

Annual Report and Accounts

For the year ended 31 March 2008

Together with the Report of the Comptroller and Auditor General



Glossary of Abbreviations

ACC	-	Assistant Chief Commissioner
ACPO	-	Association of Chief Police Officers
ACU	-	Area Command Unit
AEP	-	Attenuated Energy Projectiles
C&AG	-	Comptroller and Auditor General
CETV	-	Cash Equivalent Transfer Value
CHS	-	Case Handling System
CS Spray	-	CS Incapacitant Spray
DCU	-	District Command Unit
DPP	-	District Policing Partnership
FMO	-	Forensic Medical Officer
FOI	-	Freedom of Information
FRS	-	Financial Reporting Standard
HET	-	Historic Enquiries Team
HIA	-	Head of Internal Audit
NDPB	-	Non Departmental Public Body
NIO	-	Northern Ireland Office
NIPB	-	Northern Ireland Policing Board
NISRA	-	Northern Ireland Statistics and Research Agency
PCSPS	-	Principal Civil Service Pension Scheme
PDP	-	Personal Development Plan
PPS	-	Public Prosecution Service (formerly DPP)
PSNI	-	Police Service of Northern Ireland
RPI	-	Retail Prices Index
RUC	-	Royal Ulster Constabulary
SIO	-	Senior Investigation Officer

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Police Ombudsman for Northern Ireland

ANNUAL REPORT AND ACCOUNTS FOR THE YEAR ENDED 31 MARCH 2008 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

9 July 2008

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Foreword



Dear Secretary of State

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

The period of the report encompasses the work of the Office both under my direction and that of the former Police Ombudsman, Mrs Nuala O'Loan (now Dame Nuala O'Loan), whom I succeeded as Police Ombudsman on 6 November 2007.

This report provides a detailed account and commentary on the work and performance of this Office throughout 2007/08.

With my Chief Executive, Sam Pollock and Senior Management Team I am pleased to commend this Annual Report to you.

Yours sincerely



Al Hutchinson

Police Ombudsman for Northern Ireland

Index to the Annual Report and Accounts

■ Foreword	2
■ Report of the Police Ombudsman	4-9
■ Report of the Chief Executive	10-17
■ Review of the Work and Performance of the Office	18-49
■ Remuneration Report	50-54
■ Statement of the Police Ombudsman and the Chief Executive's Responsibilities	55
■ Statement on Internal Control	56-57
■ Certificate and Report of the Comptroller and Auditor General to the Houses of Parliament	58-59
■ Operating Cost Statement	60
■ Balance Sheet	61
■ Cash Flow Statement	62
■ Notes to the Accounts	63-75

Report of the Police Ombudsman

TAKING OVER

I consider it a privilege to have been asked to assume the responsibility for the Office of the Police Ombudsman, which I did on 6 November 2007. The Office had been established in November 2000 by my predecessor Mrs Nuala O'Loan. It is recognised both locally and internationally that the independent status, structure and operation of the Police Ombudsman provides a unique instrument of oversight in police complaints and it is presently the most comprehensive system of independent police complaints in the world. As the previous Policing Oversight Commissioner for the Patten Policing reforms, I observed the challenges and the effort which went into establishing and building up such a unique system. Nuala and her team deserved a great deal of credit for taking the independent police complaints system to its present status. In taking over this responsibility in November my first desire was to maintain continuity and leadership of this venture, contributing to a new framework of policing here in Northern Ireland and supporting a better way of life here. It is now important that I build on this base and contribute to improvements in such a vital area of public service.



Mrs Nuala O'Loan receives a gift from Michael McConville, son of Jean McConville, at a reception to mark the end of her tenure as Police Ombudsman.

TAKING STOCK

I also recognise that in taking over the Office a strong body of managers and staff under the Chief Executive were already operating and establishing business objectives and targets that were challenging and progressive. I have had the opportunity within the first months of examining areas where developments and improvements in existing operations need to be accomplished. I have taken time to speak with key stakeholders: the Chief Constable and key staff in the Police Service for Northern Ireland; the Chairman and members of the Policing Board; the Director and his senior colleagues in the Prosecution Service; a wide range of community leaders and groups; public representatives and most importantly visiting a number of District Policing Partnerships meetings. I have also had the opportunity of engaging with staff in the Office and so from November to the end of March in this reporting cycle I concentrated heavily on listening to the viewpoints of the very many people who have high expectations of the Office of the Police Ombudsman. The following paragraphs reflect not only our accomplishments, but our future direction as I lead the organisation over the next number of years.

LEVEL OF COMPLAINTS HIGH BUT DECREASING

I believe the public and the police should be reassured that the level of complaints received by this Office has never exceeded the previous high levels of complaints in the years preceding the opening of the Office. It is also reassuring that there is a strong indication of yearly decreases in the overall level of complaints, no less than 10% in this last year. Given that confidence in this Office is at a significant high, that complaints come equally from all communities, and that confidence in policing continues to increase, it is logical to note that policing in Northern Ireland is moving towards an increasingly acceptable state.

ROOM FOR IMPROVEMENT

Nonetheless the capacity of the Police Ombudsman's Office is stretched in responding to the 3,000 complaints during the course of the past year, in addition to the Historical Investigations that I will detail later in this report. The Complaints Team, in handling these still significant numbers of complaints and the Core Investigations Team in initiating over 1,300 investigations, are working at their limits. On an annual basis, we are succeeding in closing and bringing to completion over 3,000 matters, but I have had to acknowledge, particularly in District Policing Partnerships and with police officers, that the time taken to complete investigations is still much too long, and in some cases the quality of investigation has suffered. Our Objectives and Targets for the forthcoming year will reflect an increased focus on auditing and analysing the processing of cases to ensure that bureaucracy is kept to the minimum and timeliness is improved.

