Northern Ireland. The necessary changes in policing structures and operations consequential upon the Review of Public Administration will impact on current working arrangements within the Office. Also, the transfer of primacy in National Security matters from the PSNI to MI5 will also necessitate the achievement of clarity about roles and responsibility of police officers engaged in National Security work and the processes for accountability arrangements consistent with the Police (Northern Ireland) Act 1998. Additionally, Nuala O'Loan will complete her 7 year term as Police Ombudsman in November 2007. As Corporation Sole a new Police Ombudsman will have the prerogative to bring a change in priority or perspective to the work of the Office.

POST BALANCE SHEET EVENTS

There have been no significant events since the end of the financial year which would affect the results for the year or assets and liabilities at the year end.

EXECUTIVE MANAGEMENT

The Police Ombudsman for Northern Ireland is supported by me as Chief Executive and a Senior Management Team. The executive management structure at 31 March 2007 was as follows:

Mrs N O'Loan	Police Ombudsman
Mr S Pollock	Chief Executive
Mr J Felice	Senior Director of Investigations
Mrs O Laird	Director of Corporate Services
Mr G Mullan	Director of Policy and Practice
Mr T Gracey	Director of Information
Mr J Larkin¹	Director of Investigations

¹ Mr J Larkin was appointed as Director of Investigations on 8 November 2006 but continues on secondment from West Midlands Police Service.

REMUNERATION AND PENSIONS

Full details of the executive management remuneration and pension interests for the year ended 31 March 2007 are contained in the Remuneration Report on pages 52 to 56. Pensions are provided to staff through the Principal Civil Service Pension Scheme. Further details in respect of pensions can be found in the Remuneration Report on pages 52 to 56 and in Note 3.4 to the Accounts.

REGISTER OF INTERESTS

A register of interests is maintained within the Office of the Police Ombudsman for all members of the Senior Management team. No interests were identified which may cause a conflict of interests with management responsibilities.

RISK MANAGEMENT AND REGISTER

Within the executive processes of the Office, there is now embedded a corporate Risk Register in line with Government guidance. Currently nine high level risks are identified, assessed in terms of likelihood of occurrence and impact and then ranked in terms of risk. The most significant risk attached to the business of the Office remains that of maintaining confidence and credibility in running the police complaints system. The Risk Register is reviewed by Senior Management normally at quarterly intervals, but more frequently where appropriate. Directors consider signs or warning of risks, examine existing controls to reduce or manage risks and if necessary take additional action.

STAFFING

Expenditure on staffing represents the largest area of expenditure for the Office. The Office is staffed mainly by directly recruited staff, but also by staff seconded from police services in England and Wales and from Civil Service organisations, and by agency investigators on short term contracts. During the financial year, staff costs

represented the greatest pressure on the budget. Details of the average full time equivalent staff employed is provided at Note 3.2 of the financial statements on page 70 of this report.

COMPLAINTS AGAINST THE OFFICE

Anyone who is not satisfied with any aspect of the Police Ombudsman's service or actions has a right to make a complaint either verbally or in writing. Complaints received are registered and acknowledged within three days and a response given in 20 days. During the year the Office received 17 complaints, 15 from members of the public and 2 from police officers. A recent Criminal Justice Inspectorate Report made no recommendations for change in the processes for complaints against the Office.

PARLIAMENTARY QUESTIONS

During the year we responded through the Northern Ireland Office to 26 Parliamentary Questions.

FREEDOM OF INFORMATION

Since the introduction of the Freedom of Information Act in 2005, members of the public, journalists and police officers have used this new provision to obtain information. Over the year there have been 28 specific requests for information.

DISABLED EMPLOYEES AND EQUAL OPPORTUNITIES

It is the policy of the Office of the Police Ombudsman to promote equality of opportunity. The Office will provide equal opportunity for all job applicants and employees. All recruitment, promotion and training will be based on a person's ability and job performance and will exclude any consideration of an applicant's/employee's religious beliefs, political opinion, sex, marital status or disability.

The Office of the Police Ombudsman submitted an Equality Scheme in accordance with Section 75 of the Northern Ireland Act 1998. In line with its obligations, the Office has recently undertaken a

review of the Equality Scheme under article 55 of the Fair Employment and Treatment (NI) Order 1998.

EMPLOYEE CONSULTATION AND INVOLVEMENT

The Office of the Police Ombudsman recognises the importance of good industrial relations and is committed to effective employee communications. Trade Union representation is open to all employees and the Office has an established Joint Negotiating Consultative Committee with formal recognition of two staff unions, NIPSA and Unison.

PAYMENT OF SUPPLIERS

In line with the Better Payment Practice Code it is the policy of the Office of the Police Ombudsman to pay all invoices not in dispute within 30 days of receipt or if stated otherwise in accordance with agreed contractual terms. The Office aims to pay 100% of invoices, including disputed invoices, once the dispute has been settled, on time within these terms. During the year ended 31 March 2007 the Office of the Police Ombudsman paid 98.0% of suppliers within 30 days, (99.1% for the year ended 31 March 2006).

HEALTH AND SAFETY

The Office of the Police Ombudsman is committed to providing for staff and visitors an environment that is as far as possible safe and free from risk to health. A standing sub-committee on health and safety operates under the Joint Negotiating Consultative Committee.

FIXED ASSETS

Fixed assets are valued at cost, adjusted as appropriate to reflect current replacement costs. The leasehold interest in respect of leasehold improvements carried out to New Cathedral Buildings has been capitalised under land and buildings and valued on the basis of existing use value at £950,000 at 31 March 2007 (£1,000,000 at 31 March 2006). The open market value of the leasehold interest in New Cathedral Buildings has

been valued at £nil at 31 March 2007 (£nil at 31 March 2006). Details of the movement of fixed assets are set out in Note 6 to the Accounts.

AUDITORS

The financial statements are audited by the Comptroller and Auditor General, (C & AG). His certificate and report are reproduced on pages 60 and 61.

The audit fee for the work performed by his staff during the reporting period and which relates solely to the audit of these financial statements was £13,750 (£13,500 for the year ended 31 March 2006).

The C & AG may also undertake other work, both statutory and non statutory, that is not related to the audit of the Office of the Police Ombudsman's Accounts. No such activity was undertaken by the C & AG during the year.

DISCLOSURE OF AUDIT INFORMATION

As Accounting Officer I am required to ensure that all relevant audit information is provided to the auditors. I have taken all reasonable steps to make myself aware of any relevant audit information and have ensured that all such information is available to the auditors. I would also confirm that there is no relevant audit information about which I am aware that the auditors have not been informed about.

Samuel Pollock, OBE

BSc (Hons), Dip. App. Soc. Studies,
Chief Executive

8 June 2007

Review of the Work and Performance of the Office

COMPLAINTS AND ALLEGATIONS RECEIVED 2006/07

During the reporting year we received a total of 3,249 complaints involving 5,411 allegations. Of these 28 were matters which the Police Ombudsman decided to investigate in the public interest and a further 61 matters referred to the Office by the Chief Constable. Of the 61 Chief Constable referrals, 46 related to historic enquiries.

Complaints and allegations received 2006/07	
Complaints	3,249
Allegations	5,411
Police Ombudsman Call-ins	28
Chief Constable Referrals	61

ADDITIONAL MISCELLANEOUS WORK

In addition to dealing with complaints against police the Office of the Police Ombudsman receives a significant number of enquiries from members of the public seeking information about specific matters or clarification of particular issues. These are handled by the complaints team which also logs and checks correspondence in relation to civil claims, Compensation Agency queries and requests for information from the Public Prosecution Service (PPS).

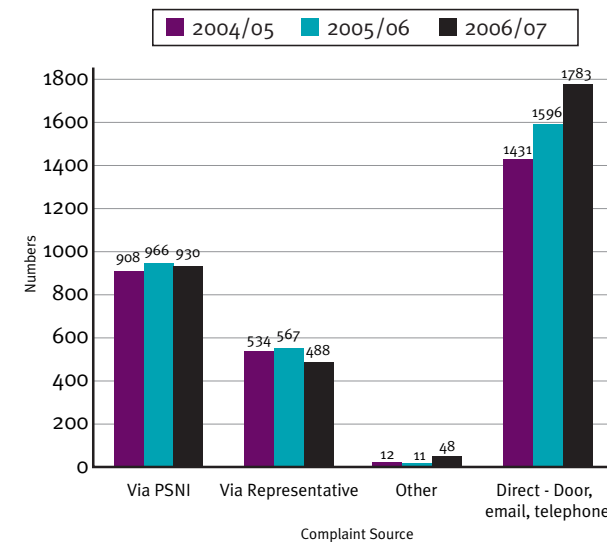
Other work of complaints team	
Miscellaneous complaints	45
Miscellaneous telephone calls	640
Referral of civil claim files	238
Compensation Agency queries	23
PPS requests (no complaint)	114

SOURCE OF COMPLAINTS

During the past year 55% of complaints were made directly to the Office of the Police Ombudsman by way of letter, email, telephone or in person to the Office. This represents a 12% increase on the previous year and reflects

a continuing trend of increasing numbers of complainants contacting the Office directly. 29% of complaints were received via PSNI whilst 15% were made to the Office by representation on behalf of complainants.

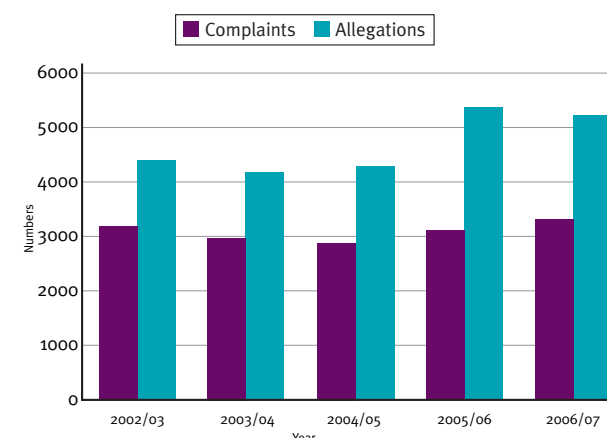
Source of Complaints, 2004/05 - 2006/07



INCREASE IN COMPLAINTS AND DECREASE IN ALLEGATIONS RECEIVED

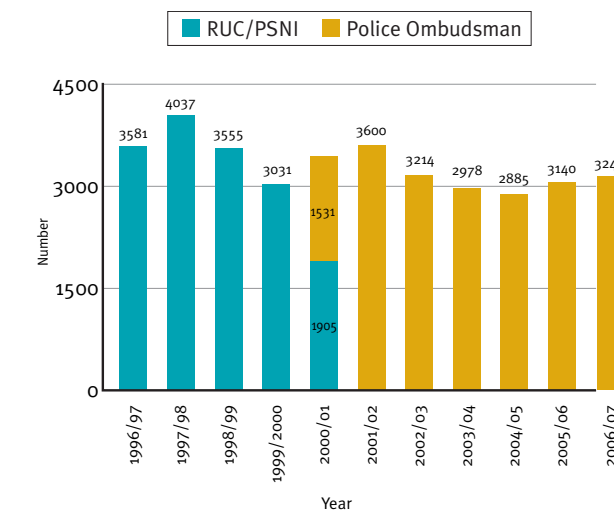
In the last year 3,249 complaints, involving 5,411 allegations, were received by the Office. This represents a 3% increase in complaints as compared to the previous year but a 1% decrease in associated allegations. A complaint may involve one or more allegations.

Number of complaints and allegations, 2002/03 - 2006/07



Since the Office opened on 6th November 2000 the number of complaints against police was at its lowest during 2004/05. However, over the past two years complaints have again begun to increase.

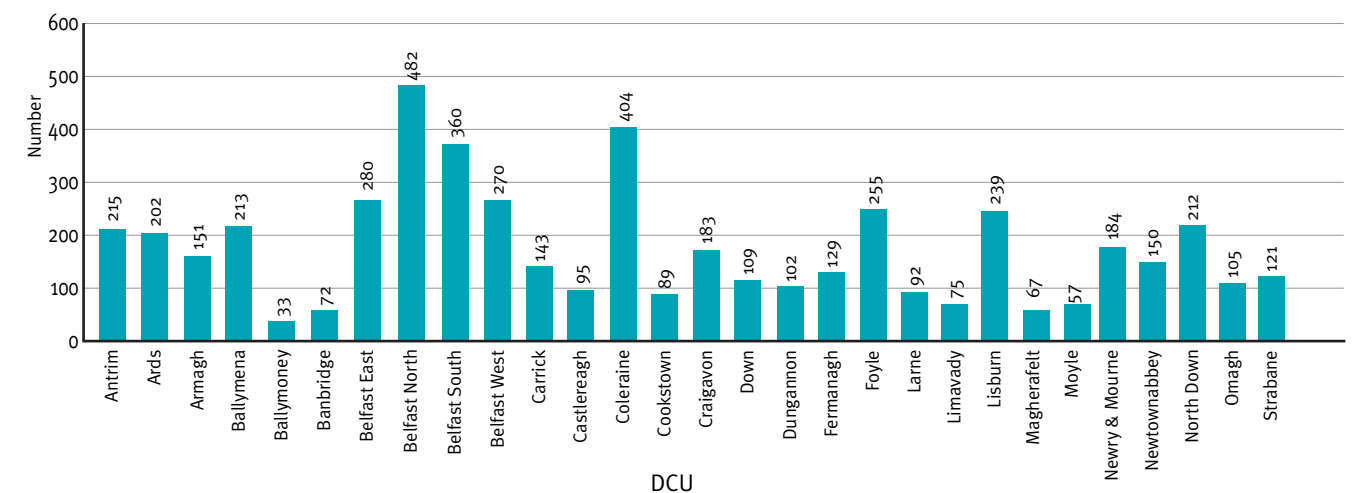
Complaints received, 1996/97 - 2005/06



REPORTING ON TRENDS AND PATTERNS IN COMPLAINTS AGAINST POLICE

Each month the Office forwards statistical reports to police detailing the numbers and types of allegations arising from each of the District Command Units. This information is provided in the various formats identified by the PSNI.

Allegations by DCU, 2006/07



When any request for alternative information is received, this is provided where it is available. Such information assists local police as well as District Policing Partnerships to monitor levels of allegations associated with each station within the District. The Office also produces ad hoc reports requested by District Commanders which focus on particular aspects of complaints/allegations within their area. On a monthly basis the Office also provides police with information on officers who have attracted three or more complaints in a rolling 12-month period. This information helps local commanders track trends and patterns of complaints against individual officers within their districts and should be used with other relevant personnel information for management purposes.

Six monthly statistical reports are provided to the Policing Board giving an overview of complaints and allegations throughout Northern Ireland. These reports incorporate information such as the factors underlying complaints (e.g. arrest, search, traffic incident), location of incidents (e.g. domestic residence, police station, street/road), allegations involving the use of weapons (e.g. handcuffs, batons, CS Spray, firearms), the manner in which complaints have been closed by the Office, recommendations to police in respect of misconduct and files submitted to the Public Prosecution Service.

* Percentages may not always total 100 per cent due to the effect of rounding

Number of complaints and allegations arising from each DCU, 2006/07, and number of officers in each DCU								
	Complaints Number %		Allegations Number %		Officers Number %		2005/06 Allegations/100 officers	2006/07 Allegations/100 officers
Antrim	136	4.5	215	4.2	174	3.0	109	124
Ards	118	3.9	202	4.0	204	3.5	88	99
Armagh	92	3.0	151	3.0	162	2.8	93	93
Ballymena	133	4.4	213	4.2	195	3.3	126	109
Ballymoney	21	0.7	33	0.6	80	1.4	68	41
Banbridge	51	1.7	72	1.4	137	2.3	63	53
Belfast East	169	5.5	280	5.5	290	4.9	79	97
Belfast North	275	9.0	482	9.5	411	7.0	133	117
Belfast South	219	7.2	360	7.1	484	8.2	74	74
Belfast West	162	5.3	270	5.3	270	4.6	97	100
Belfast Sub-Total	825	27.0	1,392	27.4	1,455	24.8	99	96
Carrick	82	2.7	143	2.8	115	2.0	96	124
Castlereagh	59	1.9	95	1.9	169	2.9	50	56
Coleraine	225	7.4	404	7.9	227	3.9	131	178
Cookstown	52	1.7	89	1.7	97	1.7	100	92
Craigavon	110	3.6	183	3.6	247	4.2	71	74
Down	68	2.2	109	2.1	197	3.4	65	55
Dungannon	63	2.1	102	2.0	163	2.8	57	63
Fermanagh	81	2.7	129	2.5	193	3.3	50	67
Foyle	129	4.2	255	5.0	333	5.7	69	77
Larne	58	1.9	92	1.8	82	1.4	91	112
Limavady	44	1.4	75	1.5	105	1.8	83	71
Lisburn	151	5.0	239	4.7	377	6.4	63	63
Magherafelt	48	1.6	67	1.3	100	1.7	61	67
Moyle	27	0.9	57	1.1	42	0.7	123	136
Newry & Mourne	109	3.6	184	3.6	287	4.9	71	64
Newtownabbey	104	3.4	150	2.9	250	4.3	47	60
North Down	123	4.0	212	4.2	195	3.3	94	109
Omagh	57	1.9	105	2.1	150	2.6	59	70
Strabane	84	2.8	121	2.4	134	2.3	56	90
Other / Unknown / No allegation	251	-	322	-	-	-	-	-
Total	*3,301	100	5,411	100	5,870	100	88	92

Information in respect of officer details supplied by PSNI.

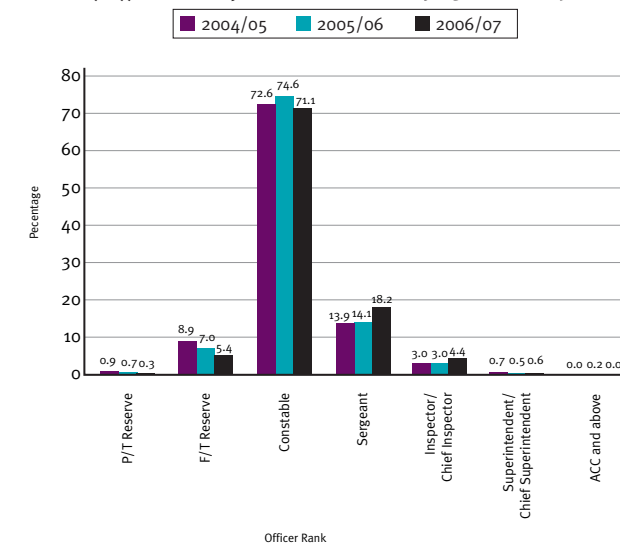
* Includes 52 complaints in more than one DCU area.

Trends and patterns in complaints from Antrim and Coleraine DCU have been subject to detailed statistical analysis by the Office and Divisional Commanders have been made aware of the findings.

RANK OF OFFICERS SUBJECT OF COMPLAINTS

Almost three quarters of complaints received relate to the conduct of police constables. Compared to the previous two years the proportion of complaints that were against Constables and members of the full-time reserve have decreased whilst those against Sergeants and Inspectors / Chief Inspectors have increased.

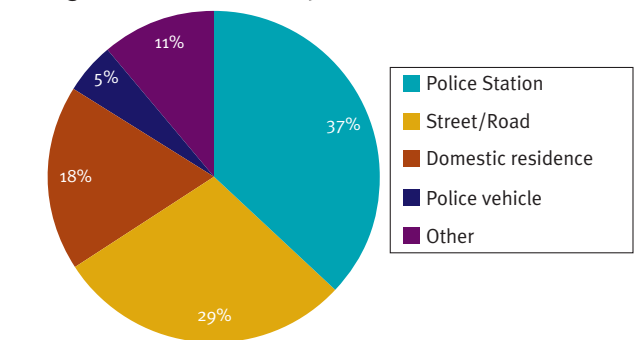
Rank of officers complained about 2004/05 - 2006/07



LOCATION OF INCIDENTS

Allegations arising from incidents at police stations was the dominant incident location during the year. It is interesting that allegations arising from incidents on the street or road have reduced from 36% of allegations in 2005/06 to 29% in 2006/07.

Allegation location, 2006/07



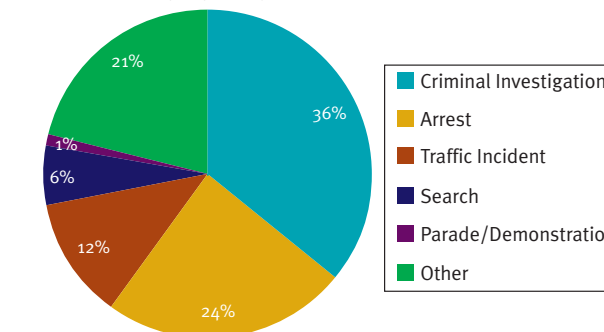
OFFICER ADVISED AND GIVEN ADDITIONAL TRAINING

A mother complained, on behalf of her son, that he had been assaulted by a police officer resulting in the youth falling down steps causing injury to his head, elbows and knees. During the investigation a number of witnesses were identified but none was prepared to provide statements of evidence. When interviewed the youth involved was unable to provide the exact shoulder numeral of the officer concerned. However, following extensive enquiries, involving the transfer and enhancement of CCTV footage, the officer's identity was uncovered and he was interviewed by a Police Ombudsman investigating officer. This officer conceded that he had pushed the youth but stated that he was unaware of the proximity of steps. Having secured all the relevant documentary material the Police Ombudsman took the view that the officer's conduct fell below that expected by the Police Code of Ethics and recommended that he be given advice and guidance by his Divisional Commander. The Chief Constable subsequently informed the Office that the officer had received advice and guidance and that he had also completed personal safety programme training.

FACTORS UNDERLYING COMPLAINTS

The Office records data identifying the nature of factors underlying complaints. This year it was the manner in which police conducted criminal investigations (36%), which was the leading factor behind complaints. Almost one quarter of complaints related to arrests whilst 12% of complaints were connected with traffic related incidents.

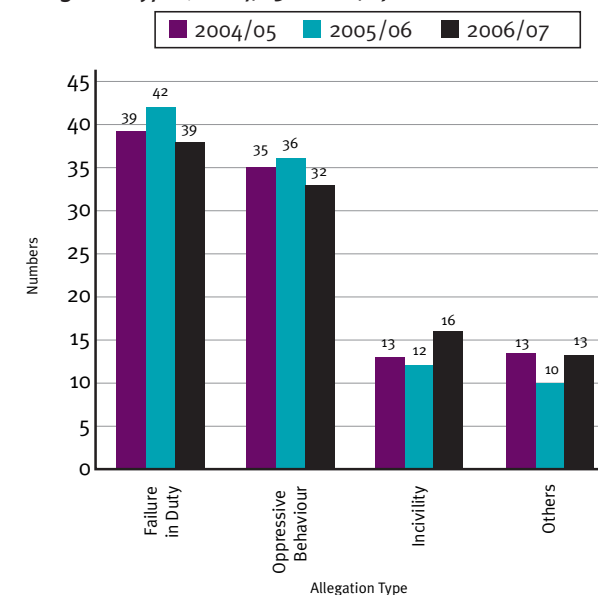
Factors underlying complaint, 2006/07



Allegations by type and sub-type, 2006/07			
Allegation type	Allegation Sub-type	Total	%
Failure in Duty	Detention, treatment and questioning	103	2
	Failure in duty	1,692	31
	Identification procedures	2	0
	Multiple or unspecific breaches which cannot be allocated	6	0
	Other irregularity in procedure	124	2
	Searching of premises and seizure of property	148	3
	Stop and Search	27	0
	Tape recording	0	0
	Unknown	2	0
	Sub-total		2,104
Homophobia	Homophobia	3	0
Incivility	Incivility	823	15
	Sectarian abuse	29	1
	Sub-total	852	16
Malpractice	Corrupt practice	42	1
	Irregularity in relation to evidence/perjury	67	1
	Mishandling of property	38	1
	Sub-total	147	3
Oppressive Behaviour	Oppressive conduct or harassment	567	10
	Other assault	1,004	19
	Serious non-sexual assault	11	0
	Sexual assault	17	0
	Unlawful/unnecessary arrest or detention	167	3
	Unknown	2	0
	Sub-total	1,768	33
Racial Discrimination	Racial discriminatory behaviour	15	0
Traffic	Traffic irregularity	54	1
Other	Other	407	8
Section 55 Referral	Section 55 Referral	61	1
No allegation	No allegation	0	0
	Total 2006/07	5,411	100

Allegations of failure in duty and oppressive behaviour have decreased compared to the previous year but those relating to incivility continue to increase.

Allegation types, 2004/05 - 2006/07



OFFICER RECEIVED SUPERINTENDENT'S WARNING

A complaint was received in relation to off-duty conduct of a police officer towards a female he had met a short time earlier. The allegations included a claim that after the officer identified himself as a police officer by producing a warrant card, he behaved in an aggressive manner whilst brandishing a police-issue firearm, unlawfully imprisoned the complainant and left his firearm unattended. Given the nature of the complaint and, in particular, the allegations relating to the use of a firearm by the officer, the Police Ombudsman decided to investigate the incident. A thorough investigation was conducted into the allegations which entailed interviews of the parties concerned and review of supporting documentation. After careful review of all the evidential papers it was concluded that the officer concerned should be given a Superintendent's Written Warning in relation to his conduct. The Office made this recommendation to the Chief Constable and was subsequently informed that the action recommended had been taken.

CHIEF CONSTABLE REFERRALS

During the last year the Chief Constable referred 61 serious non complaint matters to the Office. A total of 46 of these referrals related to matters transferred to the Office from the PSNI Historic Enquiries Team (HET). When Chief Constable referrals have been investigated completed reports are forwarded to the Chief Constable, the Northern Ireland Policing Board and the Secretary of State detailing the outcome of the investigation together with any recommendations made in respect of disciplinary proceedings or improvements to policing practice.

Chief Constable Referrals 2006/07 (excluding Historic)

Factor underlying referral	Number
Discharge of firearm	5
Discharge of firearm - gunshot injuries	1
Fatal shooting	1
Death following contact with police	1
Death following police call out	2
Fatal Road Traffic Collision	1
Off duty interference in investigation	1
Off duty conduct	1
Injury in custody	1
Failure to maintain consistent notebooks	1
Total	15

Chief Constable Historic Referrals 2006/07

Factor underlying referral	Number
Fatal shooting	36
Death following machine gun fire	1
Death following baton round discharge	4
Death following rioting and baton charge	1
Death following assault with baton	1
Death following incident with Landrover	1
Failure to disclose information to court	1
Supply of firearms for robbery	1
Total	46

CHIEF CONSTABLE HISTORIC REFERRALS

The majority of Chief Constable historic referrals to the Office related to fatal shootings by police.

The following are examples of historic matters referred for investigation by the Police Ombudsman:

- A woman was fatally wounded during an exchange of gunfire after police disturbed a robbery in progress
- A man was killed by plastic bullet discharged by police during internment rally
- A man was shot by police whilst driving a stolen vehicle
- A man was killed when struck by police Landrover during rioting
- A man was shot by police whilst attacking a police station
- A man was shot by police following a car collision involving a stolen vehicle
- A man was shot by police after two hooded men were spotted running from a club
- An elderly woman was killed when struck on the head by a plastic bullet as she was walking home during disturbances following the death of a hunger striker
- A man was shot by police after the stolen vehicle he was driving broke through a police vehicle check point
- A man was shot by police during post office robbery
- A man was killed when struck on the head by a baton during disturbances
- A man was shot by police as he crossed the road during serious public disorder
- A schoolboy, whilst lying in bed at family home, was shot by tracer bullet fired by police
- A man was shot by police after exchange of gunfire following the planting of a bomb
- Armed gunman shot by police in an exchange of gunfire during an attack on the security forces

- A man was shot by off duty police officer during an attempted armed robbery
- A man was shot by police during a high speed car chase along a border road
- A man was shot by police whilst attempting to climb wire mesh outside police station.

POLICE OMBUDSMAN CALL-INS

Under Section 55(6) of the Police (Northern Ireland) Act 1998 the Police Ombudsman may “of his own motion” investigate 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 manner which would justify disciplinary proceedings and is not the subject of a complaint if it appears to the Ombudsman that it is desirable in the public interest to do so.

- During a court hearing in January 2007, concerns were raised regarding the evidence given by police officers and these were duly brought to the attention of the Police Ombudsman. Following preliminary review of the information available the Police Ombudsman decided to use her power of ‘call-in’ to initiate an investigation into the conduct of the police officers involved.
- Whilst investigating a complaint of assault a Police Ombudsman Investigating Officer viewed video evidence which recorded comments by an officer that were contrary to related documentation provided by the officer. Despite the fact that the matter was not the subject of a complaint the Police Ombudsman considered that the circumstances warranted investigation by her Office in the public interest.
- During the investigation of a complaint information came to light that a police officer might have, without authority and in contravention of police codes, obtained a copy of a taped interview. The Police Ombudsman considered this matter required investigation and used her power of ‘call-in’ to appoint an Investigating Officer.
- Whilst reviewing CCTV evidence a Police Ombudsman Investigating Officer heard a

police officer make comments, which were potentially an attempt to pervert the course of justice. The Police Ombudsman was so concerned about the nature of this matter that she took the view that it should be subject to separate investigation by her Office.

- The Independent Police Complaints Commission (IPCC) contacted the Police Ombudsman in relation to the arrest and conviction of an individual in England who had been released on licence. This person, who was wanted on the Police National Computer for a recall to prison, made his way to Northern Ireland where he was convicted of assaulting a local woman and given a suspended prison sentence. When released the relevant authorities in England were not notified and upon his return to England he was arrested and convicted of the commission of a very serious criminal offence. The IPCC expressed concern that the Police National Computer had not been updated in respect of the individual’s arrest in Northern Ireland nor were the appropriate authorities in England made aware of developments regarding the person. After careful consideration the Police Ombudsman used her power of ‘call-in’ to initiate an investigation into the circumstances of the case.
- Following a fatal shooting it was noted that there were a significant number of searches conducted by police officers on the police computer (ICIS). The Police Ombudsman considered that a number of the searches might have been potential breaches of the Data Protection Act and decided to use her power of “call in” to investigate the circumstances in which the ICIS searches were conducted. The investigation into these matters remains ongoing.

DEATHS REFERRED BY CHIEF CONSTABLE

Following the investigation of any non complaint referral by the Chief Constable, the Secretary of State, the Public Prosecution Service and the Northern Ireland Policing Board a report must be provided under Regulation 20 of the Royal Ulster Constabulary (Complaints etc.) Regulations 2000.

The Police Ombudsman’s Office has teams constantly ‘on call’ to deal with serious incidents,

including those situations when police officers have been present when the conduct of a police officer may have resulted in death. During the year its investigators were required to attend the scenes of a number of sudden deaths.

- On Sunday 16 April 2006 its investigators were called to Church Street in Ballynahinch where police had shot dead a man near a vehicle checkpoint
- On Wednesday 17 May 2006 investigators attended the scene of a car crash, which happened near Glengormley. A man died when the car he was travelling in collided with a police vehicle at Hightown Road. It is understood police had been following the car prior to the collision
- On 24th May 2006 a man jumped from a building in central Belfast whilst police were in attendance at the scene
- On 24th July 2006 a man was found dead at his home in Cookstown shortly after being released from police custody
- On 31st October a patient left hospital in his pyjamas and police were notified. Three days later this individual was found dead by a member of the public four miles from the hospital

In all such cases the Police Ombudsman appoints a Family Liaison Officer to deal with the needs of the bereaved families as part of the investigation.

REPORTS ON CHIEF CONSTABLE REFERRALS SUBMITTED 2006/07

Referral	Number
Discharge of CS Spray	19
Discharge of firearm	4
Discharge of AEPs	1
Emergency call handling	1
Police pursuit	1

OFFICER RIGHT TO USE CS SPRAY DURING PORTRUSH INCIDENT

During the year the Police Ombudsman issued the findings of an investigation, which concluded that a police officer was right to use his CS Spray during an incident in Portrush. The incident began when police officers who were on mobile patrol came across two men having an argument outside a hotel. The officers got out of their vehicle and managed to separate the men, taking each to one side and asking them to calm down. However, one of the men threatened the police officer and then ran at him. The officer pushed the man to the ground with his hands but the man managed to get up and run at the officer again. The officer pushed him to the ground but again the man managed to get to his feet and run at the officer. The police officer then warned that he would use CS Spray. Undeterred the man ran at the officer for a third time. The officer used his spray and the man fell to the ground. He was then helped to his feet and given assistance to clear the effects of the spray from his eyes. He was later taken to Coleraine Police Station. Police Ombudsman investigators spoke to the police officers who were present at the incident and examined the CS canister which had been used. The investigators made enquiries within the hotel but were not able to find anyone who had seen what had happened. They also spoke to the person who had been sprayed but he declined to give a statement. Two other people who had been with the man earlier in the night also declined to provide statements. The Police Ombudsman concluded that the officer was justified in using CS Spray. The Constable was faced with a situation where immediate action was necessary to stop the threat the man posed to himself and to others. In those circumstances the officer had little option other than to stop the threat with the most appropriate force available to him.

POLICY AND PRACTICE ISSUES

The improvement of policing within the community remains a priority for the Office.

During the last year each complaint received by the Office was reviewed for the purpose of identifying police policy or practice issues. Every four months details of this analysis are provided to the Chief Constable.

Failure by police to properly investigate was identified as the area of policing practice that attracted most complaints. This was followed by failure by police to react, or respond effectively to incidents reported to them. Eleven per cent of complaints reviewed concerned police failure to update victims of crime whilst eight per cent were in connection with house searches. Complaints linked to parades/demonstrations constituted less than one per cent of cases reviewed in 2006/07 as against three per cent in 2005/06. As the Office has power to investigate issues surrounding policing policy and practice the information captured from reviewing complaints received is a useful indicator of those areas which are generating complaints. To date the Policy and Practice Directorate has investigated the areas of police searches of domestic residences and issues around police identification. During the coming year the Office intends to publish a further policy and practice investigation into the use of handcuffs by police.

As a result of investigations conducted by the Office recommendations have been made to the Chief Constable aimed at improving the service the PSNI provide to the public.

A sample of recommendations made by the Office for improvements in policing policy and practice

- That a DCU reviews its policy in relation to accepted payment methods for outstanding warrants.
- That a DCU is made aware of the need to bring detained persons to the attention of the custody sergeant and that appropriate records are completed.