IMPORTANT INVESTIGATIONS CLOSED

Over the past year I note just some of the key investigations concluded and closed:

- In April 2007, the Police Ombudsman made public the main findings from her investigation into circumstances surrounding the death of a 15 year old. The teenager died from injuries he sustained when he was hit by a baton round during rioting in April 1981. The investigation found no new evidence to suggest that the police officer who fired the baton was guilty of murder, but criticised the use of the weapon in the circumstances and also the poor police management of the investigation of what had happened.
- Also in April 2007 the Police Ombudsman released the main findings from an investigation into allegations that a police Landrover which knocked down and killed a man in West Belfast while answering an emergency call did not have its siren on. The man was knocked down in the early hours of Saturday morning, 4 June 2005, and died at the scene. The Police Ombudsman concluded, after listening to radio tapes, that the siren had been turned on.
- In May 2007, the Police Ombudsman said she found no evidence of police misconduct in relation to an incident in which a 31-year-old man sustained serious head injuries when he fell as police cleared a crowd from an illegal rave in Londonderry/Derry. The young man's family had made a complaint that he may have been pushed off the wall by a police officer but Mrs O'Loan said the evidence strongly indicated that the man had fallen, rather than having been pushed.
- In July 2007, the Police Ombudsman praised a police officer for his quick thinking in discharging his firearm during an incident on 6 March the previous year when police officers found themselves trapped in a car which was being attacked by a hostile crowd. The Police Ombudsman accepted that the officer had been confronted by a very real and potentially life threatening situation and believed his quick thinking may well have prevented serious or even fatal injuries to his colleagues.
- Also in July 2007, the Police Ombudsman concluded that police had correctly handled their investigation into the death of an 18-year-old soldier, who shot himself at Drumadd Barracks in Armagh in 2001. The Office had received a complaint that police had failed to mount a proper investigation into the death.
- In September 2007, the Police Ombudsman issued her findings of her investigation into complaints about matters related to the death of a solicitor. Mrs O'Loan concluded that death threats made against the solicitor were not handled properly by the police or by the Northern Ireland Office.
- In October 2007, the Police Ombudsman published her findings from an investigation into the fatal shooting by police of a 21-year-old man on 29 April 2003. The Police Ombudsman made no criticisms of the officer who fired the fatal shots but did make adverse comments on the police operation on the day of the incident and raised concerns that some of the intelligence on which the operation was based was deleted from a computer during her investigation.

- In October 2007 the Police Ombudsman also reported no evidence of security force collusion in the UVF murder of two young Catholic brothers in Co Armagh in 1993. The young men were shot by two masked men who burst into the family home in Co Armagh. However, the investigation found that the police investigation of the murders, despite significant early effort, was flawed and cut short after only three months.
- In October 2007 the Police Ombudsman also published the results of an investigation which established that police did not have any prior knowledge which could have helped them prevent the terrorist attack in Greysteel in March 1993 in which eight people died.
- In December 2007, our investigation concluded that police were wrong when they refused to initiate an investigation into rumours of fraud in relation to money raised during charity football matches for those affected by the Omagh bomb.
- In March 2008, I issued a Report which cleared the PSNI of any blame for the death of a man who went missing from Altnagelvin Hospital in October 2006. The body of the man was subsequently found in a field two miles from the hospital. He died of hypothermia. My investigation did, however, identify some administrative failures in the case. I have now recommended that the PSNI conduct a review of all missing person cases in Northern Ireland.

ON GOING SIGNIFICANT INVESTIGATIONS

The more significant investigations are conducted by two teams – the Significant Cases Team (SCT) and the Sapphire Team (Historical Investigations). All investigations into historic matters are dealt with by one of the two teams: the Sapphire Team responds directly to all Chief Constable (Historic Enquiry Team) referrals for the 1968 to 1998 period. There are currently 983 more complex investigations taking place in the Office and 116 of these could be described as relating to matters of a historical nature. In the Significant Cases Team, 54 are matters of a historical nature (occurring post-1998) representing 41% of all cases in that Team and at least 35% of all staffing resource in this team is dedicated to historic cases. This impacts on the capacity of the Office to respond to current referrals from the Chief Constable, for example matters such as deaths in custody or fatalities as a result of police operations, or to current significant and serious complaints. I will cover the issues surrounding ‘Policing the Past’ later.

EFFECTIVE WORKING RELATIONSHIP WITH THE DEPARTMENT

The Office has had a superb record of governance over the past seven years; the stewardship and use of public funds, the auditing and financial management of business activity within the Office and reporting of performance has been a continuing strength. The working relationships with the Department are good and within the limits of public finances, the provisions and consideration of resources by the Department have been crucial to the Chief Executive and the operations which he leads in the support of my predecessor and me. Within the resources provided by Government, the Office is now operating at its maximum potential. While needing more resources in investigations as outlined above, the core complement of posts is now being maintained at an optimal level, so directors and managers are concentrating on realignment and in some cases amalgamation of functions in order to make best use of resources.

INESCAPABLE PRESSURE ON RESOURCES

With regard to the staffing resources of the Office (£5.9million), disregarding central support costs, infrastructure, accommodation, and senior management costs, about 25% of all staffing costs are dedicated to work of a historical nature. The level of resources, the pressure on the caseloads of normal day-to-day complaint investigation as against historical investigation, and the necessary use of current experienced seconded police officers, all represent pressures, which currently cannot be avoided. The work of dealing with the past and the headlines that these cases generate has the potential to undermine and reduce the perceived importance and relevance of today’s police complaints system. There is a real danger that we will not be able to progress major investigations unless resources are diverted from the work arising from current complaints. This in turn has the potential to undermine both the police complaints system and public confidence in the system and in policing.

DISTRICT COMMANDS – A CHANGING MAP

In the initial months I have been able to meet with most of the new District Commanders and their key staff and I have been impressed by the vibrancy of the new police districts and their leadership. There is understanding by police staff in the independence and impartiality of the work of the Office and how it contributes to the police accountability in dealing with members of the public who have reason to complain or be dissatisfied with their service. I have acknowledged with the District Commanders the need for our investigators to maintain a positive working environment with police officers as well as members of the public. I am urging my staff to make sure that police officers are kept up to date with the progress of investigations particularly those that of necessity can take a long time to complete. Our performance information in this report shows that our timeliness in completing investigations is not as good as it should be and I have given commitments to address these issues.

Secondly, now that the formal reporting mechanisms are established to ensure that all complaints are progressed with a high level of independence, there is now a strong desire by District Commanders to address service dissatisfaction issues with members of the public when they arise, rather than face delays by reporting to the Police Ombudsman, then waiting for processing. This desire is to be commended and is a positive sign for service improvement to the public. While the law requires that the police follow such a process, I am sure that we can work together for improvement in these key areas.

SUPPORTING DISTRICT POLICING PARTNERSHIPS

The development of District Policing Partnerships within the constructs of the Policing Board is a far-reaching and progressive initiative in Northern Ireland. We lead the world in terms of engaging the public at local level in the ownership and support of policing in the community, addressing crime issues but doing it within the local context and social requirements. The work of the Office in providing relevant statistical information on trends and patterns of complaints has helped to add value to the work of District Policing Partnerships and although only one small element in local accountability, I have assured Partnerships of our continuing determination to work with and support local District Commanders and Partnership Managers in consolidating a dynamic relationship at this level. Much of the information in our performance review is material which can be made available to District Policing Partnerships on a regular basis and analysed in terms of the particular police district or council jurisdiction.