- That a police supervisor should attend all initial Child Protection Case Conferences and any subsequent reviews if deemed necessary.
- That, in cases involving child protection issues, a multi agency strategy be developed by way of discussion of the timing, role and responsibilities involved.
- That all CARE units should have at least one designated police supervisor.
- That the answer phone message at CARE units should clearly redirect callers to 999 in the event of an emergency and that a formal logging system should also be put in place.
- That all custody officers be reminded of the need to accurately record all details about CS Spray discharges.
- That a Police Station reviews its CS Spray storage policy and that consideration is given to a PSNI wide review of such storage policies.
- That PSNI retain the details of serial numbers of handcuffs issued to individual officers and that such a list is maintained and readily accessible.
- That specialist commentary training should be an essential component of driver training so clear unequivocal information and advice can be given to and from the Regional Control Centre.
- That police drivers' discretion to pursue should be clarified and central management and control of the incident should be increased.
- That police drivers who are trained only to Standard and Advanced level should not undertake pursuits without having undertaken specific pursuit training.
- That PSNI should review their current instructions concerning vehicle pursuits with a view to ensuring uniformity of the process for dealing with pursuits in all areas of Northern Ireland.
- That General Orders should reflect that each call received by way of the emergency number should be logged on the computer system and clear rationale be recorded as to the nature and level of response allocated.
- That the use of Journals by Operators to record decision making in relation to calls should be discouraged. All Operators' decisions and the rationale for such should be recorded on the computer system.

OUTCOME OF COMPLAINTS AND INVESTIGATIONS

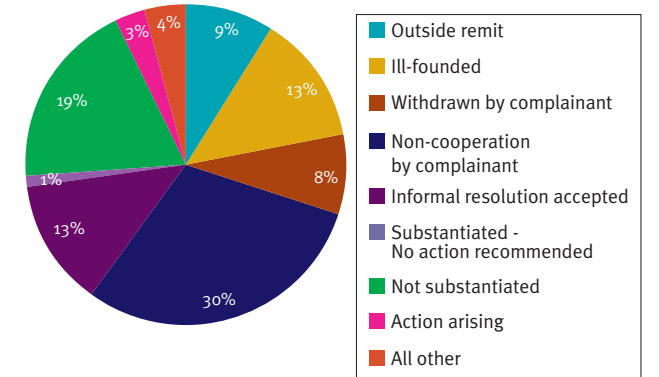
Of the 3,249 complaints received and registered by the Office 1,365 (42%) were referred for formal investigation under Section 56 of the Police (Northern Ireland) Act 1998. The remaining 1,884 (58%) complaints were dealt with by the complaints office team.

Complaints received 2006/07	
Complaints referred for formal investigation	1,365
Complaints dealt with by complaints office	1,884
Total	3,249

The Office closed 3,091 complaints, an increase of 5% on the previous year.

Overview of complaint closures, 2006/07		
Closure type	Number	Percentage
Outside remit	285	9
Ill-founded	395	13
Withdrawn by complainant	249	8
Non-cooperation by complainant	909	30
Informal resolution accepted	405	13
Not substantiated	601	19
Action arising	103	3
Substantiated - No action recommended	28	1
All other	116	4
Total	3,091	100

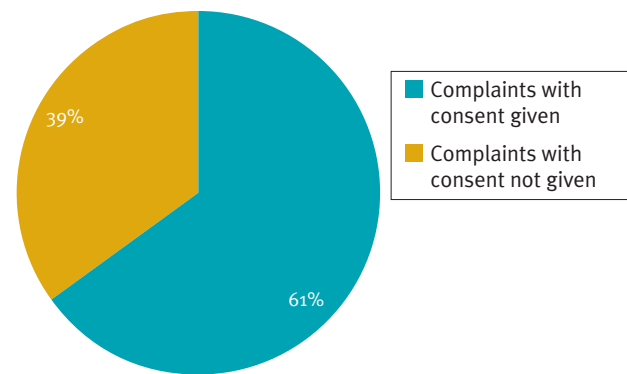
Complaint Closures 2006/07



INFORMAL RESOLUTION

Seven hundred and ninety nine (25% of all complaints) were of a less serious nature and deemed suitable for informal resolution. When contacted by the Office, 487 (61%) complainants agreed to participate in the informal resolution process whereby a senior police officer speaks to the complainant and the officer/s involved with a view to reaching a satisfactory resolution of the matter. Three hundred and twelve (39%) complainants declined to engage in the process.

Consent levels for complaints suitable for Informal Resolution



Successful Informal Resolution

Neighbourhood Dispute

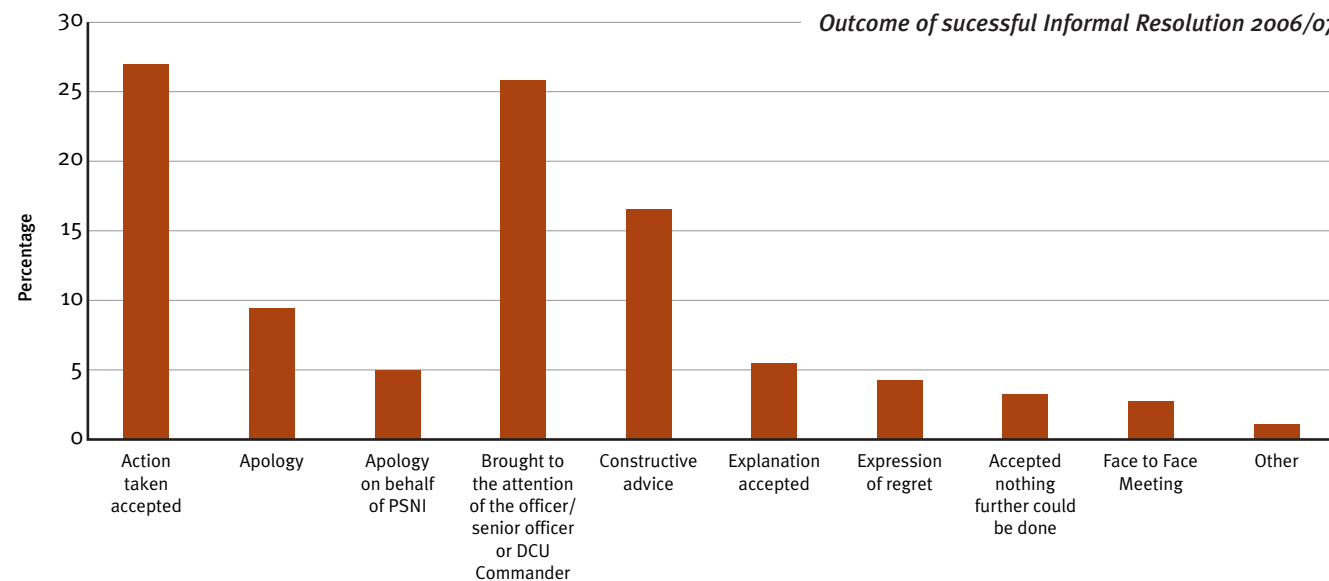
The Police Ombudsman received a complaint from a man who alleged that police had failed to act on reports made by him regarding alleged harassment by his neighbours.

The man said he contacted police about the incidents and at the time of making his complaint, had still not heard anything from them and believed that they had not acted on any of the incidents reported to them.

Police Ombudsman staff contacted the police who said they had been looking into all the incidents reported to them. The officer dealing with the matter said he had advised the person making the complaint to keep a log of all the incidents involving both him and other members of his family and their neighbours. The officer said he then planned to deal with the matter under the Prevention of Harassment legislation.

When Police Ombudsman staff contacted the family of the man who had made the complaint they confirmed that police had been in touch. They said they would be happy to meet with the officer and to address the matter informally.

Outcome of successful Informal Resolution 2006/07



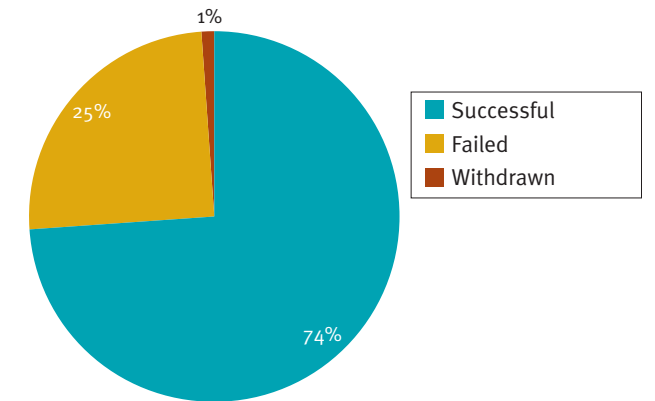
Police Car Parked Illegally

A man complained to the Police Ombudsman's Office that he had seen a police car illegally parked on double yellow lines and adjacent to a junction. The man alleged that whilst the vehicle was parked in this manner a PSNI officer went into a coffee shop and queued for coffee. He said the vehicle was parked at this location for fifteen minutes when the officer returned to it carrying takeaway food. He also alleged that the vehicle then moved to the end of a nearby street where the officers consumed their food. In addition, the complainant alleged that the vehicle was still poorly parked at this point. Police Ombudsman staff contacted the police and told them of these allegations. A police officer said there might have been any numbers of reasons why the car had been parked in this way, including the need, for security reasons, for the officer in the car always to have sight of his colleague in the shop. The police said they considered that the person who made the complaint needed to be made aware of such considerations. The man who made the complaint agreed to talk to the police about what had happened and after discussion the matter was resolved informally.

Outcome of Informal Resolution

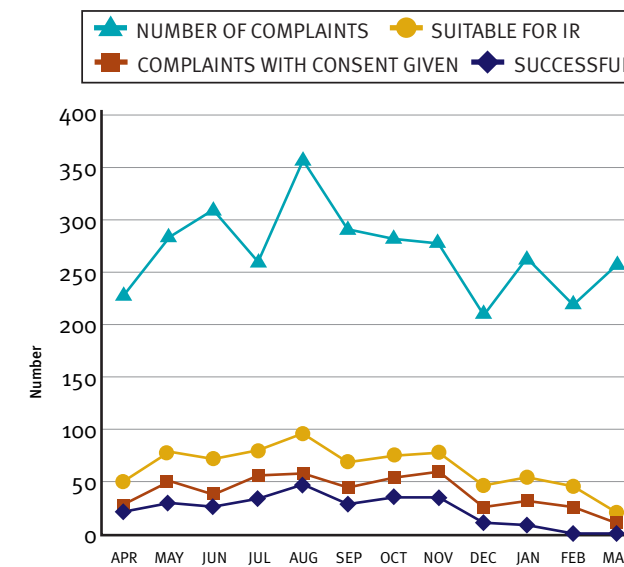
Four hundred and five complaints were successfully informally resolved during the last year. This represented 74% of complainants who agreed to participate in the process. In 134 cases informal resolution failed and these matters were referred for investigation. Seven complaints were withdrawn during informal resolution.

Rank of officers complained about 2004/05 - 2006/07



Fifty three per cent of complaints were resolved when, either the action proposed by the PSNI appointed member was accepted or the complainant agreed that it was sufficient to raise the issue with the officer concerned or a more senior officer. In less than five per cent of cases did a meeting between the officer concerned and the complainant take place.

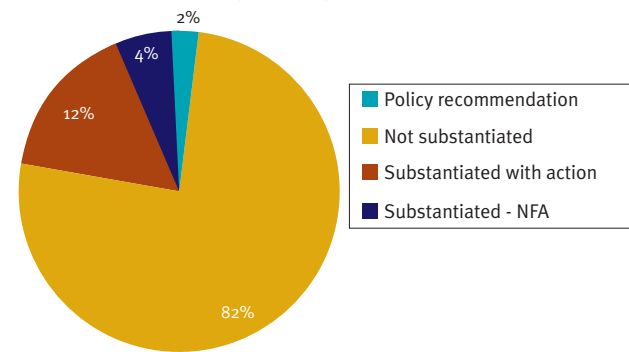
Profile of Informal Resolution April 2006 - March 2007



ACTION TAKEN IN RESPECT OF COMPLAINTS SUBJECT TO INVESTIGATION

Fourteen per cent of complaints were closed following investigation with specific action recommended. A further 4% were substantiated, but without specific recommendations.

Cases closed following investigation 2006/07



Criminal Charge Recommended against former police officer

The Office recommended bringing a criminal charge relating to the Data Protection Act (1998) against a retired police officer who had been accused of inappropriately accessing police records prior to his resignation from the PSNI. The case was subsequently dismissed at court due to lack of evidence. However, further enquiries confirmed that the Police Service of Northern Ireland have changed their security procedures since the time of this incident so that all future phone calls made to Belfast Regional Control requesting information are tape recorded and retained. As the accused officer had left the Police Service before the complaint was made he was no longer subject to Disciplinary Regulations.

CASES OF COMPLAINT REFERRED TO THE PUBLIC PROSECUTION SERVICE

During the year 200 cases were referred to the Public Prosecution Service for direction as to whether or not criminal charges should be preferred or for advice/interim direction. A total of 22 criminal charges were recommended against 13 police officers.

Cases referred to the Public Prosecution Service 2006/07	
Cases submitted with no recommendations for prosecution	183
Cases submitted for advice/interim direction	6
Cases submitted with recommendations for prosecution	11
Total cases submitted	200
Number of officers subject to recommendations for prosecution	13
Number of charges recommended	22

Police Officer Prosecuted

Whilst detained by police the complainant alleged that a police Landrover had been driven over his right foot at the scene of his arrest. The Police Ombudsman's Investigating Officer obtained a detailed witness statement from the complainant and, following review of related CCTV footage, took responsibility for the Road Traffic Collision investigation which up until then had been conducted by local police. After visiting the scene of the incident arrangements were made by the Investigating Officer to collate related mapping, photographic, medical and forensic evidence. Following interviews of civilian and police witnesses as well as the officer who was driving the police Landrover involved, the Office submitted a file to the PPS recommending prosecution of the driver. The PPS subsequently directed that the officer concerned be prosecuted for driving without due care and attention. The officer pleaded not guilty at the related court hearing but was convicted of the charge, fined and had penalty points put onto his driving licence.

Number of cases of complaint referred to the Public Prosecution Service 2001-2007					
2001/02	2002/03	2003/04	2004/05	2005/06	2006/07
78	184	174	149	174	200

Police Officer prosecuted for assault

The complainant alleged that he was punched by a police officer outside a public house. Medical evidence highlighted tenderness around the complainant's eyes as well as swelling about his nose which the examining doctor considered was consistent with a punch to the face. When viewed, CCTV footage of the incident supported the complaint. Following interview of the officer concerned together with a number of witnesses and receipt of related evidential documentation from police the Office submitted a file to the PPS recommending criminal prosecution of the officer. After examination of the Police Ombudsman's investigation report the PPS directed that the officer concerned be prosecuted for Assault Occasioning Actual Bodily Harm. The related court hearing is awaited.

Criminal charge dropped due to complainant and witness not appearing at court

A mother, complaining on behalf of her 13-year-old son, alleged that he had been assaulted by a police officer. Numerous witnesses were interviewed during the course of the investigation, which culminated in a recommendation for a criminal prosecution. The juvenile was offered special measures in court on account of his age but he declined this offer indicating that he wished to be in court for the proceedings. The juvenile, his mother and another witness did not attend Belfast Magistrates' Court despite there being a written direction from the PPS for them to appear on the date scheduled for contest. The PPS determined that they would not proceed with the case.

Recommendations for prosecution submitted to PPS (2006/07)			
Charge	No. of Cases	No. of Charges	PPS Direction
Perjury	1	1	No Prosecution
Breach of Data Protection	1	1	Prosecution
Driving whilst disqualified	1	3	Prosecution x 6
Driving without insurance		3	
Common assault	5	10	No Prosecution x 2 Prosecution x 4 Awaiting Direction x 4
Assault occasioning actual bodily harm	2	2	Prosecution x 2
Attempting to pervert the course of justice	1	1	Awaiting Direction x 2
Misconduct in public office	1	1	
Total	11	22	

Recommendations for prosecution submitted to Public Prosecution Service (2001-2007)		
	2001 - 2007	
	No. of Cases	No. of Charges
Assault occasioning grievous bodily harm	1	1
Assault occasioning actual bodily harm	12	13
Common Assault	16	22
Causing death by dangerous driving	1	2
Dangerous driving	3	3
Driving whilst disqualified	1	3
Driving without insurance	1	3
Careless driving	1	1
Perverting the course of justice	7	20
Perjury	2	2
Kidnapping	1	1
Misconduct in public office	1	1
Intimidation	1	1
Causing harassment, alarm or distress	1	1
Prosecution under Section 1 Children & Young persons Act 1933	1	1
Racially or religiously aggravated	1	1
Breach of Data Protection Act	3	3
Unlawful disclosure of information under Data Protection Act	1	1
Breach of S. 17 CPIA	1	1
PPS to determine nature of charge	5	5
Obstructing the Police Ombudsman	1	4
Theft	1	1
Administering a noxious substance	1	1
Criminal damage	1	2
Discharge of firearm with intent	1	1
Offence under the Protection from Harassment (NI) Order	1	1
Total	67	96

Number and type of direction by Public Prosecution Service 2001-07	
Type of Charge	No of Charges
Assault occasioning actual bodily harm	9
Common Assault	11
Causing death by dangerous driving	2
Dangerous driving	3
Careless driving	1
Perverting the course of justice	8
Criminal damage	1
Malicious wounding	1
Possession of firearm with intent	1
Unlawful and injurious imprisonment	1
Data Protection	3
Driving without insurance	3
Driving whilst disqualified	3
Total	47

During the year criminal charges against two police officers were concluded at court. One of the officers was found guilty of driving without due care and attention whilst the charge of assault against the second officer was dismissed.

DISCIPLINE

Officer Required to Resign

Details of an incident involving an off-duty police officer were referred to the Office by police. The officer concerned had become involved in an altercation, which had resulted in some minor injuries and allegations of racial abuse. The officer was subsequently suspended from duty. Following an investigation, which involved extensive house-to-house enquiries, the Office recommended criminal prosecution. The officer was subsequently acquitted of a charge of common assault. The officer was permitted to return to work but was solely tasked with non-operational, administrative duties. The Office recommended disciplinary proceedings in respect of racial abuse and professional behaviour. The case was proven at hearing and the officer was required to resign.

The Police Ombudsman has a number of options when making recommendations to the Chief Constable. These are :-

- Misconduct Charges – Where there is a recommendation that an officer face formal disciplinary proceedings
- Superintendent's Written Warning – Where there is sufficient evidence to warrant disciplinary proceedings but there exist mitigating circumstances as to why such proceedings should not be pursued
- Advice and Guidance – Where formal disciplinary proceedings are not warranted but it is considered that the officer/s concerned would benefit from words of advice from their District Commander in circumstances where they have failed to meet the required standard of conduct
- Management Discussion – Where an officer/s engage in an informal meeting with their immediate line managers in respect of areas for improvements in the execution of their duty.

Recommendations made to Chief Constable, 2006/07		
Charge	Cases	Officers involved
Misconduct Charges	8	9
Superintendent's Written Warning	21	23
Advice and Guidance	65	64
Management Discussion	29	24
Total	123	120

DISCIPLINARY PROCEEDINGS

At disciplinary proceedings a misconduct panel hears the misconduct charge/s against police officer/s. If an officer pleads or is found guilty of a misconduct charge the range of sanctions available to the panel is:-

- Dismissal
- Required to resign
- Reduction in rank
- Reduction in pay
- Fine
- Reprimand
- Caution

During the course of the year five police officers appeared at misconduct hearings in respect of nine charges. Four officers were found guilty whilst one officer was found not guilty. Sanctions against those found guilty included a requirement to resign, reduction in pay, fines and reprimands.

Reduction in pay for officer

The Office carried out an investigation into a complaint that police had failed in their duty to investigate a reported assault. It was established that the officer to whom the case had been allocated had subsequently had periods of sick leave and was experiencing other problems and that he had failed to initiate any investigation. Following a full investigation of this officer's conduct and the actions of his supervisors, misconduct proceedings were brought against the officer appointed to investigate the assault in respect of his Professional Duty and, despite his non-attendance at the hearing due to being on sick leave, the case was proven and the sanction imposed was a reduction in pay for a period of 12 months.

Alleged failure by police to properly investigate

The complainant alleged that police failed to properly investigate an assault on her by a third party. Following review of the related police criminal investigation file a number of concerns were noted and the matter was formally referred for investigation by the Office. When the Police Ombudsman's Investigating Officer met the complainant at the latter's home a statement detailing the nature of the allegations was recorded. The Investigating Officer subsequently recorded statements from witnesses nominated by the complainant in support of her allegations. The officer subject of complaint was then interviewed and answered questions in relation to the matter. After careful consideration of all the evidence, including related documentation requested and received from police, the Police Ombudsman took the view that the police investigation had not been conducted in either an expeditious or professional manner. In consequence, the Office recommended to the Chief Constable that disciplinary proceedings be initiated against the officer. This course of action was agreed and the misconduct hearing is awaited.

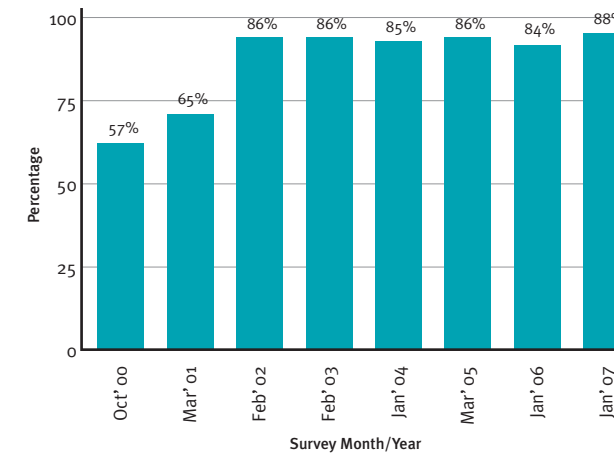
PUBLIC ATTITUDES TO THE OFFICE OF THE POLICE OMBUDSMAN

The Northern Ireland Statistics and Research Agency (NISRA) collected data for this independent report and fieldwork took place during January 2007. Over 1,200 persons participated in the survey.

Awareness of the Police Ombudsman

- 88% of respondents said they had heard of the Police Ombudsman.
- Males (89%) are slightly more likely to have heard of the Police Ombudsman than females (86%).
- Protestants (90%) are slightly more likely to have heard of the Police Ombudsman than Catholics (86%).
- Respondents aged 25 or less showed lower levels of awareness of the Police Ombudsman than older age groups.
- The source of information about the Police Ombudsman most frequently cited by respondents was television (94%).

Proportions of respondents aware of the Police Ombudsman, Oct 2000 - Jan 2007

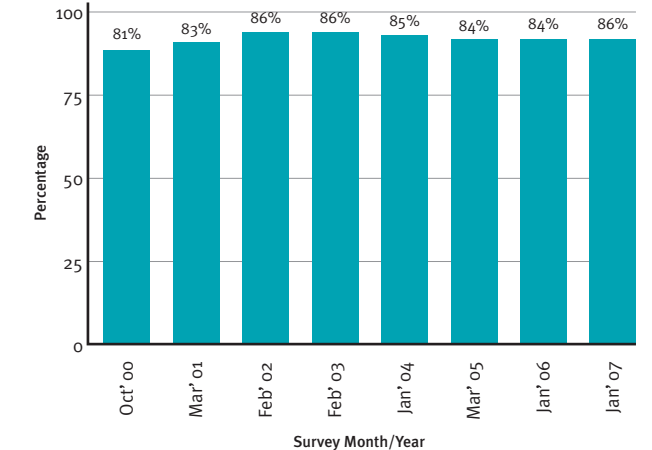


Awareness of independence of the Police Ombudsman

- 86% of those respondents who had heard of the Police Ombudsman thought the Office was independent of the police.

- 10% thought that the Police Ombudsman was part of the police.
- 83% of Catholic respondents and 88% of Protestant respondents thought the Police Ombudsman was independent of the police.

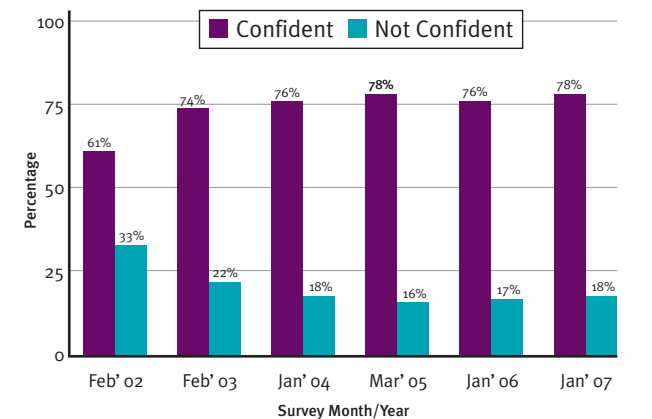
Proportions of respondents aware of the independence of the Police Ombudsman, Oct 2000 - Jan 2007



Impartiality of investigation

- 78% of respondents were confident that the Police Ombudsman investigates complaints in an impartial manner.
- 84% of Catholics and 74% of Protestants were confident that the Police Ombudsman's investigations were impartial.

Confidence in the impartiality of the Police Ombudsman's Investigations, Feb 2002 - Jan 2007

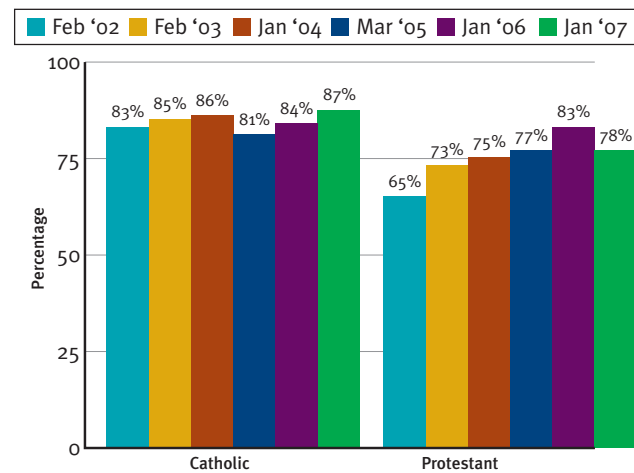


Effect of Police Ombudsman on Policing

- 82% of respondents thought the Police Ombudsman would help ensure that the police do a good job.
- Catholics (87%) were more likely than Protestants (78%) to hold this view.

“Police will be more thorough in their procedures because of Police Ombudsman.”
(member of public’s view)

Proportions of Catholic and Protestant respondents thinking that the Police Ombudsman would help the police do a good job, Feb '02 - Jan '07



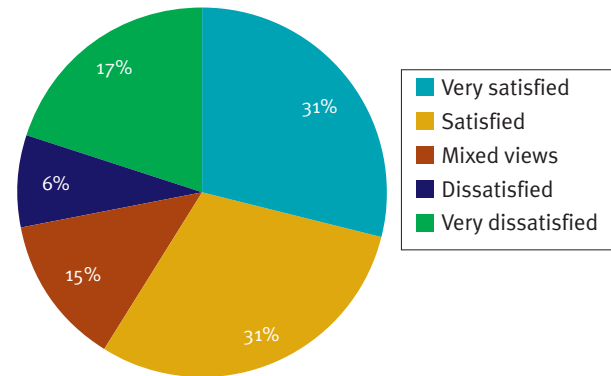
COMPLAINANT SATISFACTION

A complainant satisfaction survey questionnaire was issued to 2748 complainants following closure of their complaints. Respondents were presented with 23 statements, 13 of which were yes/no answers, 8 were on a scale very satisfied to very dissatisfied, and 2 were open-ended statements. A total of 608 questionnaires were returned giving a response rate of 22%.

A total of 62% of respondents, taking everything into account, were satisfied with the service they received. This includes 31% who were very satisfied.

- 76% of respondents stated they would use the complaints system again.

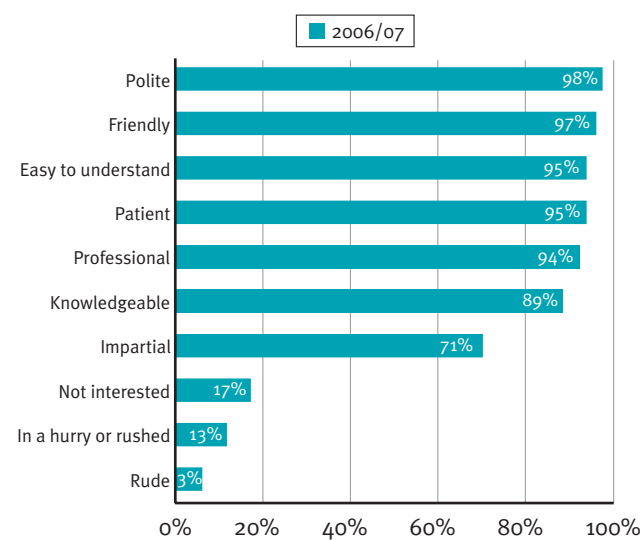
Overall, taking everything into account, how satisfied or dissatisfied were you with the service you received? 2006/07



- Of the 83% of complainants who had spoken to a member of staff from the Police Ombudsman Office:
 - 98% thought staff were polite.
 - 89% thought staff were knowledgeable.
 - 94% thought staff were professional.
 - 71% thought staff were impartial.
- 83% of respondents were satisfied with how long the Office took to reply after making their complaints.
- 77% of respondents were satisfied with how clearly the process was explained to them.

“I wish to thank your office for the very satisfied conclusion of my complaint. Your office carried out a professional job.” (Complainant)

How did the staff seem to you? 2006/07



“Staff were very good and very pleasant on the phone; I would ring again if I ever had any complaints” (Complainant)

“Very friendly staff all-round. Put me at ease” (Complainant)

“I found your staff to be patient, helpful and competent and would have no hesitation in using your office on any subsequent occasion.” (Complainant)

“I was impressed by the Ombudsman’s staff - the process has restored my faith in the PSNI.” (Complainant)

“The staff conducted both interviews and enquiries in a very professional and courteous manner. I feel they carried out their duties to the best of their abilities” (Complainant)

“All I can say is keep up the good work” (Complainant)

The Office continually reviews the systems used to measure complainant satisfaction. Following feedback received during the year from a complainant the letter which is enclosed with the questionnaire was amended to ensure that complainants are in no doubt that completion of the satisfaction questionnaire is entirely voluntary.

EQUALITY MONITORING

Complainant Diversity

A number of complainant characteristics are monitored as a means of fulfilling the obligations laid upon the Police Ombudsman by Section 75 of the Northern Ireland Act 1998. Most of the data collected are extracted from monitoring forms issued to complainants once they have made a complaint. 1263 monitoring forms were returned, representing 39% of those issued.

Religious Belief

Of the 1,257 complainants who provided information about their religious belief, 39% said they were Catholic (35% in 2005/06), and 43% identified their background as Presbyterian, Church of Ireland or Methodist (47% in 2005/06). Eighteen per cent identified themselves as having another religion or no religion.

Gender

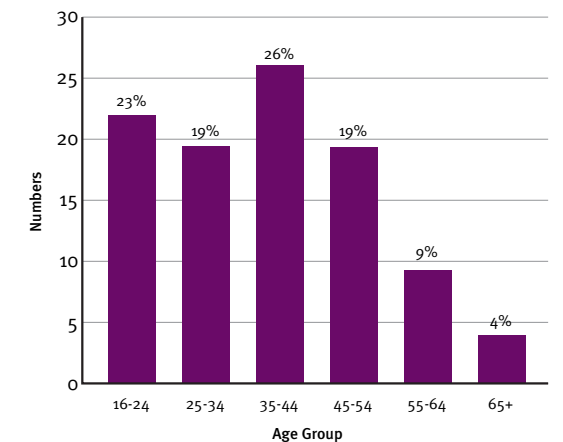
Of those complainants whose gender was known, 71% were male (70% in 2005/06) and 29% were female (30% in 2005/06).

Gender of Complainants		
Gender	Number	%
Male	2,225	71
Female	894	29
Total	3,119	100

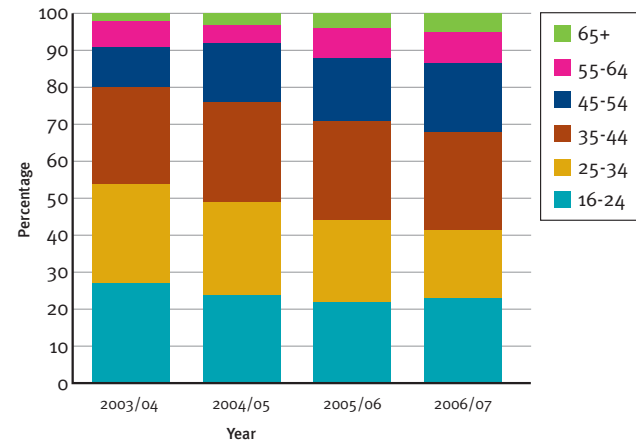
Age

Of those complainants whose age was known, 26% fell within the 35-44 age group. The percentage of complainants aged under 25 is now 23%. This was a slight increase on the 22% reported last year. However, it is still lower than that recorded in previous years (35% in 2002/03; 27% in 2003/04; 24% in 2004/05).

Complainants’ Age 2006/07



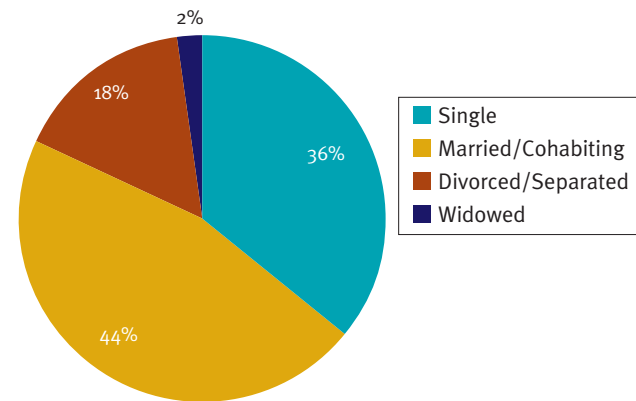
Age of Complainants



Marital Status

The largest proportion of complainants (44%) described themselves as being either married, cohabiting or in civil partnership. Thirty six per cent said that they were single, while 18% said that they were either separated or divorced.