POLICING THE PAST

Unquestionably one of the major issues facing our communities is how to deal with the past, a past shared by everyone living in this country yet one which holds very different emotions, experiences, reflections and pain. This is nowhere more important than in the context of the challenges of policing a divided community and the views of a divided community with regard to being policed. In taking stock of the pressures in the Office, I came to realise quickly that our staff were coping with immense pressure in maintaining and focusing resources on the current and immediate work of the police complaints system while at the same time responding to the very complex complaints rooted in the conflict and atrocities from ‘The Troubles’. Investigating such matters requires maximum resources and investigative skill and experience. I have come to the view that the Office cannot continue to cope with the strain of meeting these challenges without additional resources and service delivery and in the meantime the quality of work is beginning to suffer. I have stated publicly and advised Government that, absent any other societal resolution to issues surrounding the Past, I will need more resources to continue doing what I am required by law to do. Victims do need resolution. While I do not believe the Police Ombudsman can effectively provide resolution for the majority of people victimised by ‘the Troubles’, at present the Office is one of the few means available.



Police Ombudsman, Mr Al Hutchinson, at a meeting with members of the Omagh Support and Self Help Group.

POLICING THE FUTURE

I welcomed the opportunity of meeting with Lord Eames and Denis Bradley and their Committee and providing observations with regard to the impact on our Office that resulted from dealing with the Historic Investigation of the past. During the course of the year Mrs Nuala O’Loan also had the opportunity of meeting with the inquiry team and I know from Sam Pollock, my Chief Executive, that we both expressed similar concerns and anxieties to this important inquiry. We equally recognise that a way forward in this key area is not easy. I also welcomed the opportunity of appearing before the Northern Ireland Affairs Committee on this same issue and expressed my concern that should this Office be expected to continue its work in relation to the investigation of very serious allegations or complaints regarding killings in the past, then the Government must address the resource need which is far beyond our existing provisions. In both cases, I explained that the drain of resources and skills in dealing with the Historic Investigations was impacting our ability to deal with present and future cases. The resulting great risk is that the confidence in policing will be eroded over time if we cannot efficiently and effectively meet our statutory obligations.

SEVEN YEARS ON

The Office has benefited from a small but extremely effective Policy and Practice unit and the quality and extent of their work is well represented in the body of this report. Their contribution to the information base of the Policing Board, managers in PSNI and many other events and forums in the community, nationally and internationally is considerable, and additional to supporting the internal operations of the investigations directorate and other functions. One of their superb pieces of work in the past year was the release of a Trends and Patterns Report indicating how the complaints system has operated over seven years. I commend this report to you; it is on our website and the overall patterns in terms of volume of complaints, the nature of complaints and specific reports on very important policy and practice issues for policing provide a benchmark for the future.

REVIEW OF ORGANISATIONAL EFFECTIVENESS

Because of the pressure and strain of workload over the past few years the Chief Executive had commissioned an organisation wide review of operational effectiveness and with the help of an external trainer all staff had the opportunity of discussing areas for development in terms of structure, systems, staffing, management and leadership. A very helpful report has now been made available and I have committed myself to a three-year programme of business improvement. I have proposed and got the agreement of my directors and managers to engage fully in the European Foundation for Quality Management (EFQM) accreditation process. This process will build on the current achievements of the Office in its compliance with Investors in People and I believe will add value and strength to the working of the Office.

SUMMARY

The first five months of my tenure in this Office have been full and demanding. It was a privilege to take over this important responsibility and I have had the opportunity to take stock and listen to those who want this Office to continue to contribute to the normalisation of policing accountability. In January 2008 I was pleased to be joined by Jim Coupland who took over the leadership of the Investigations Directorate. Jim is a very experienced detective and senior commander from the Lothian and Borders police service. Together, with Sam Pollock as the Chief Executive, we aim to help make our structures of accountability for the police service in Northern Ireland the envy of the world, in support of a police service which has the confidence of all parts of our community. I believe I have taken over an effective organisation but see plenty of scope and potential for building and improving on that effectiveness. The most pressing issues relate to the weight and complexity of work which is rooted in the investigation of events in the past. As I have stated previously, it is undermining the resources that are required to deal with current complaints. In commending this report to you I invite you to continue to support the Office in its important duties ensuring that members of the public and police officers know that we exist in order to improve the conduct and service of policing in Northern Ireland.

Al Hutchinson

Police Ombudsman for Northern Ireland

Report of the Chief Executive



INTRODUCTION

I am pleased to report to the Police Ombudsman and through him 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 18 to 49. I also recommend that you visit our website for more detail on our work www.policeombudsman.org.

CHANGE OF POLICE OMBUDSMAN

The appointment as Police Ombudsman is for a period of seven years. The former Police Ombudsman, Mrs Nuala O'Loan, ended her tenure as Police Ombudsman on 5 November 2007 and was succeeded by Mr Al Hutchinson from 6 November. This reporting year therefore encompasses the work of the Office under the direction of Mrs O'Loan and Mr Hutchinson.

CORPORATE BUSINESS PLAN 2007/08

The vision, mission, strategic goals, objectives, indicators and targets for the year 2007/08 were set by the Police Ombudsman in consultation with directors, managers and staff. This annual report seeks to outline the performance of the Office against this plan. The plan for 2008/09 has now been agreed and published. It is also available on the Office website.

VISION

The Police Ombudsman has continued to consolidate the position of the Office in the delivery of an effective and efficient police complaints system in which the public and the police have confidence.

MISSION

The Mission of the Office has been to ensure that the public are aware of the complaints system and that the service is fully accessible and responsive to the needs of the community. We have provided a professional and evidence based investigative capacity which has been crucial to the ongoing development of a vibrant complaints system that provides a good service to the public and to police officers and enables recommendations for improvement in the policy and practice of policing.

PERFORMANCE AGAINST OBJECTIVES AND TARGETS 2007/08

Progress in relation to 2007/08 targets was reviewed quarterly by all Directorates and steps taken to focus effort on those targets requiring attention. Quarterly reports on progress were provided to the Police Ombudsman, the Audit Committee and to the Permanent Secretary through the Northern Ireland Office (NIO) Policing Operational Support Division.

GOALS

The overall achievement in relation to goals in the last year has been satisfactory. The volume and complexity of workloads has continued to create pressures which were difficult to resource and contain. This has resulted in some targets on timeliness not being achieved.