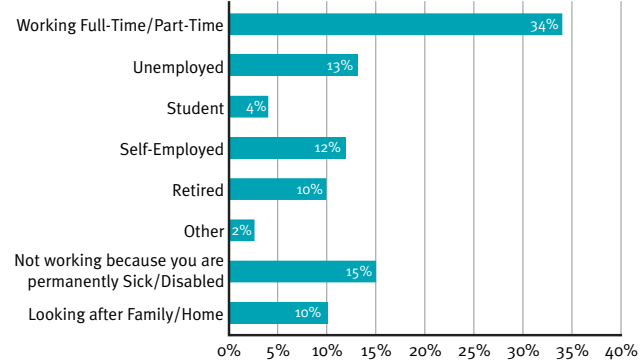
Complainants' marital status



Employment Status

Forty seven per cent of respondents said that they were working full or part time or self employed, while 13% of respondents said that they were unemployed.

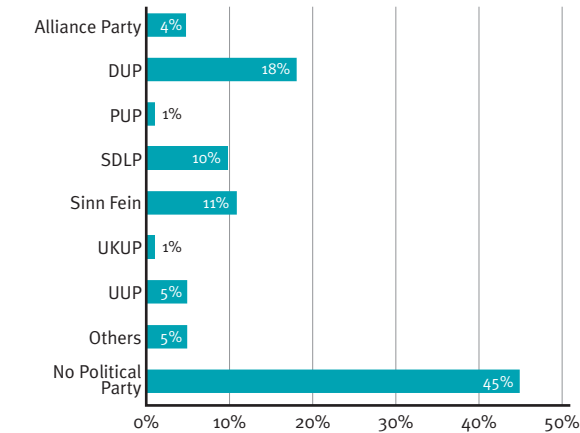
Complainants' employment status



Political Opinion

Of the 852 complainants who provided information about their political opinion, 4% supported the Alliance Party, 18% the DUP, 1% the PUP, 10% the SDLP, 11% Sinn Fein, 1% UKUP, 5% UUP and 5% others. Forty five per cent of complainants who provided information reported that they supported no political party.

Political Opinion



POLICE OFFICER SATISFACTION WITH INVESTIGATIONS

Since October 2005 the Office of the Police Ombudsman has issued satisfaction questionnaires to police officers subject to formal Police Ombudsman investigation and police officers who have had complaints against them informally resolved by the PSNI.

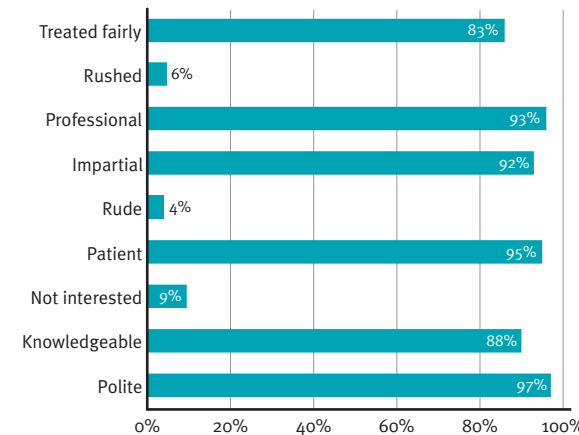
During 2006/07 a total of 950 questionnaires were issued to police officers subject to Police Ombudsman investigation. A total of 403 (42%) questionnaires were returned.

441 questionnaires were also issued to officers who had complaints against them informally resolved by the PSNI. 114 (26%) of these questionnaires were returned.

High levels of police officer satisfaction with Police Ombudsman's investigations

- 83% of officers investigated thought they were treated fairly.
- Of the 90% of police officers who spoke to a Police Ombudsman Investigating Officer:
 - 93% of officers investigated thought Police Ombudsman investigators acted professionally.
 - 92% of officers investigated thought Police Ombudsman investigators acted impartially.
 - 95% of officers investigated thought Police Ombudsman investigators were patient.
 - 88% of officers investigated thought Police Ombudsman investigators were knowledgeable.
 - 97% of officers investigated thought Police Ombudsman staff were polite.

Police Officer Satisfaction with Police Ombudsman Investigating Staff 2006/07



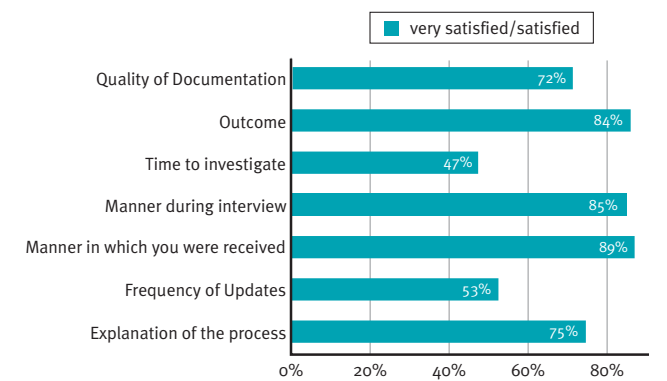
"I was treated fairly by the Ombudsman investigator" (Police Officer)

"I was treated more than professionally by the investigating officer. He kept me fully informed at every stage." (Police officer)

Levels of satisfaction with investigation process

Officers subject to Police Ombudsman investigation were asked on a scale ranging from very satisfied to very dissatisfied to express views on the investigation process.

Police Officer Satisfaction with Investigation process 2006/07



Overall police officer satisfaction with service

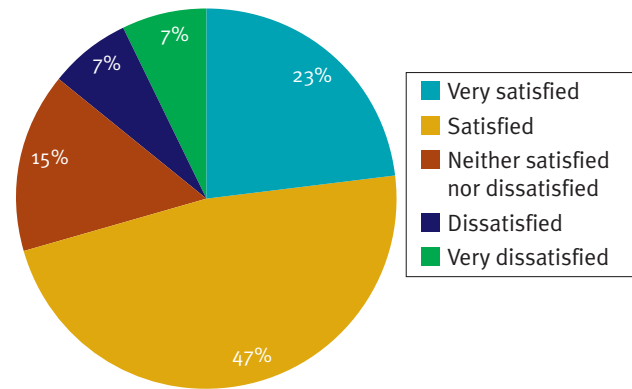
70% of police officers investigated by Police Ombudsman investigators said they were satisfied or very satisfied with the overall service they received from the Office.

"I was satisfied with the service received. The investigator treated me fairly and with respect." (Police officer)

"I am happy with the service provided" (Police Officer)

"I cannot find fault with the service provided" (Police Officer)

Taking everything into account how satisfied or dissatisfied were you with the overall service you received 2006/07



RESEARCH REPORTS

During the past 12 months the Office of the Police Ombudsman has published a number of reports on a diverse range of policing related issues. These reports are available on www.policeombudsman.org.

POLICE SEARCHES OF DOMESTIC RESIDENCES

This policy and practice investigation comprised three elements. Firstly, qualitative research was undertaken on the views, experiences and perceptions of members of the community on a range of themes including the proportionality of search procedures and how these affect relationships with police; the use of warrants; damage incurred; treatment by police during searches; how the Police Ombudsman or any other bodies or organisations dealt with related complaints and treatment by the police during searches. Police Ombudsman research staff also conducted an analysis of records held by police in relation to searches of property, broken down to District Command Unit level, and of records held by the Office of the Police Ombudsman relating to complaints arising from police searches of property.

The main findings of the qualitative research included issues associated with a perceived imbalance in proportionality; irregularities in the use of warrants; a need for clearer communication

with residents, particularly in relation to the purpose of the search and their rights; issues around the use of ‘intelligence’; the treatment of vulnerable individuals; the role of the police in assisting with searches conducted by the immigration service; and issues affecting reporting of complaints to the Police Ombudsman’s Office.

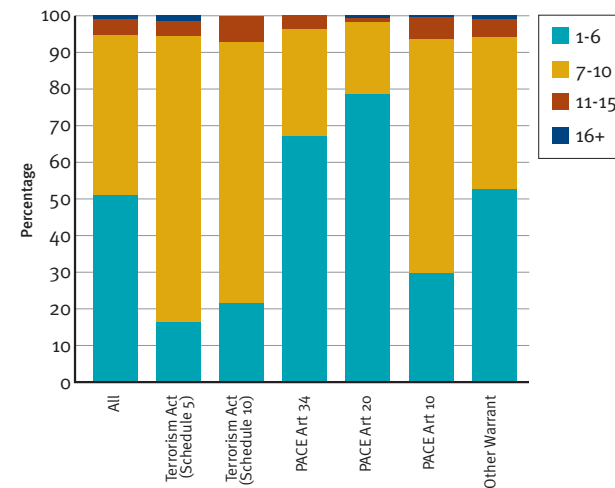
The analysis of police records found that, of the property search records sampled, 51% were conducted using non-specified warrants and 12% were conducted under the Terrorism Act, 62% resulted in a positive find, occupants were present in 81%, persons were arrested in 17%, the average number of police officers present during searches was 6, 22% recorded damage to property, 77% took place between 9am and 9pm, and forced entry was recorded in 21%.

The research report made a number of recommendations in relation to warrants and other search documentation, property seizure, vulnerable groups, searching unoccupied dwellings, proportionality, communication with occupants and searches of Traveller sites. The PSNI responded positively to all recommendations.

Sample of recommendations

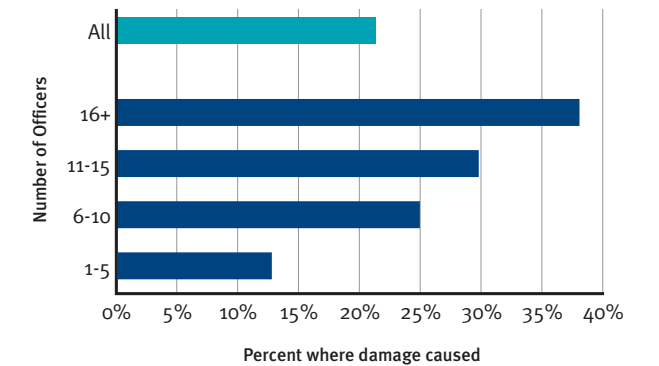
- Police Officers are reminded of the correct use of appropriate search documentation, including the serving of PACE 20s, copies of warrants and PACE 1A documentation
- Police Officers are reminded of the importance that property seized is returned as soon as practicable
- Police Officers are reminded of their duty to adhere to policies and practices in relation to property searches with particular emphasis on guidelines for dealing with vulnerable groups including ethnic minorities and migrant workers

- Police Officers are reminded of the importance of securing unoccupied dwellings following searches
- At least one female officer be in attendance during all searches of domestic properties carried out by police
- Police review the proportionality of the number of police officers involved in search operations against the nature of the offence being investigated and the potential impact on community relations
- All intelligence is verified and validated prior to searches being conducted
- Police review guidelines relating to searches of traveller sites with particular reference to the use of warrants.



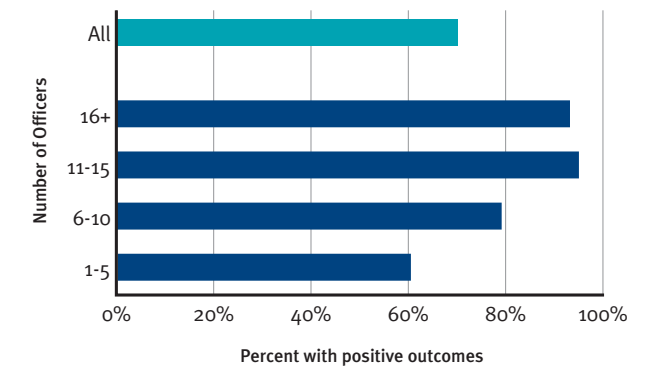
Number of Officers by Authority to Search

Overall, damage to property was recorded in 22% of searches. However, the likelihood of damage being recorded increased in proportion to the number of officers involved in the search, from 17% of searches that involved up to 6 officers, increasing to 39% of searches involving more than 16 officers.



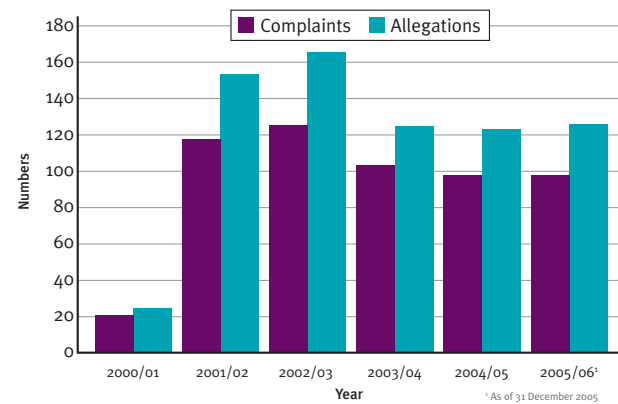
Number of Officers by Proportion of Searches Where Damage Caused

A positive search result was recorded in 62% of searches sampled. The likelihood of a positive result being recorded largely increased in proportion to the number of officers involved in the search; from 54% of searches involving up to 6 officers to 84% of searches involving 11-15 officers and 83% of those involving more than 15.



Number of Officers by Proportion of Positive Search Outcomes

The analysis of Police Ombudsman Records found that between the opening of the Office in November 2000 and December 2005 there were 567 complaints comprising 726 allegations of misconduct arising from searches of private domestic dwellings. The annual number of complaints and allegations peaked in 2002/03, when there were 128 complaints comprising 167 allegations.



Complaints and Allegations Regarding Property Searches 2000/01- 2005/06

Of the property search complaints made to the Police Ombudsman North Belfast District Command Unit attracted the greatest percentage of complaints. Failure in duty constituted 63% of allegations, 28% of complainants failed to cooperate with the Office of the Police Ombudsman, almost half of complaints came from the Catholic community, 35-44 year olds constituted the largest age band of complainants and 40% of complaints were made by females.

COMPLAINANT NON CO-OPERATION WITH THE COMPLAINTS PROCESS

This research was commissioned as part of the Police Ombudsman’s ongoing search to understand why some people, having made complaints, do not follow through and co-operate in the investigation of those complaints.

A Qualitative Research project was undertaken to gather and present the views, attitudes and experiences of community groups, voluntary groups, public representatives and representatives from statutory agencies. 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, and suggestions for any changes to the complaints system.

The findings covered a number of themes

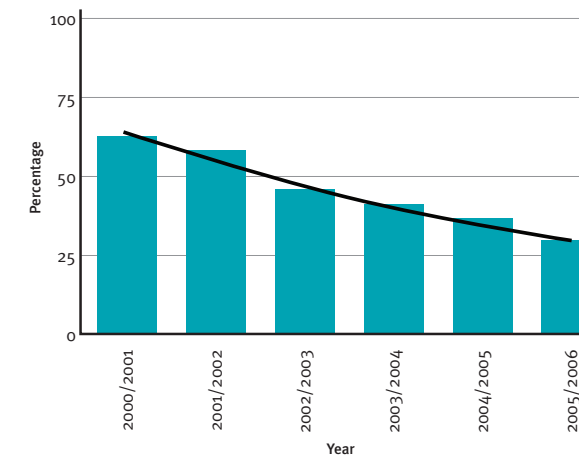
- Issues around accessibility
- Reservations about engaging with state institutions, particularly in areas with high levels of deprivation and poverty
- Time taken to deal with complaints and updating complainants of progress
- The attitude, appearance and general conduct of Investigating Officers
- 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
- 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.

This aspect of the research resulted in a number of detailed recommendations to the Office of the Police Ombudsman, which were considered and full responses given in the final published report.

The non co-operation report also included an analysis of complaints closed due to complainant non co-operation. The main findings were:

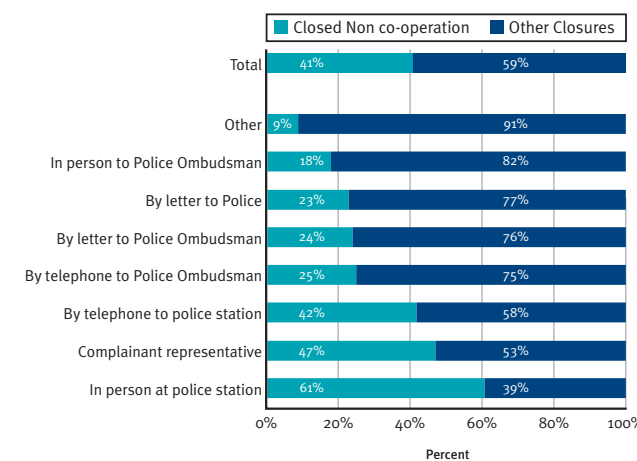
- Over the past six years there has been a significant increase in complainants co-operating with the complaints process

Non Cooperation Closures



- 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

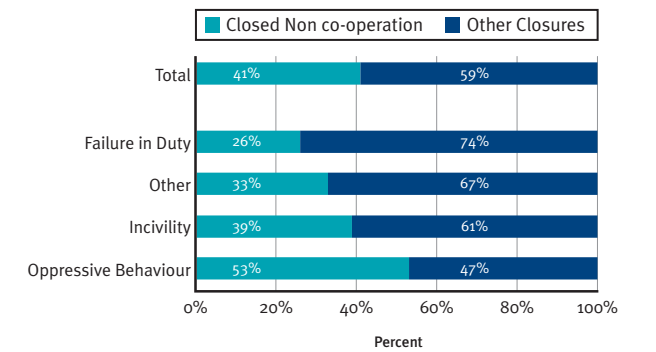
Origin of complaints by closure category



- 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; and

- Failure to co-operate is disproportionately high in complaints alleging Oppressive Behaviour on the part of police.

Allegations by closure category



Emerging from the findings of this research the Office established a working group consisting of its own staff and representatives of the Northern Ireland Tenants Association. The role of this group is to develop an action plan aimed at increasing confidence in the process for handling complaints against police. In particular the 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 complainants 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.