Our first goal in the course of the last twelve months was to adapt the processes of the Office to ensure that the independent impartial complaints system is capable of responding appropriately in the changing political, administrative and social environment. In this respect we have engaged fully with the Consultative Group on the Past and also the Northern Ireland Affairs Committee (Westminster) as they have conducted an inquiry into Policing and Criminal Justice in Northern Ireland.

Our second goal was to maintain and improve the confidence of members of the public and of police officers in the independence, impartiality and efficiency of the police complaints system. Police officers who have been subject to investigation are now routinely surveyed following the closure of investigations carried out by the Office. The results of this survey work continues to provide encouraging information with regards to how the Office is viewed in terms of its fairness, impartiality, independence and professionalism. The confidence of the public remains exceptionally high.

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.

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 operates in this jurisdiction. There are continuing discussions with the Office by officials in Borders and Immigration Agency 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 him and reports as appropriate. In addition the Police Ombudsman publishes reports and makes policy recommendations aimed at improving policing within Northern Ireland. He also provides statistical reports for management purposes to the Police Service of Northern Ireland, the Northern Ireland Policing Board and the Secretary of State.

SUMMARY OF WORK AND PERFORMANCE 2007/08

OBJECTIVE 1

To provide to the public and to police an independent and impartial complaints handling and investigation process which is timely and of the highest quality

- 10% decrease in complaints opened with a corresponding 7% decrease in allegations
- 3,049 complaints closed
- 57% of complainants were satisfied or very satisfied with service received (below target of 60%)
- 73% of complainants would use the system again (below target of 75%)
- 100% of serious incidents referred to the On-call team were responded to within 1.5 hours in Belfast and 3 hours outside Belfast
- 80% of complaints received actioned within 5 working days (below the target of 90%)
- 83% of complainants and 70% of police officers updated every 6 weeks (improving but still below the target of 85%)
- 73% of complaints administered and processed within 40 days (below the target of 90%)
- 94% of complainants are contacted by an Investigating Officer within 3 working days once a case has been allocated (above target)
- 94% of complaints suitable for Informal Resolution are referred within 3 working days once consent is received from the complainant (above target)
- 68% of new complaint investigations completed within 120 days (well below target of 90%).

Overview

Overall a high level of achievement and performance. The increasing pressures of historic workload on the Office have resulted in practical difficulties in resourcing which have impacted on the timeliness of processes. The level of complaints received has fallen by 10% over the previous year.

OBJECTIVE 2

To ensure the public and police are accurately informed about the work of the Office of the Police Ombudsman, thereby helping to secure confidence in the police complaints system

- 90% of people are aware of the Police Ombudsman
- 83% of people believe that the Office will help police do a good job
- 81% of people believe that the Police Ombudsman deals with complaints impartially
- 86% of people who had heard of the Office consider that the Office is independent
- 85% of people consider that they would be treated fairly
- 87% of people consider that the officer being investigated would be treated fairly
- 70% of police officers subject of investigation are satisfied or very satisfied with the service provided
- 15 press releases re investigative outcomes
- 41 public information events undertaken in schools and in the community
- Information provided through Department to Ministers and Parliament in response to Parliamentary Questions
- 20 responses provided to Freedom of Information requests.

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. 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 3

To contribute to an improvement in policing by reporting on trends and patterns in police complaints, on investigations and associated policy and practice research

- Complainant satisfaction survey published in July 2007
- Public Attitudes Survey published in August 2007
- Police Officer Satisfaction Survey published in August 2007
- Statistical and Research review 2000-2007 published in October 2007
- Equality monitoring of complaints completed in March 2008
- Monthly and quarterly reports are issued on time
- Report on the PSNI response to recommendations arising from reports on matters referred under section 55 of the Police (Northern Ireland) Act 1998 completed in March 2008
- Reports and presentations to Policing Board and Committee on trends and patterns in complaints
- Presentations to all police recruits and other PSNI training on the working of the Police Complaints System
- Presentations to delegations from other jurisdictions at request of Visits Section and British Council
- Corporate Plan published in May 2007
- Annual report provided to the Secretary of State by 30 June 2007 in line with legislative requirement.

Overview

The Policy and Practice Directorate produces many reports and publications adding value to the functions of the Office.

Further, the production of the Corporate Business Plan in May and the Annual Report and Accounts of the Office complete with auditors' certification for the Secretary of State by 30 June is an excellent achievement.

OBJECTIVE 4

To achieve efficient and effective management of resources in all functions of the Office

- Expenditure has been maintained within Grant in Aid
- Levels of staff absence in the Office remain low and decreased to 4.2% during the year
- The level of investigation officers with accredited investigator status has been maintained at over 70%
- 8 managers have participated on an accredited management programme
- 64% of training identified in PDP's was delivered in the year
- The profile of staff at 1 January 2008 indicates that 51% are male and 49% are female
- Annual Fair Employment Monitoring return was completed by May 2007
- Equality scheme progress report was completed by August 2007
- The profile of staff at 1 January 2008 indicates that 46% are Protestant, 44% are Roman Catholic and 10% are non-determined
- 97% of invoices not in dispute paid within 30 days in line with the Better Payment Practice Code
- There have been further delays in the implementation of the new Case Handling system within the Office. A new target date of October 2008 has been set for implementation of the system.

Overview

The Office has managed its operations within its overall resources. The Office continued to develop its staffing resource through the delivery of key accredited programmes and other competency related training. Staff absence remains low relative to other parts of Public Service. The implementation of the new Case Handling System was not achieved in this year and a revised date has been set for October 2008.

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 his powers in the way he 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 his attention under the Act,
 - and he 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 Accounting Officer for the Office of the Police Ombudsman for Northern Ireland. The Office of the Police Ombudsman operates under a management framework governed by the Police (Northern Ireland) Act 1998 as amended by the Police (Northern Ireland) Act 2000 and that of 2003. 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.

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 2008

The financial position at the end of the financial year is set out in the Operating Cost Statement and the Balance Sheet on pages 60 and 61 respectively. The Office incurred a net operating cost for the year of £8,533,972 (£8,432,917 in 2006/07). 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 £181,327 (£366,963 in 2006/07). 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. In particular the devolution of policing and justice in Northern Ireland will change the environment within which the Office will work. The anticipated outcomes of Government enquiries on matters of the past, notably the Northern Ireland Affairs Committee report and the Consultative Group on the Past co-chaired by Lord Robin Eames and Denis Bradley will also require the Office to respond to any changes recommended.

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 2008 was as follows:

Mr A Hutchinson ¹	Police Ombudsman
Mr S Pollock	Chief Executive
Mr J Coupland ²	Senior Director of Investigations
Mr J Larkin ³	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 Kitson ⁴	Director of Legal Services

¹ The Police Ombudsman took up Office on 6 November 2007, following the completion of the tenure in Office by the former Police Ombudsman, Mrs Nuala O'Loan on 5 November 2007.

² Mr J Coupland took up post as Senior Director of Investigations on 7 January 2008.

³ Following the departure of the former Senior Director of Investigations, Mr J Larkin acted in role as Senior Director of Investigations from September 2007 until the appointment of Mr J Coupland in January 2008.

⁴ Mr J Kitson was appointed as Director of Legal services on 1 June 2007.

REMUNERATION AND PENSIONS

Full details of the executive management remuneration and pension interests for the year ended 31 March 2008 are contained in the Remuneration Report on pages 50 to 54. Pensions are provided to staff through the Principal Civil Service Pension Scheme (PCSPS). Further details in respect of pensions can be found in the Remuneration Report on pages 50 to 54 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 levels 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. Details of the average full time equivalent staff employed is provided at Note 3.2 of the financial statements on page 66 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 I received 19 complaints against staff, ranging from minor to serious complaints or dissatisfaction with the administration of complaints. Thirteen were from police officers or their representatives in relation to administration of investigations. Four of these matters are still current and being considered. In three cases I considered that there were mistakes or failures in process and issued explanations and apologies. In eight cases, after enquiries were made the matters were clarified or explanations provided

and were resolved through correspondence. In four cases I considered that the complaints had no foundation when examined and were either repetitive, vexatious or from parties who were not prepared to accept the outcome of complaints.

PARLIAMENTARY QUESTIONS

During the year we responded through the Northern Ireland Office to 11 Parliamentary Questions. Eight of these questions related to functions of the Office, three were general to all Departments.

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 20 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.

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.

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 2008 the Office of the Police Ombudsman paid 96.6% of suppliers within 30 days, (98% for the year ended 31 March 2007).

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 £850,000 at 31 March 2008 (£950,000 at 31 March 2007). The open market value of the leasehold interest in New Cathedral Buildings has been valued at £nil at 31 March 2008 (£nil at 31 March 2007). 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 58 and 59.

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 £14,000 (£13,750 for the year ended 31 March 2007).

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.

DATA HANDLING

I am required to report personal data related incidents which occurred during the year ended 31 March 2008 and those which occurred in previous years. Personal data includes any information that links one of more identifiable living person with information about them whose release would put them at significant risk of harm or distress or any source of information about 1000 or more identifiable individuals, other than information sourced from the public domain. There were no such personal data related incidents during the year ended 31 March 2008 or for prior years. Information risk is managed in the Office within the context of the risk management framework to which I refer in my Statement on Internal Control.

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

9 June 2008

Review of the Work and Performance of the Office

NEW COMPLAINTS AND NON COMPLAINT MATTERS RECEIVED

During the year 2007/08 the Office registered a total of 2,970 complaints and non complaint matters. Of these, 18 were matters referred to the Office by the Chief Constable, five were matters referred by the Director of Public Prosecutions and four were matters which the Police Ombudsman decided to investigate in the public interest.

Complaints and Non Complaint matters received 2007/08	
Complaints from Members of the Public	2,943
Chief Constable Referrals	18
Public Prosecution Services Referrals	5
Police Ombudsman Call-ins	4
Total	2,970

CHIEF CONSTABLE, DIRECTOR OF PUBLIC PROSECUTION REFERRALS AND POLICE OMBUDSMAN CALL INS

During the last year 27 Section 55 non-complaint matters were registered by the Office. Three of these related to matters forwarded to the Office by the PSNI Historic Enquiries Team (HET).

Underlying Factors in Section 55 Non Complaint Matters 2007/08	Number
Discharge of firearm	2
Death following police custody	1
Death following attendance at a police station	1
Death following contact with police	1
CCTV footage of detention in a custody suite	1
Discharge of AEP	1
Failure in Duty	6
Attempting to pervert the course of justice	5
Householder went missing following police search of residence	1
Non-attendance of police at court	1
Assault	2
Police contacted employer resulting in employee losing job	1
Handling of police investigation	1
Inaccuracy in police officer's statement	1
Sexual assault	1
Conduct of police following a murder	1
Total	27

SECTION 55 REGULATION 20 REPORTS SUBMITTED TO THE CHIEF CONSTABLE, SECRETARY OF STATE AND NORTHERN IRELAND POLICING BOARD 2007/08

At the conclusion of any investigation of a matter investigated under Section 55 of the Police (Northern Ireland) Act 1998, the Police Ombudsman is required to send a copy of the investigation report (Regulation 20) to the Chief Constable, Secretary of State and Northern Ireland Policing Board. Eight Regulation 20 Reports were issued this past year.

Referral	Number
Fatal Road Traffic Collision	1
Discharge of firearm/s	3
Life threatening injuries sustained	1
Assault by a police officer	1
Discharge of CS spray	1
Officer acted inappropriately	1
Total	8

CASE STUDY: POLICE OFFICERS CONFRONTED BY BURGLARS

During the year, the Police Ombudsman found that police officers were justified in firing shots as they tried to arrest burglars, one of whom they believed to have a gun. The incident happened when police, who had mounted an operation at a business premises, noticed three men acting suspiciously. The men ran off, with officers in pursuit. One police officer reported that as the men ran away, one of them turned and looked back towards him. Fearing that the man might be armed, the officer shouted "armed police" before discharging two shots into the air. The men continued to run away. Another police officer, who was also giving chase, reported getting to within a few metres of one of the men. He said the man was carrying a dark object in his right hand and kept turning around as he ran, looking towards the officers in pursuit. He said he fired a single shot into the air. The Police Ombudsman concluded that the use of live fire by the two officers had been "lawful and justified." "Both officers were met with a real and potentially life-threatening situation and dealt with it in an appropriate manner".