The first group meeting has already taken place.

OTHER RESEARCH PAPERS

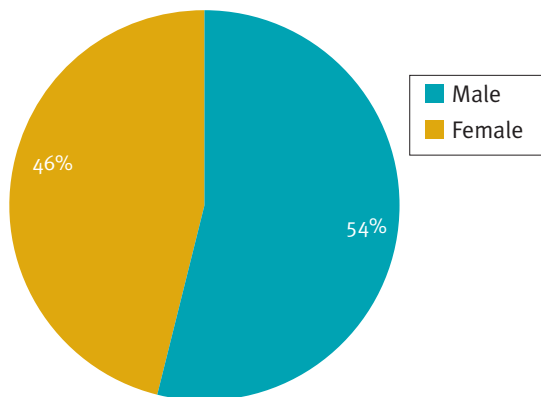
During the year the Office produced a number of other research papers including:-

- Complainant satisfaction
- Police officer satisfaction
- Equality monitoring
- Public attitudes

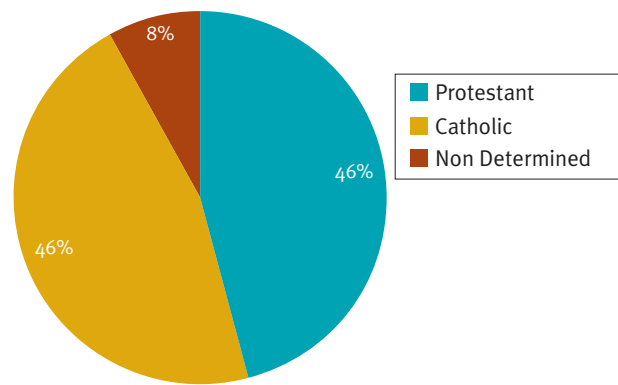
STAFF PROFILE

Information taken from the Fair Employment Monitoring return made by the Office as at 1 January 2007 indicates that 54% of the staff employed in the Office are male and 46% are female. This represents a welcome improvement in the overall representation of female staff within the Office.

Staff Profile by Gender as at 1 January 2007



Staff Profile by Gender as at 1 January 2007



The community background of staff indicates that 46% of staff employed are Protestant, 46% Roman Catholic and 8% not determined.

Key Performance Indicators	Targets (2006-2007)	Performance 2006-2007	Performance 2005-2006
Level of Complaints registered	Resource and action all complaints and related allegations registered	All complaints actioned.	N/A
Prompt Service	90% of complaints actioned within 5 working days of complaint being received	74%	85% in 4 working days
	95% of telephone calls to the Office to be responded to within 10 seconds	100%	Average response time 4 seconds
	95% of members of the public calling to the Office to be seen within 5 minutes	81%	Average waiting time 3 minutes
Responsiveness to serious incidents referred to Police Ombudsman "on-call" team	Respond within 1.5 hours (24/7) to serious incidents referred in Belfast and 3 hours outside Belfast	100%	Target Achieved
Timely Process	85% of complaints not subject of investigation to be processed within 32 working days	42%	Average 32 days
	85% of complainants to be contacted by the Investigating Officer within 3 working days of being allocated to that officer	93%	82% in 3 working days
	90% of complaints suitable for Informal Resolution to be referred within 3 working days of complainant consent being obtained	91%	91% in 3 working days
Timeliness of the complaint investigation	90% of new complaint investigations to be completed within 120 working days	67%	N/A
	Investigate and report on 90% of critical incidents or matters referred by the Chief Constable under Section 55 of the Police (Northern Ireland) Act 1998 within 200 working days	33%	N/A
Timely updating of complainants and police officers	85% of complainants and police officers to be updated every 6 weeks	Complainants 86% Police Officers 73%	Complainants 78% Police Officers 86%
Quality of Investigations	A minimum of 50% of all completed investigations to be monitored in line with quality assurance indicators	51%	N/A

Key Performance Indicators	Targets (2006-2007)	Performance 2006-2007	Performance 2005-2006
Quality of complaint and investigation processes	60% of complainants being satisfied or very satisfied with service received	63%	N/A
	75% of complainants willing to use the service again	76%	70%
Investigation of grave or exception matters	Establish and resource a separate team to deal with such matters once appropriate funding has been approved	Team Established	N/A
Police policy and practice investigations	Police search of domestic residences – July 2006	Completed	N/A
	Impact of recommendations arising from investigations – September 2006	Ongoing	N/A
	Police use of handcuffs – December 2006	Ongoing	N/A
Published research papers on matters arising from complaints handling	Complainant Satisfaction Survey – June 2006	Completed	N/A
	Non Co-operation of Complainants Report – July 2006	Completed	N/A
	Public Attitudes Survey – July 2006	Completed	N/A
	Equality Monitoring of Complainants – September 2006	Completed	N/A
	Police Officer Satisfaction Survey – November 2006	Completed	N/A
Reports on trends and patterns of complaints and allegations	Make available all agreed reports within timescales	Achieved	Achieved
Informing the public	Maintain a programme to inform the public via the media and outreach events of the outcomes of complaints and investigations	Achieved	N/A
	Maintain usage of website at current high levels	Achieved	N/A
	Respond to requests for information as required by law	Achieved	N/A

Key Performance Indicators	Targets (2006-2007)	Performance 2006-2007	Performance 2005-2006
Public awareness and confidence in the Office	Average level of 80% of public awareness and confidence in the police complaints system as measured independently	88% public awareness	84%
		82%, believe the Office helps police do good job	83%
Police confidence in the Office	Measure and report on police satisfaction levels with Police Ombudsman investigations	Achieved	N/A
	Develop pilot project to inform “rank and file” officers about closures of complaints	Target carried over	N/A
Use of mediation to resolve complaints	Introduction of mediation pilot project by October 2006	Ongoing	N/A
Expenditure of approved funding	Keep expenditure within 2% of approved budget planning	Achieved	Achieved
Programme of staff training and development	Third cohort of accredited investigation training was completed in March 2007	Achieved	24 Investigators accredited
		65% by end of year	412 staff participants on 105 training events
Effective management information systems	New system on line by January 2007	Ongoing. Revised target date June 2007	N/A
	Development of electronic records management system	Ongoing	N/A
Level of staff attendance	Reduce the level of self certified staff absence	Achieved	N/A
Profile of staff reflecting Fair Employment Legislation	Complete annual Fair Employment monitoring return by 1 May 2006	Completed	Completed
		Completed	Completed
Timely production of Corporate Plan and Annual Report	Corporate Plan 30 May 2006	Published in June 2006	Achieved
	Annual Report 30 June 2006	Achieved	Achieved

Remuneration Report

REMUNERATION POLICY

The Police Ombudsman is remunerated in line with judicial scales. The Chief Executive and Senior Director of Investigations are remunerated as senior civil servants. The level of remuneration and performance award element is set by the Prime Minister following independent advice from the Senior Salaries Review Body.

In reaching its recommendations, the Review Body has regard to the following considerations:

- the need to recruit, retain and motivate suitably able and qualified people to exercise their different responsibilities;
- regional/local variations in labour markets and their effects on the recruitment and retention of staff;
- Government policies for improving the public services including the requirement on departments to meet the output targets for the delivery of departmental services;
- the funds available to departments as set out in the Government's departmental expenditure limits;
- the Government's inflation target.

The Review Body takes account of the evidence it receives about wider economic considerations and the affordability of its recommendations.

Further information about the work of the Review Body can be found at www.ome.uk.com

The remuneration of other members of the Senior Management Team within the Office is set within the NIO pay structures. The Office is not involved in NIO pay negotiations. Included within the NIO pay award is a non consolidated performance bonus element. Performance is appraised by line managers of achievement against agreed objectives and targets. A decision was taken to exclude Directors from consideration for these bonuses in 2006/07.

APPOINTMENTS

Appointments are made in accordance with the Civil Service Commissioners' Recruitment Code, which requires appointment to be on merit on the basis of fair and open competition but also includes the circumstances when appointments may otherwise be made.

Unless otherwise stated below, the officials covered by this report hold appointments, which are open-ended until they reach the normal retiring age of 60. Staff can retire at 60 but they also have the right to remain in post up to age 65. Additionally staff can request to work beyond the age of 65 subject to the approval of the Chief Executive. Early termination, other than for misconduct, would result in the individual receiving compensation as set out in the Civil Service Compensation Scheme.

Further information about the work of the Civil Service Commissioners can be found at www.civilservicecommissioners.gov.uk

Mr E Simpson and Mr RST Ewing were appointed on 30 June 2004 for three years as Independent Non-Executive members of the Audit Committee in the Office. They are remunerated on the basis of an agreed daily rate.

SALARY AND PENSION ENTITLEMENTS

The following sections provide details of the remuneration and pension interests of the most senior officials in the Office.

Remuneration	2006-07		2005-06	
	Salary (£'000)	Benefits in kind (to nearest £100)	Salary (£'000)	Benefits in kind (to nearest £100)
Mrs Nuala O'Loan <i>Police Ombudsman</i>	115-120	-	115-120	-
Mr Samuel Pollock <i>Chief Executive</i>	80-85	-	75-80	-
Mr Justin Felice <i>Senior Director of Investigations</i>	75 - 80	-	55-60 ¹	-
Mrs Olwen Laird <i>Director of Corporate Services</i>	50-55	-	45-50	-
Mr Greg Mullan <i>Director of Policy and Practice</i>	50-55	-	45-50	-
Mr Tim Gracey <i>Director of Information</i>	50-55	-	50-55	-
Mr John Larkin <i>Director of Investigations</i>	65-70	-	15-20 ²	-
Mr Eunan McMullan <i>Director of Legal Services (On career break)</i>	-	-	-	-
Mr Edward Simpson <i>Non Executive Audit Committee Member</i>	0-5	-	0-5	-
Mr RST Ewing <i>Non Executive Audit Committee Member</i>	0-5	-	0-5	-

1. Salary quoted for 2005/06 was for remuneration as Director of Investigations from 1 April 2005 to 18 December 2005 and as Senior Director of Investigations from 19 December 2005 to 31 March 2006. The full year equivalents were £50-55k and £75-80k respectively.

2. Salary quoted for 2005/06 was for remuneration as Director of Investigations from 19 December 2005 to 13 March 2006. The full year equivalent was £60-65k.

Pension Benefits						
Audited Information	Accrued pension at age 60 as at 31/3/07 and related lump sum £'000	Real increase in pension and related lump sum at age 60 £'000	CETV at 31/3/07 £'000	CETV at 31/3/06 £'000	Real increase in CETV £'000	Employer contribution to partnership pension account (Nearest £100)
Mrs Nuala O'Loan <i>Police Ombudsman</i>	30 – 32.5 plus lump sum of 95 – 97.5	0 – 2.5 plus lump sum of 2.5 – 5.0	670	625	22	N/A
Mr Samuel Pollock <i>Chief Executive</i>	5 – 7.5 plus lump sum of 17.5 – 20	0 – 2.5 plus lump sum of 2.5 – 5.0	142	112	24	N/A
Mr Justin Felice <i>Senior Director of Investigations</i>	2.5 – 5.0 lump sum N/A	2.5 – 5.0 lump sum N/A	46	7	37	N/A
Mrs Olwen Laird <i>Director of Corporate Services</i>	7.5 – 10 lump sum N/A	0 – 2.5 lump sum N/A	79	74	4	N/A
Mr Greg Mullan <i>Director of Policy and Practice</i>	15 – 17.5 plus lump sum of 45 – 47.5	0 – 2.5 plus lump sum of 0 – 2.5	296	286	1	N/A
Mr Tim Gracey <i>Director of Information</i>	7.5 - 10 plus lump sum of 25 – 27.5	0 – 2.5 plus lump sum of 0 – 2.5	155	146	5	N/A
Mr John Larkin <i>Director of Investigations¹</i>	N/A	N/A	N/A	N/A	N/A	N/A
Mr Eunan McMullan <i>Director of Legal Services² (On career break)</i>	N/A	N/A	N/A	N/A	N/A	N/A
Mr Edward Simpson <i>Non Executive Audit Committee Member³</i>	N/A	N/A	N/A	N/A	N/A	N/A
Mr RST Ewing <i>Non Executive Audit Committee Member³</i>	N/A	N/A	N/A	N/A	N/A	N/A

¹ On secondment from West Midlands Police Service.

² Currently on career break.

³ Non pensionable employment.

SALARY

'Salary' includes gross salary; performance pay or bonuses; overtime; reserved rights to London weighting or London allowances; recruitment and retention allowances; private office allowances and any other allowance to the extent that it is subject to UK taxation.

This report is based on payments made by the Office and thus recorded in these accounts.

BENEFITS IN KIND

The monetary value of benefits in kind covers any benefits provided by the employer and treated by the Inland Revenue as a taxable emolument.

CIVIL SERVICE PENSIONS

Pension benefits are provided through the Civil Service pension arrangements. From 1 October 2002, civil servants may be in one of three statutory based 'final salary' defined benefit schemes (classic, premium, and classic plus). The schemes are unfunded with the cost of benefits met by monies voted by Parliament each year. Pensions payable under classic, premium, and classic plus are increased annually in line with changes in the Retail Prices Index. New entrants after 1 October 2002 may choose between membership of premium or joining a good quality 'money purchase' stakeholder arrangement with a significant employer contribution (partnership pension account).

Employee contributions are set at the rate of 1.5% of pensionable earnings for classic and 3.5% for premium and classic plus. Benefits in classic accrue at the rate of 1/80th of pensionable salary for each year of service. In addition, a lump sum equivalent to three years' pension is payable on retirement. For premium, benefits accrue at the rate of 1/60th of final pensionable earnings for each year of service. Unlike classic, there is no automatic lump sum (but members may give up (commute) some of their pension to provide a lump sum). Classic plus is essentially a variation

of premium, but with benefits in respect of service before 1 October 2002 calculated broadly in the same way as in classic.

The partnership pension account is a stakeholder pension arrangement. The employer makes a basic contribution of between 3% and 12.5% (depending on the age of the member) into a stakeholder pension product chosen by the employee from a selection of approved products. The employee does not have to contribute but where they do make contributions, the employer will match these up to a limit of 3% of pensionable salary (in addition to the employer's basic contribution). Employers also contribute a further 0.8% of pensionable salary to cover the cost of centrally-provided risk benefit cover (death in service and ill health retirement).

The accrued pension quoted is the pension the member is entitled to receive when they reach 60, or immediately on ceasing to be an active member of the scheme if they are already 60.

Further details about the Civil Service pension arrangements can be found at the website www.civilservice-pensions.gov.uk

CASH EQUIVALENT TRANSFER VALUES

A Cash Equivalent Transfer Value (CETV) is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member's accrued benefits and any contingent spouse's pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former scheme. The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies. The CETV figures, and from

2003-04 the other pension details, include the value of any pension benefit in another scheme or arrangement which the individual has transferred to the Civil Service pension arrangements and for which the Cabinet Office's Civil Superannuation Vote has received a transfer payment commensurate with the additional pension liabilities being assumed. They also include any additional pension benefit accrued to the member as a result of their purchasing additional years of pension service in the scheme at their own cost. CETVs are calculated within the guidelines and framework prescribed by the Institute and Faculty of Actuaries.

REAL INCREASE IN CETV

This reflects the increase in CETV effectively funded by the employer. It takes account of the increase in accrued pension due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme or arrangement) and uses common market valuation factors for the start and end of the period.

Samuel Pollock, OBE

BSc (Hons), Dip. App. Soc. Studies,
Chief Executive

8 June 2007

Statement of the Police Ombudsman for Northern Ireland and Chief Executive's Responsibilities

Under paragraph 12 of Schedule 3 of the Police (Northern Ireland) Act 1998 the Police Ombudsman for Northern Ireland is required to prepare a statement of accounts for each financial year in the form and on the basis directed by the Secretary of State.

The accounts are prepared on an accruals basis and must include an income and expenditure account, balance sheet and a cash flow statement. The accounts are required to give a true and fair view of the income and expenditure for the financial year and the balances held at the year end.

In preparing the accounts the Chief Executive as Accounting Officer is required to:

- observe the accounts direction issued by the Northern Ireland Office, including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis
- make judgements and estimates on a reasonable basis
- state whether applicable accounting standards have been followed and disclose and explain any material departures in the financial statements
- prepare the financial statements on the going concern basis.

The Accounting Officer of the Northern Ireland Office has designated the Chief Executive as Accounting Officer of the Office of the Police Ombudsman for Northern Ireland. The Chief Executive's relevant responsibilities as Accounting Officer, including his responsibility for the propriety and regularity of the public finances and for the keeping of proper records, are set out in the Non-Departmental Public Bodies' Accounting Officer Memorandum issued by HM Treasury and published in Government Accounting.

Statement on Internal Control

1. Scope of Responsibility

As Accounting Officer, I have responsibility for maintaining a sound system of internal control that supports the achievement of the Office of the Police Ombudsman's policies, aims and objectives, as set out in the Annual Business Plan and agreed with the Northern Ireland Office, whilst safeguarding the public funds and the Office's assets for which I am personally responsible, in accordance with the responsibilities assigned to me in my letter of designation as Accounting Officer.

In addition I report on a quarterly basis to the Permanent Secretary of the Northern Ireland Office on progress towards business objectives, financial objectives, staffing and other matters.