ADDITIONAL MISCELLANEOUS WORK

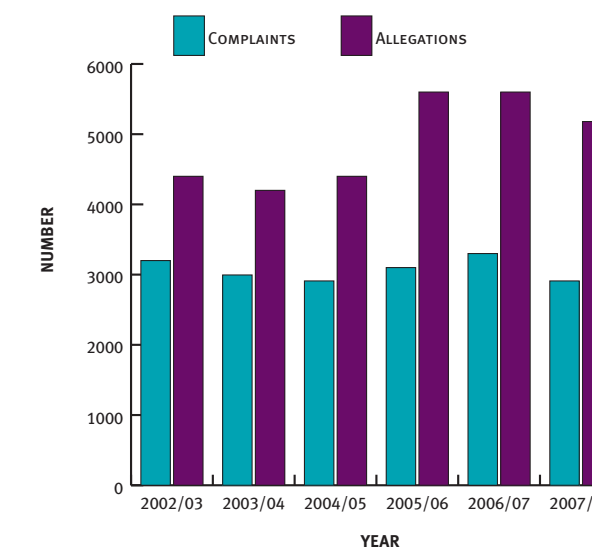
In addition to dealing with complaints against police, the Office of the Police Ombudsman receives a significant number of enquiries from members of the public seeking information or clarification of related issues. These are handled by the complaints team, which also logs and checks correspondence in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

Other work or matters handled by Office	Number
Miscellaneous Complaints	24
Miscellaneous Telephone Calls	435
Referral of civil claim files	167
Compensation Agency queries	21
PPS requests (no complaint)	74
Total	721

MAJOR DECREASE IN COMPLAINTS AND ASSOCIATED ALLEGATIONS RECEIVED

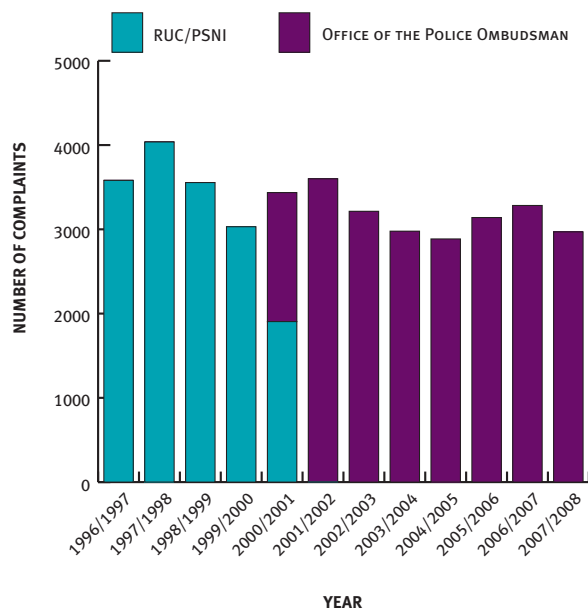
In the last year the Office received 2,970 complaints involving 5,220 allegations. This represents a 10% decrease in complaints as compared to the previous year and a 7% decrease in associated allegations (a complaint may involve one or more allegations).

Number of Complaints and Allegations, 2002/03 - 2007/08



Since the Office opened there has been a drop in the level of complaints received by 17%. There has been a 14% drop in the last four years as compared with those received in years 1996/97 to 1998/2000 prior to the establishment of the Office.

Complaints received, 1996/97 - 2007/08



PROCESSING OF NEW COMPLAINTS RECEIVED

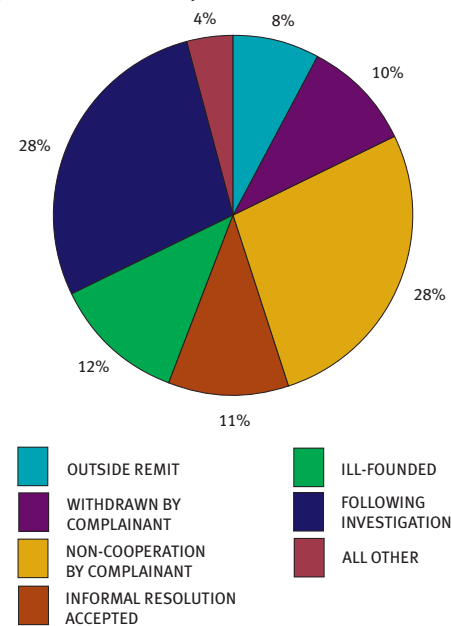
Of the 2,970 complaints and matters received by the Office, 1,332 (45%) were referred for formal investigation. The remaining 1,638 (55%) were dealt with within the complaints office.

CLOSURE AND OUTCOME OF EXISTING COMPLAINTS

In the last year a total number of 3,049 complaints were closed by the Office, 3% more complaints than were received.

Overview of Complaint/Non-Complaint Matter Closures, 2007/08	Number	%
Outside remit	251	8
Ill-founded	366	12
Withdrawn by complainant	290	10
Non-cooperation by complainant	848	28
Informal resolution accepted	332	11
Following investigation	851	28
All other	111	4
Total	3,049	100

Complaint and non complaint matter closures 2007/08



CASE STUDY: FATAL CRASH

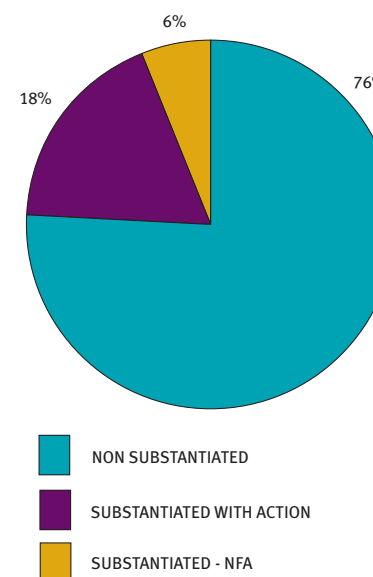
A man who, through no fault of his own, was involved in a fatal traffic accident, complained to the Police Ombudsman's Office that police had failed to inform him of when the case would go to court. The Police Ombudsman's Office took the view that rather than launch a full investigation into the matter, it would attempt to resolve it informally. Both the person making the complaint and the police officer involved agreed to this. A senior police officer was appointed to deal with the case, and on his suggestion a meeting took place between the complainant and the officer involved. The officer explained that he had been given short notice of the court date, and had not had time to contact all interested parties. The senior officer also spoke to a representative of the Public Prosecution Service (PPS) who said that his organisation would normally inform "victims" about forthcoming court cases. The complainant subsequently stated that the approach the Police Ombudsman's Office had taken to deal with his complaint had played a part in helping him come to terms with the emotional impact of the fatal accident.

CLOSURE AND OUTCOME OF CASES INVESTIGATED

A total of 851 investigations were completed and closed during this year.

- 76% of complaints formally investigated were closed with allegations not being substantiated due to insufficient evidence
- 18% of complaints were closed with specific action recommended
- 6% of complaints investigated were substantiated but with no specific action required.

Cases closed following investigation 2007/08



CASES OF COMPLAINT REFERRED TO THE PUBLIC PROSECUTION SERVICE 2007/08

During the year 241 cases were referred to the Public Prosecution Service for direction as to whether or not criminal charges should be preferred or as an interim file.

Interim files submitted	9
Cases submitted with no recommendations for prosecution	221
Cases submitted with recommendations for prosecution	11
Total cases submitted	241

RECOMMENDATIONS FOR PROSECUTION SUBMITTED TO PUBLIC PROSECUTION SERVICE

There were 11 cases submitted to the PPS recommending criminal charges. These involved 12 police officers and 19 charges.

Number of cases submitted with recommendations	11
Number of officers subject to recommendations	12
Number of charges recommended	19

Nature of Allegations and Charges	Number of Charges
Common assault	5
Assault occasioning actual bodily harm	3
Possession (of firearm) with intent to endanger life	2
Attempted murder	1
Attempted wounding or causing GBH with intent	1
Discharge of a firearm in a public place	1
Perjury	1
Criminal damage	1
Disorderly behaviour	1
Misconduct in a public office	1
Making a false statement	1
Attempting to pervert the course of justice	1
Total	19

CASES REFERRED TO CHIEF CONSTABLE FOR DISCIPLINARY ACTION

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 should 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.

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
- Fine
- Reprimand
- Reduction in pay
- Caution.

CASE STUDY: POLICE OFFICER PROSECUTED

The complainant alleged that a police officer grabbed him by the neck, punched him, poked him with a baton and used foul and threatening language towards him. Following an extensive investigation during which a number of witness statements were taken as well as evidence from the officer concerned, the Police Ombudsman took the view that there was sufficient evidence to warrant prosecution of the officer for common assault. The Investigating Officer's report was forwarded to the PPS, and the related criminal hearing is awaited.

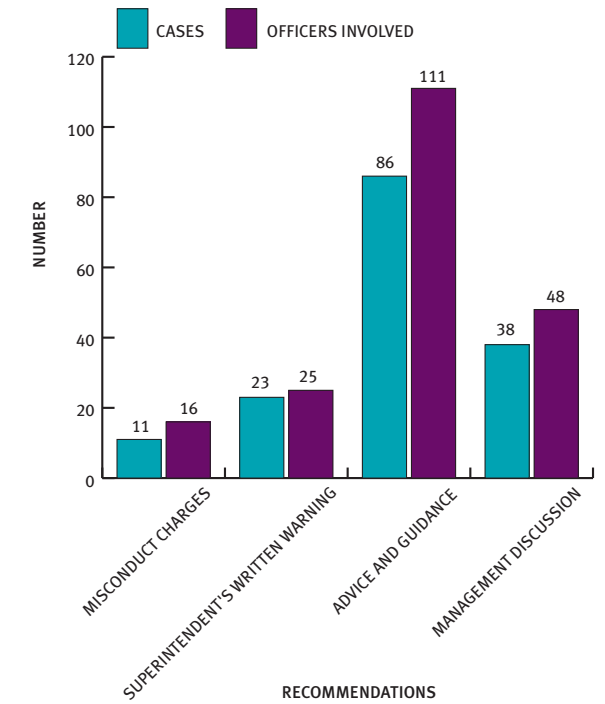
RECOMMENDATIONS MADE TO CHIEF CONSTABLE, 2007/08

CHARGE	No. of Cases	No. of Officers involved
Misconduct Charges	11	16
Superintendent's Written Warning	23	25
Advice and Guidance	86	111
Management Discussion	38	48
Total	158	200

CASE STUDY: POLICE OFFICER RECEIVES ADVICE AND GUIDANCE FOR ACCIDENTAL WEAPON DISCHARGE

A police officer was disciplined after accidentally discharging a single shot from his police weapon as he fell while chasing suspects. The police officer, who was carrying his gun slung across the front of his chest, said that when he lost his footing and fell forward onto the road, he instinctively grabbed hold of his gun. A single shot was discharged, striking the road about 10 feet in front of him. The officer later explained that, as he fell, his thumb must have moved the gun's mode selection switch from safety to single shot mode, while his index finger slipped from the trigger guard onto the trigger itself. Police Ombudsman investigators received advice from a nationally qualified instructor in the MP5 weapon. The instructor stated that the discharge was likely to have been unintentional as it would have been a natural reaction to grasp the weapon during a fall. The Police Ombudsman concluded that the officer was justified in readying his weapon to respond to any threat posed by those he was chasing. However, he should have ensured that the weapon was made safe once the immediate threat was over. In particular, he should not have allowed himself to become involved in a 'hot' pursuit with a loaded weapon in a police car. Following a recommendation from the Police Ombudsman, the officer received advice and guidance for failing to ensure his weapon was properly made safe.

Recommendations made to Chief Constable 2007/08



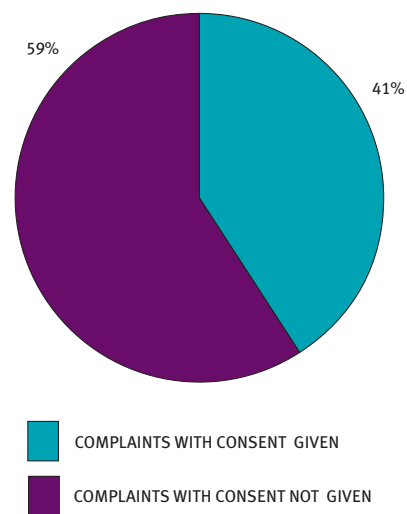
CASE STUDY: POLICE OFFICER REQUIRED TO RESIGN

The complaint in this case centred on the failure by a police officer to properly investigate and included an allegation that the officer concerned had attempted to pervert the course of justice. Following investigation, a file was prepared and forwarded to the PPS which directed no prosecution in connection with the matter. The Police Ombudsman then reviewed the related documentation to ascertain whether or not there was any misconduct on the part of the officer concerned. On examination of the evidence available, the Police Ombudsman identified a number of serious investigation failings and recommended that the officer concerned should be subject to a misconduct hearing in relation to his failure of duty. Disciplinary proceedings were subsequently taken and at the hearing the charges against him were proven and he was required to resign.

CASES REFERRED TO PSNI FOR INFORMAL RESOLUTION

Six hundred and ninety-five (24% of all complaints) were of a less serious nature and deemed suitable for informal resolution. When contacted by the Office, 412 (59%) 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. Two hundred and eighty-three (41%) complainants declined to engage in the process.