2. Purpose of the System of Internal Control

The system of internal control is designed to manage risk to a reasonable level rather than to eliminate the risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness.

The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the policies, aims and objectives of the Office, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically. This system of internal control has been in place in the Office of the Police Ombudsman for the year ended 31 March 2007 and up to the date of approval of the annual report and accounts, and accords with treasury guidance.

3. Capacity to Handle Risk

The Office of the Police Ombudsman's Senior Management Team is committed to achieving high standards of corporate governance throughout the organisation and to integrity and high ethical standards in all its dealings. Responsibility for implementing the risk management process rests with me, as Accounting Officer, supported by the Senior Management Team. A risk management policy and strategy has been established and has been communicated to all staff.

4. Risk Control Framework

In order to ensure risk management is embedded throughout the Office it is incorporated into the corporate planning process. Risk awareness training has been provided to staff to more fully embed risk management throughout the Office.

A risk register has been established which includes key risks prioritised by likelihood and impact. Each risk is assessed for additional actions required to fully address the risk and such actions have been assigned with an owner who is responsible for ensuring that appropriate measures are undertaken within an established timescale. The risk register and actions are regularly reviewed and updated accordingly. All updates to the risk register are reviewed by SMT and the Audit Committee of the Office.

The risk register is available to all staff through the internal website.

5. Review of Effectiveness

As Accounting Officer, I also have responsibility for reviewing the effectiveness of the system of internal control. My review of the effectiveness of the system of internal control is informed by the work of the internal auditors and the executive managers within the Office of the Police Ombudsman who have responsibility for the development and maintenance of the internal control framework, and comments made by the external auditors in their management letters and other reports. I have been advised

on the implications of the result of my review of the effectiveness of the system of internal control by the Audit Committee and a plan to ensure continuous improvement of the system is in place. The system of internal control is based on a framework of regular management information, financial and administrative procedures including the segregation of duties, management supervision and a system of delegation and accountability. In particular the system includes:

- business planning and objective setting processes, including the setting of targets to measure financial and other performance;
- the operation of a performance management system for staff;
- financial planning and budgeting systems;
- internal audit arrangements and an audit committee;
- financial accounting systems and administrative procedures, including delegated levels of authority;
- capital investment control guidelines.

AUDIT COMMITTEE

The Audit Committee continues to provide an essential oversight of the controls and good governance of the Office. The Committee is self standing with a terms of reference and comprises representatives of the Office of the Police Ombudsman, representatives from the Department (Northern Ireland Office) and two independent non-executive members who have been in post throughout the financial year. The Audit Committee is chaired by an independent non-executive member. I am required to report to this Committee quarterly or more often if required.

INTERNAL AUDIT

The Office of the Police Ombudsman for Northern Ireland has an internal audit service, which operates to standards defined in the Government Internal Audit Manual. The work of the internal audit service is informed by the risk management process and the internal audit plans are based on the risk register. The analysis of risk and the internal audit plans are endorsed by the Police Ombudsman's Audit Committee and approved by me. The internal audit arrangements require the Head of Internal Audit (HIA), at least annually, to provide me with an annual report on internal audit activity in the Office.

The report includes the HIA's independent opinion on the adequacy and effectiveness of the Office's system of internal control. The internal audit report, completed during the period of the accounts, provided assurance that controls were operating adequately in respect of corporate governance, complaints and investigations and financial management systems. There were no high risk issues arising from this report. This builds further on reviews of systems carried out in previous years.

Samuel Pollock, OBE
BSc (Hons), Dip. App. Soc. Studies,
Chief Executive

8 June 2007

The Certificate and Report of the Comptroller and Auditor General to the Houses Of Parliament

I certify that I have audited the financial statements of the Office of the Police Ombudsman for Northern Ireland for the year ended 31 March 2007 under the Police (Northern Ireland) Act 1998. These comprise the Operating Cost Statement, the Balance Sheet, the Cashflow Statement and Statement of Total Recognised Gains and Losses and the related notes. These financial statements have been prepared under the accounting policies set out within them. I have also audited the information in the Remuneration Report that is described in that report as having being audited.

Respective responsibilities of the Police Ombudsman for Northern Ireland, Chief Executive and auditor

The Police Ombudsman for Northern Ireland and Chief Executive as Accounting Officer are responsible for preparing the Annual Report, the Remuneration Report and the financial statements in accordance with the Police (Northern Ireland) Act 1998 and directions made thereunder by the Secretary of State for Northern Ireland and for ensuring the regularity of financial transactions. These responsibilities are set out in the Statement of the Police Ombudsman for Northern Ireland and Chief Executive's Responsibilities.

My responsibility is to audit the financial statements and the part of the Remuneration Report to be audited in accordance with relevant legal and regulatory requirements, and with International Standards on Auditing (UK and Ireland).

I report to you my opinion as to whether the financial statements give a true and fair view and whether the financial statements and the part of the Remuneration Report to be audited have been properly prepared in accordance with the Police (Northern Ireland) Act 1998 and directions made thereunder by the Secretary of State for Northern Ireland. I report to you whether, in my opinion, certain information given in the Annual Report, which comprises the Foreword and Report by the Police Ombudsman, the Report of the Chief Executive, the Review of the Work and Performance of the Office and the unaudited part of the Remuneration Report, is consistent with the financial statements. I also report whether in all material respects the expenditure and income have been applied to the purposes intended by Parliament and the financial transactions conform to the authorities which govern them.

In addition, I report to you if the Office of the Police Ombudsman for Northern Ireland has not kept proper accounting records, if I have not received all the information and explanations I require for my audit, or if information specified by HM Treasury regarding remuneration and other transactions is not disclosed.

I review whether the Statement on Internal Control reflects the Office of the Police Ombudsman for Northern Ireland's compliance with HM Treasury's guidance, and I report if it does not. I am not required to consider whether this statement covers all risks and controls, or form an opinion on the effectiveness of the Office of the Police Ombudsman for Northern Ireland's corporate governance procedures or its risk and control procedures.

I read the other information contained in the Annual Report and consider whether it is consistent with the audited financial statements. I consider the implications for my report if I become aware of any apparent misstatements or material inconsistencies with the financial statements. My responsibilities do not extend to any other information.

Basis of audit opinion

I conducted my audit in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. My audit includes examination, on a test basis, of evidence relevant to the amounts, disclosures and regularity of financial transactions included in the financial statements and the part of the Remuneration Report to be audited. It also includes an assessment of the significant estimates and judgments made by the Office of the Police Ombudsman for Northern Ireland and Accounting Officer in the preparation of the financial statements, and of whether the accounting policies are most appropriate to the Office of the Police Ombudsman for Northern Ireland's circumstances, consistently applied and adequately disclosed.

I planned and performed my audit so as to obtain all the information and explanations which I considered necessary in order to provide me with sufficient evidence to give reasonable assurance that the financial statements and the part of the Remuneration Report to be audited are free from material misstatement, whether caused by fraud or error, and that in all material respects the expenditure and income have been applied to the purposes intended by Parliament and the financial transactions conform to the authorities which govern them. In forming my opinion I also evaluated the overall adequacy of the presentation of information in the financial statements and the part of the Remuneration Report to be audited.

Audit Opinion

In my opinion:

- the financial statements give a true and fair view, in accordance with the Police (Northern Ireland) Act 1998 and directions made thereunder by the Secretary of State for Northern Ireland, of the state of Office of the Police Ombudsman for Northern Ireland's affairs as at 31 March 2007 and of its operating cost for the year then ended;
- the financial statements and the part of the Remuneration Report to be audited have been properly prepared in accordance with the Police (Northern Ireland) Act 1998 and directions made thereunder by the Secretary of State for Northern Ireland; and
- information given within the Annual Report, which comprises the Foreword and Report by the Police Ombudsman, the Report of the Chief Executive, the Review of the Work and Performance of the Office and the unaudited part of the Remuneration Report, is consistent with the financial statements.

Audit Opinion on Regularity

In my opinion, in all material respects the expenditure and income have been applied to the purposes intended by Parliament and the financial transactions conform to the authorities which govern them.

Report

I have no observations to make on these financial statements.

John Bourn
Comptroller and Auditor General

27 June 2007

National Audit Office
157-197 Buckingham Palace Road
Victoria
London SW1W 9SP

Operating Cost Statement for the year ended 31 March 2007

	Note	2006/07 £	Restated 2005/06 £
Operating Expenditure			
Salaries and wages	3	5,679,879	5,353,009
Other operating costs	4	2,442,754	2,328,255
Depreciation	6	277,131	256,023
Permanent diminution on revaluation of fixed assets	6,11	65,006	15,858
Notional cost of capital	5	49,380	54,714
Total Operating Expenditure		8,514,150	8,007,859
Release from Government Grant Reserve	11	(31,853)	0
Credit in respect of notional cost of capital	5	(49,380)	(54,714)
Net Operating Cost for the year		8,432,917	7,953,145
These costs relate to the continuing activities of the Office of the Police Ombudsman for Northern Ireland.			
Statement of Total Recognised Gains and Losses			
Net Operating Cost for the year		8,432,917	7,953,145
Unrealised gain on revaluation	11	(60,677)	(36,438)
Total Recognised Losses for the year		8,372,240	7,916,707
The notes on pages 65 to 79 form part of these accounts.			

Balance Sheet as at 31 March 2007

	Note	as at 31 March 2007 £	Restated as at 31 March 2006 £
Fixed Assets			
Tangible assets	6	1,239,370	1,364,708
Intangible assets	6	947,960	339,761
		2,187,330	1,704,469
Current Assets			
Debtors and prepayments	7	164,031	140,801
Cash at bank and in hand	8	189,716	119,241
		353,747	260,042
Creditors - amounts falling due within one year	9	(720,710)	(532,851)
Net Current Liabilities		(366,963)	(272,809)
Total Assets less Current Liabilities		1,820,367	1,431,660
Creditors - amounts falling due after more than one year	9	-	-
Provisions for liabilities and charges	10	(112,550)	(8,750)
		1,707,817	1,422,910
Financed By:			
Capital and Reserves			
General Reserve	11	990,591	1,313,741
Government Grant Reserve	11	614,006	66,626
Revaluation Reserve	11	103,220	42,543
		1,707,817	1,422,910
The notes on pages 65 to 79 form part of these accounts.			

Samuel Pollock, OBE

BSc (Hons), Dip. App. Soc. Studies,
Chief Executive

8 June 2007

Cash Flow Statement for the year ended 31 March 2007

	Note	2006/07 £	Restated 2005/06 £
Net cash outflow from continuing operating activities	14	(7,954,199)	(7,464,573)
Payment for fixed assets	6	(664,326)	(343,037)
Net cash outflow before financing		(8,618,525)	(7,807,610)
Financing	15	8,689,000	7,636,000
Increase/(Decrease) in cash and cash equivalents	16	70,475	(171,610)

The notes on pages 65 to 79 form part of these accounts.

Notes to the Accounts

1. ACCOUNTING POLICIES

These financial statements have been prepared on an accruals basis in accordance with the Accounts Direction given by the Secretary of State for Northern Ireland. The particular accounting policies adopted by the Office of the Police Ombudsman for Northern Ireland are described below. They have been applied consistently in dealing with items considered material in relation to the accounts.

1.1 Accounting Convention

The financial statements are prepared under the historical cost convention modified to include the revaluation of fixed assets by reference to their current cost.

Without limiting the information given, the accounts meet:

- the accounting and disclosure requirements of the Companies (Northern Ireland) Order 1986;
- generally accepted accounting practice in the United Kingdom (UK GAAP); and
- the accounting and disclosure requirements of the Accounts Direction, the Management Statement, Financial Delegations and Conditions of Grant issued to the Office of the Police Ombudsman by the Secretary of State for Northern Ireland;
- the accounting and disclosure requirements given in the Government Accounting and Financial Reporting Manual (FrM)

in so far as these are appropriate to the Office of the Police Ombudsman for Northern Ireland and are in force for the financial year for which the statements are prepared.

1.2 Change in Accounting Policy

With effect from the 2006/07 reporting period the FrM requires Non-Departmental Public Bodies to account for Grants and Grants in Aid received for revenue purposes as financing because they are regarded as contributions from a controlling party which gives rise to a financial interest in the residual interest of NDPBs. This is a change from earlier periods when such items were recorded as income in the Income and Expenditure account. The effect of this change on the certified 2005/06 financial statements and the impact of the change on the results of the current year is shown below. There is no impact on the net asset position of the Office of the Police Ombudsman for Northern Ireland as a result of this change in policy.

IMPACT OF NEW POLICY 2005/06 FINANCIAL STATEMENTS

	At 31 March 2006 (as previously stated) £	Impact of adopting the new policy £	At 31 March 2006 (restated) £
Net Operating Cost for the year (previously retained deficit for the year)	(388,301)	(7,564,844)	(7,953,145)
General Reserve	(199,980)	1,513,721	1,313,741
Government Grant Reserve	1,622,890	(1,556,264)	66,626
Revaluation Reserve	0	42,543	42,543
Net Assets	1,422,910	0	1,422,910

The impact on the Net Operating Cost for the year of £7,564,844 consists of £7,292,963 revenue Grant in Aid no longer being treated as income and £271,881 Government Grant release no longer being released through the Income and Expenditure Account (now the Operating Cost Statement), resulting in an increased amount being charged through the General Reserve (note 11).

IMPACT OF NEW POLICY 2006/07 FINANCIAL STATEMENTS

	At 31 March 2007 (without applying the new policy) £	Impact of adopting the new policy £	At 31 March 2007 (applying the new policy) £
Net Operating Cost for the year	(97,960)	(8,334,957)	(8,432,917)
General Reserve	(297,940)	1,288,531	990,591
Government Grant Reserve	2,005,757	(1,391,751)	614,006
Revaluation Reserve	0	103,220	103,220
Net Assets	1,707,817	0	1,707,817

The impact on the Net Operating Cost for the year of £8,334,957 consists of £8,024,674 revenue Grant in Aid no longer being treated as income and £310,283 Government Grant release no longer being released through the Operating Cost Statement, resulting in an increased amount being charged through the General Reserve (note 11).

1.3 Capital Grants and Grant-in-Aid

The Office of the Police Ombudsman for Northern Ireland is funded by Grant in Aid from the Northern Ireland Office, request for resources 1. Grant in Aid received to finance activities and expenditure which support the statutory and other objectives of the Office are treated as financing, credited to the General Reserve, because they are regarded as contributions from a controlling party.

Grant in Aid received towards the purchase of fixed assets in general is also credited directly to the General Reserve and a release of depreciation/diminution to the Operating Cost Statement is no longer permitted under the new treatment of Grant in Aid.

Capital Grants, whether from a sponsor department or from other sources, relating to capital expenditure used to acquire specific capital items are credited to a Government Grant Reserve and released to the Operating Cost Statement over the useful life of the asset in amounts equal to the depreciation charge of the asset and any impairment. The Office has one specific asset that is funded as Capital Grant, namely the Case Handling System. A separate fixed asset category has been created in relation to this asset to ensure the correct treatment of grant funding.

1.4 Value Added Tax

The Office of the Police Ombudsman for Northern Ireland is not registered for Value Added Tax, (VAT). All transactions are therefore stated inclusive of VAT.

1.5 Fixed Assets

Assets are capitalised as fixed assets if they are intended for use on a continuous basis and their individual original purchase cost is £1,000 or more. Items with an individual cost of less than £1,000 but which, when taken together, represent a significant fixed asset investment will be grouped to form an asset group. The materiality threshold for a group of assets is £3,500.

Items costing less than £1,000 and which are not part of an asset group are written off in the year of purchase.

A separate fixed asset category, included within intangible fixed assets, has been created in relation to the new Case Handling System, as it is the only asset funded through Capital Grant. Invoices capitalised in relation to this asset category during 2005/06 of £145,739 have been re-categorised in the opening balances in the fixed asset note 6.

Leasehold improvement expenditure has been capitalised and is restated at current cost using professional valuations every year. Valuations are carried out each year by professional external valuers, employed by the Valuation and Lands Agency, in accordance with the Appraisal and Valuation Manual prepared and published by the Royal Institution of Chartered Surveyors, as at 31 March. The unexpired term in respect of the lease for New Cathedral Buildings is eight years, with an option to extend it for a further ten years.

Other fixed assets have been stated at current cost using appropriate indices compiled by the Office for National Statistics. Any surplus/loss on revaluation of fixed assets is treated as follows:

- Unrealised surplus arising from assets funded by Grant in Aid is credited to the Revaluation Reserve;
- Unrealised surplus arising from assets funded by Capital Grant is credited to the Government Grant Reserve;
- Losses on revaluation arising from assets funded by Grant in Aid are debited to the Revaluation Reserve to the extent that gains were recorded previously, and otherwise to the Operating Cost Statement, unless it can be demonstrated that the recoverable amount is greater than the revalued amount in which case the impairment can be taken to the Statement of Recognised Gains and Losses; and
- Losses on revaluation arising from assets funded by Capital Grant are debited to the Operating Cost Statement and amounts equal to the diminution in the asset are released from the Government Grant Reserve.

Depreciation is provided at rates calculated to write-off the valuation of fixed assets by equal instalments (straight-line depreciation) over their estimated useful lives.

The estimated useful lives of fixed assets are summarised under each category below:

Category:	Estimated useful lives:
Land and buildings - leasehold improvement expenditure	The remaining term of the lease
Furniture and fittings	3 - 10 years
Information Technology: - PCs, peripherals and other related equipment - Servers	4 - 7 years 7 years
Intangibles - Case Handling System - Software	4 - 7 years 4 - 7 years

The threshold levels will be reviewed regularly and revised to reflect the effect of inflation on asset values. The estimated useful lives of assets will also be reviewed regularly and when necessary revised.

1.6 Pension Costs

Past and present employees are covered by the provisions of the Civil Service Pension Schemes which are described in the Remuneration Report on pages 52 to 56 and in note 3.4. The defined benefit elements of the schemes are unfunded. The organisation recognises the expected cost of these elements on a systematic and rational basis over the period during which it benefits from employees' services by payment to the Principal Civil Service Pension Schemes (PCSPS) of amounts calculated on an accruing basis. Liability for payment of future benefits is a charge on the PCSPS. In respect of the defined contribution elements of the schemes, the organisation recognises the contributions payable for the year.

1.7 Leases

Rentals paid under operating leases are charged to operating costs on a straight-line basis over the term of the lease.

1.8 Contingent Liabilities

Contingent liabilities are disclosed in line with FRS 12.

2. FINANCIAL TARGETS

The Office of the Police Ombudsman for Northern Ireland has no formally agreed financial targets.

3. STAFF COSTS AND NUMBERS

3.1 AMOUNTS PAYABLE IN RESPECT OF DIRECTLY EMPLOYED POLICE OMBUDSMAN STAFF

Staff costs incurred during the period were as follows:

	2006/07 £	2006/07 £
Amounts payable in respect of directly employed Police Ombudsman staff		
Wages and Salaries	3,071,055	2,957,663
Social security costs	246,201	240,791
Employer's pension contributions	590,561	543,874
Total direct employee staff costs	3,907,817	3,742,328
Amounts payable in respect of staff on secondment, agency/temporary staff, and contract staff	1,772,062	1,610,681
Total staff costs	5,679,879	5,353,009

The Office of the Police Ombudsman meets all of the staff costs for seconded staff as these are incurred. Although these costs are fully re-charged to the Office of the Police Ombudsman for Northern Ireland, the seconding organisation remains the permanent employer with responsibility for their pay, allowances and pension.

3.2 The average number of full time equivalent persons employed during the period were as follows:

	2006/07 No.	2005/06 No.
Directly employed Police Ombudsman staff		
Management and executive	6	7
Administrative and support staff	35	34
Complaints and investigation staff	68	65
Seconded, agency/temporary and contract staff		
Management and executive	1	0
Administrative and support staff	5	5
Complaints and investigation staff	25	24
Total	140	135

3.3 Police Ombudsman's Remuneration

During the year the Police Ombudsman's total remuneration, excluding pension contributions, was £118,772 (£116,515 for the year ended 31 March 2006). The Police Ombudsman is an ordinary member of the Principal Civil Service Pension Scheme.

3.4 Pensions

The Principal Civil Service Pension Scheme (PCSPS) is an unfunded multi-employer defined benefit scheme. The Office of the Police Ombudsman is unable to identify its share of the underlying assets and liabilities. A full actuarial valuation was carried out by the Scheme Actuary as at 31 March 2003. Details can be found in the resource accounts of the Cabinet Office: Civil Superannuation (www.civilservice-pensions.gov.uk).

For the year employers' contributions of £590,561 were payable to the Principal Civil Service Pension Scheme (£543,874 for the year ended 31 March 2006) at one of four rates in the range 17.1% to 25.5% per cent of pensionable pay, based on salary bands (the rates in 2005/06 were between 16.2% and 24.6%). The Scheme Actuary reviews employer contributions every four years following a full scheme valuation. From 2007/08, the salary bands will be revised but the rates will remain the same.

The contribution rates are set to meet the cost of the benefits accruing during 2006/07 to be paid when the member retires, and not the benefits paid during this period to existing pensioners.

The Remuneration Report on pages 52 to 56 contains detailed pension information.

4. OTHER OPERATING COSTS

	2006/07 £	2005/06 £
Travel and subsistence	259,086	318,480
Training, recruitment and other personnel costs	587,649	543,705
Rates, maintenance, electricity and other accommodation costs	383,492	366,783
Consultancy and legal costs	20,854	193,820
Information and media	106,679	114,281
Printing, stationery, postage and office equipment	117,695	122,182
Direct case investigation costs	213,868	135,655
Computer support including maintenance and telecommunications	206,702	171,049
Operating leases; photocopying machines	14,870	22,125
Operating leases; other (rent & car leases)	301,487	309,447
Other costs	112,822	78,308
External audit fee	13,750	13,500
Provisions - provided in year	103,800	(61,080)
Total	2,442,754	2,328,255

5. NOTIONAL COST OF CAPITAL

A capital charge, reflecting the cost of capital utilised by the Office of the Police Ombudsman, is included in the Operating Cost Statement along with a reversing notional income to finance the charge. The charge is calculated at the Government's standard rate of 3.5% of the average capital employed, defined as total assets excluding cash balances less total liabilities.

For the purpose of this calculation the opening capital employed as at the 1 April 2006 and the closing capital employed as at 31 March 2007 have been used.

	2006/07 £	2005/06 £
Interest on capital employed	49,380	54,714

A notional credit equal to the interest on capital employed and other notional costs is included in the Operating Cost Statement.

6. FIXED ASSETS

	Tangible Fixed Assets				Intangible Fixed Assets			Total Assets £
	Land & buildings, lease hold improvements New Cathedral Buildings £	Furniture & Fittings £	Information Technology £	Total Tangibles £	Case Handling System £	Software Licences £	Total Intangibles £	
Cost or Valuation								
At 1 April 2006	1,000,000	220,801	830,203	2,051,004	145,739	337,743	483,482	2,534,486
Additions	0	24,949	35,163	60,112	670,313	33,895	704,208	764,320
Revaluation	(50,000)	2,821	(38,759)	(85,938)	(30,743)	(23,668)	(54,411)	(140,349)
Disposals	0	0	0	0	0	0	0	0
At 31 March 2007	950,000	248,571	826,607	2,025,178	785,309	347,970	1,133,279	3,158,457
Depreciation								
At 1 April 2006	0	90,516	595,780	686,296	0	143,721	143,721	830,017
Charge for year	111,111	28,042	88,214	227,367	1,110	48,654	49,764	277,131
Backlog	(111,111)	3,255	(19,999)	(127,855)	0	(8,166)	(8,166)	(136,021)
Disposals	0	0	0	0	0	0	0	0
At 31 March 2007	0	121,813	663,995	785,808	1,110	184,209	185,319	971,127
Net Book Value								
At 31 March 2006	1,000,000	130,285	234,423	1,364,708	145,739	194,022	339,761	1,704,469
At 31 March 2007	950,000	126,758	162,612	1,239,370	784,199	163,761	947,960	2,187,330

Leasehold improvements have been valued by Valuation and Lands Agency on the existing use basis at £950,000 as at 31 March 2007 (£1,000,000 as at 31 March 2006). The open market valuation at that date was £nil (£nil at 31 March 2006).

	2006/07 £	2005/06 £
Analysis of capital expenditure		
Total accrued fixed asset additions	764,320	424,617
Increase in accruals related to fixed asset additions (note 9)	(99,994)	(81,580)
Total cash payments for fixed assets	664,326	343,037

Fixed assets are funded by Grant in Aid except for the Case Handling System which is an asset funded by a specific capital grant.

7. DEBTORS

	as at 31 March 2007 £	as at 31 March 2006 £
Debtors	2,275	3,975
Prepayments	161,756	136,826
	164,031	140,801

Amounts falling due after one year

There are no amounts falling due in more than one year.

8. CASH AT BANK AND IN HAND

	as at 31 March 2007 £	as at 31 March 2006 £
Bank	189,316	118,841
Cash	400	400
	189,716	119,241

9. CREDITORS

	as at 31 March 2007 £	as at 31 March 2006 £
Amounts falling due within one year		
Taxation, pension and social security accruals	73,787	37,503
Trade creditors	100,484	149,925
Other accruals	546,439	345,423
	720,710	532,851

Creditors include an amount of £181,574 (£81,580 2005/06) for fixed assets which has been properly accrued as fixed asset additions in note 6 but against which payment and grant funding will be made/received in 2007/08.

Creditors include an Inter-Governmental balance of £53,853 (£9,923 2005/06) with Forensic Science Northern Ireland.

Amounts falling due after one year

There are no creditors falling due for payment after more than one year.

10. PROVISION FOR LIABILITIES AND CHARGES

	as at 31 March 2007 £	as at 31 March 2006 £
Balance as at 1 April 2006	8,750	69,830
Movement in the year	103,800	(61,080)
Balance as at 31 March 2007	112,550	8,750

Provisions for legal claims are made on the basis of all known claims, estimated based on legal advice. The amount which is provided is based on an expected probability basis, where the total probable cost is provided in full if the expected risk of failure is likely to exceed 50% and on full anticipated costs of defending legal actions where no recovery of such costs is likely.

At 31 March 2007 the Office had ongoing three Judicial review processes, three Industrial Tribunal processes and one civil claim. The provision which has been calculated in respect of these matters is £39,750 for judicial reviews, £72,250 for Industrial Tribunals and £550 for civil actions. These provisions are in relation to legal costs likely to be incurred in defending these matters. At 31 March 2006 the provision for £8,750 was in respect of one judicial review matter.

Expenditure is likely to be incurred within one year and no re-imburement is likely to occur.

11. RECONCILIATION OF MOVEMENT ON RESERVES

	General Reserve £	Government Grant Reserve £	Revaluation Reserve	2006/2007 Total £	Restated as at 31 March 2006 £
Opening balance at 1 April 2006 (restated)	1,313,741	66,626	42,543	1,422,910	1,703,617
Net Operating Cost for the year	(8,432,917)	-	-	(8,432,917)	(7,953,145)
Grant in Aid received	8,109,767	-	-	8,109,767	7,569,374
Capital Grant received to purchase Case Handling System	-	579,233	-	579,233	66,626
Transfer to reflect in year depreciation & diminution of assets purchased by Capital Grant	-	(31,853)	-	(31,853)	0
Unrealised surplus on revaluation of fixed assets	-	-	60,677	60,677	36,438
Balance at 31 March 2007	990,591	614,006	103,220	1,707,817	1,422,910

	2006/07 £	Restated 2005/06 £
Transfer to Operating Cost Statement from the Government Grant Reserve:		
Diminution arising on revaluation of fixed assets	(30,743)	0
Depreciation transferred to Income and Expenditure Account	(1,110)	0
	(31,853)	0

	Through Revaluation Reserve £	Through Operating Cost Statement £
Analysis of Revaluations		
Land and Buildings, leasehold improvements	61,111	-
Fixtures and Fittings	(434)	-
Information technology	-	(18,760)
Case Handling System	-	(30,743)
Software Licences	-	(15,503)
	60,677	(65,006)

12. CAPITAL COMMITMENTS

As at 31 March 2007 the Office of the Police Ombudsman for Northern Ireland had contracted capital commitments with two suppliers amounting to approximately £128,010 (£708,350 as at 31 March 2006).

13. COMMITMENTS UNDER OPERATING LEASES

Commitments under operating leases to pay rentals during the year following the year of these accounts are given in the table below, analysed according to the period in which the lease expires.

	Buildings £	Other £	Total £	as at 31 March 2006 £
Operating leases expiring:				
Within one year	0	16,810	16,810	6,454
Between two and five years	0	5,571	5,571	16,810
After five years	263,200	0	263,200	263,200
Total	263,200	22,381	285,581	286,464

14. RECONCILIATION OF TOTAL OPERATING EXPENDITURE TO NET CASH OUTFLOW FROM OPERATING ACTIVITIES

	2006/07 £	Restated 2005/06 £
Total operating expenditure	(8,514,150)	(8,007,859)
Depreciation charge	277,131	256,023
Permanent diminution in value of fixed assets	65,006	15,858
Notional cost of capital	49,380	54,714
Increase / (decrease) in provisions made in year	103,800	(61,080)
(Increase) / decrease in debtors and prepayments	(23,230)	10,072
Increase in creditors and accruals	87,864	267,699
Net cash outflow from operating activities	(7,954,199)	(7,464,573)

15. ANALYSIS OF FINANCING

	2006/07 £	Restated 2005/06 £
Grant in Aid to fund resource expenditure	8,024,674	7,292,963
Grant in Aid to fund capital expenditure	85,093	276,411
Capital Grant to fund capital expenditure	579,233	66,626
	8,689,000	7,636,000

16. ANALYSIS OF CHANGES IN CASH

	as at 31 March 2007 £	as at 31 March 2006 £
Opening balance at 1 April 2006	119,241	290,851
Increase / (decrease) in cash	70,475	(171,610)
Closing balance at 31 March 2007	189,716	119,241

17. CONTINGENT LIABILITIES

At 31 March 2007 the Office had two legal cases against it that had not been specifically provided for within legal provisions in note 10 above. In one of these cases, legal advice indicates that the Office is likely to be able to successfully defend the matter but the timing of the outcome remains uncertain. In the other case due to the early stage of the matter it was not possible to determine the timing of the outcome or its financial effect (if any).

18. RELATED PARTY TRANSACTIONS

The Office of the Police Ombudsman for Northern Ireland is an executive Non-Departmental Public Body sponsored by the Northern Ireland Office.

The Northern Ireland Office is regarded as a related party. During the year the Office of the Police Ombudsman has had various material transactions with the Department and with one other entity for which the Northern Ireland Office is regarded as the parent Department, namely Forensic Science Northern Ireland.

In addition the Office of the Police Ombudsman has had various transactions with other Government Departments and some GB police forces. Most of these transactions have been with the Metropolitan Police Service.

During the year, none of the key management staff or other related parties has undertaken any material transaction with the Office.

19. FINANCIAL INSTRUMENTS

FRS 13, Derivatives and Other Financial Instruments, requires disclosure of the role which financial instruments have had during the year in creating or changing the risks an entity faces in undertaking its activities. Due to the non-trading nature of its activities and the way in which executive Non-Departmental Public Bodies are financed, the Office of the Police Ombudsman is not exposed to the degree of financial risk faced by business entities. Moreover, financial instruments play a much more limited role in creating or changing risk than would be typical of the listed companies to which FRS 13 mainly applies. The Office of the Police Ombudsman has no powers to borrow or invest surplus funds and has limited end year flexibility. Financial assets and liabilities are generated by day-to-day operational activities and are not held to change the risks facing the Office in undertaking its activities.

As permitted by FRS13, debtors and creditors which mature or become payable within 12 months from the balance sheet date have been excluded from this disclosure.

Liquidity risk

The Office of the Police Ombudsman is financed by Grant in Aid from the Northern Ireland Office and is accountable to Parliament through the Secretary of State for Northern Ireland and is not therefore exposed to significant liquidity risk.

Interest-rate risk

All financial assets and financial liabilities of the Office of the Police Ombudsman carry nil rates of interest and therefore are not exposed to interest-rate risk.

Currency risk

The Office of the Police Ombudsman does not trade in foreign currency and therefore has no exposure to foreign currency risk.

Fair values

The book values and fair values of the Office of the Police Ombudsman's financial assets and financial liabilities as at 31 March 2007 are set out below:

	Book value	Fair value
Primary financial instruments:	£	£
Financial assets:		
Cash at bank	189,716	189,716
Financial liabilities:		
None	N/A	N/A

20. POST BALANCE SHEET EVENTS

There have been no significant events since the end of the financial year which would affect the results for the year or assets and liabilities at the year end. The Annual Report and Accounts are authorised for issue to the Secretary of State on 29 June 2007.

Making a Complaint

If you have a complaint about a police officer, you should contact us. You can;

- Write to us at the address given below;
- Call in at the Office between 9 am and 5 pm Monday to Friday;
- Phone the Office at any time on 0845 601 2931 or 028 9082 8600; telephone calls to this Office may be monitored for training, quality assurance and other lawful purposes;
- Send us a fax at any time on 028 9082 8659; E-mail us at info@policeombudsman.org; or
- Visit our website at www.policeombudsman.org

You do not have to pay to make a complaint

Police Ombudsman for Northern Ireland
New Cathedral Buildings
St Anne's Square
11 Church Street
BELFAST BT1 1PG

Tel: 028 9082 8600
Fax: 028 9082 8615
Textphone: 028 9082 8756
Web: www.policeombudsman.org

If you have a complaint about the Office of the Police Ombudsman

If you are not satisfied with any aspect of the Police Ombudsman's services or actions, you have a right to complain. You can make a complaint verbally (by telephone or by calling at our Office) or in writing (by letter, fax or e-mail).

Your complaint will be registered and acknowledged within three days and a response given to you within 20 working days.

The Office of the Police Ombudsman is independent and its decisions are final. Any complaints about its service should be referred to the Police Ombudsman. If, having raised a complaint of maladministration (e.g. delay, discourtesy, failure to apologise) with the Ombudsman's office you are unhappy with the written explanation you receive, you can forward it to the Secretary of State with a letter specifying the particulars of why you are unhappy with the Ombudsman's reply of explanation. The Secretary of State cannot consider the decisions of the Ombudsman on the investigation of a complaint, or the outcome of an investigation, or comment on matters which would properly fall to the courts.

The address is:

The Secretary of State
Northern Ireland Office
Castle Buildings
Stormont
Belfast BT4 3SG

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