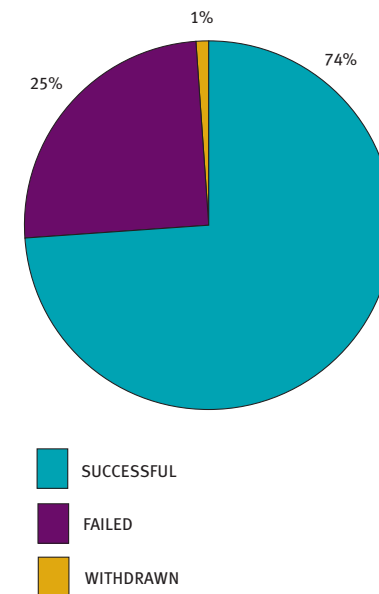
Consent levels for complaints suitable for informal resolution, 2007/08



CASE STUDY: "SCARE TACTICS"

The Police Ombudsman received a complaint from a man who said police had failed to deal properly with threats made against his son. He said that his teenage son received threats from two people, and that police advised that his son should go to a police station to provide a statement about what had happened. The young man did this. The man's complaint to the Police Ombudsman's Office alleged that his son heard nothing further from the police for two months. He also alleged that police used "scare tactics" designed to ensure that his son would drop the case. The Police Ombudsman's Office took the view that rather than launch a full investigation into the matter, it would attempt to resolve the issue informally. Both the person making the complaint and the police officer involved agreed to this. Following discussion with both parties, the police officer apologised if the youth had been distressed. He explained that what was seen as 'scare tactics' was simply him explaining the procedures which were to be followed. The officer explained that the two people who had made the threats had been given verbal warnings by the police. He also apologised that police had failed to update the man and his son on the progress of the case. The complainant accepted the police officer's apology and signed a statement to confirm that he considered the matter resolved.

Outcome of Informal Resolution closed by the police, 2007/08

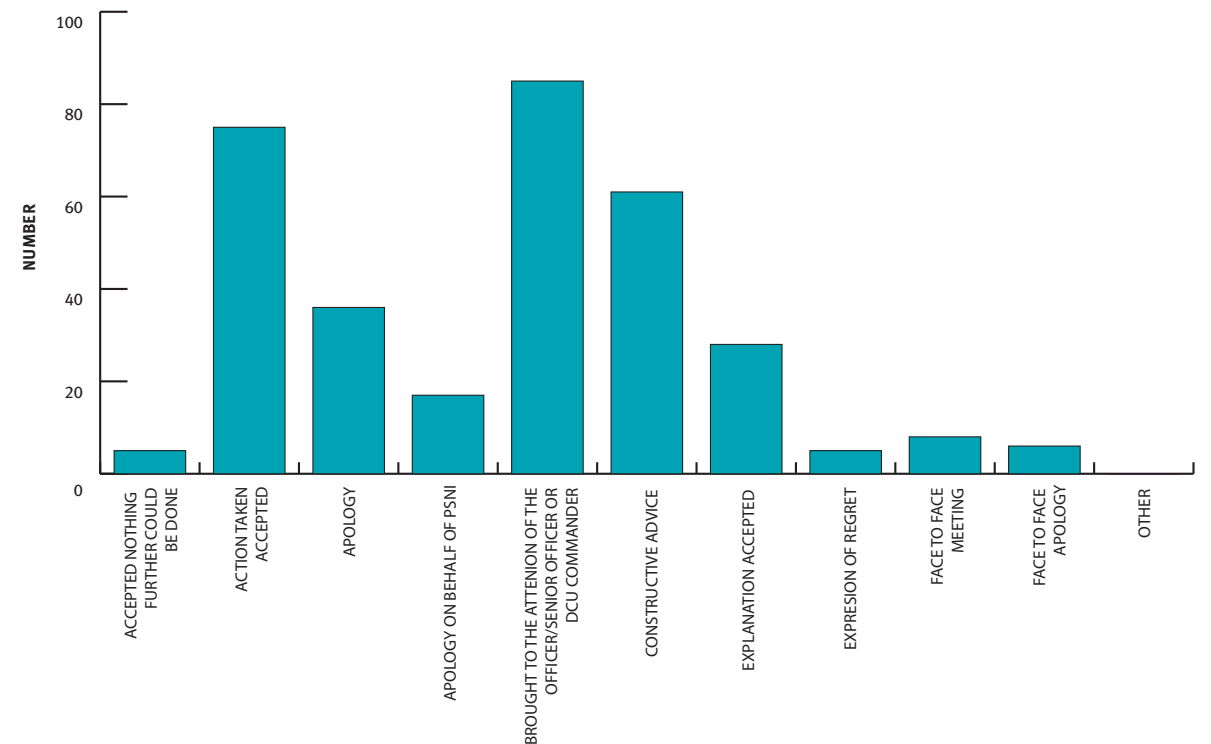


OUTCOME OF INFORMAL RESOLUTION REFERRALS

Three hundred and thirty-two complaints were successfully informally resolved during the last year. This represented 74% of complainants who agreed to participate in the process. In 110 cases informal resolution failed and these matters were referred for investigation. Six complaints were withdrawn during informal resolution.

Forty nine percent 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.

Outcome of Informal Resolution 2007/08



REVIEW OF COMPLAINTS INVOLVING POLICING 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 percent of complaints reviewed concerned police failure to update victims of crime whilst six per cent were in connection with house searches.

RECOMMENDATIONS MADE BY THE OFFICE FOR IMPROVEMENTS IN POLICING POLICY AND PRACTICE INCLUDE FOR EXAMPLE THAT THE PSNI:

- ensure that dedicated Witness Liaison Officers are in place to reassure victims and update them accordingly
- carry out a review of the existing policy, training and documentation available to police officers in circumstances where a fixed penalty ticket is refused
- ensure a General Order for securing firearms is reviewed to cover circumstances where all available storage lockers are in use
- provide a copy of the Hate Crime leaflet at the outset of an investigation to victims of hate crime
- develop a new Incident Report form, which has a “tear away” section that can be given to victims of crime on initial contact with police
- actively engage with ethnic minority groups in relation to the content and tone of the PSNI website to ensure it is meeting its target groups’ expectations

- provide updated guidance to officers highlighting that all statements to be submitted for court purposes are to be certified as a true copy of the original and provide guidance on the best practice for ensuring accurate certification
- should review its policies and procedures for recording and storing warrants for a particular Police Station
- delegate the issue of notebook storage to an appropriately trained individual to ensure the accountability and transparency of the notebook system
- review its communication strategy with the family when undetected homicides are being reviewed at a later date by the Retrospective Murder Review
- ensure that all Senior Investigating Officers designated to investigate fatal road traffic collisions receive specific training as Road Death Senior Investigating Officers
- ensure PSNI Command Areas conduct reviews of their missing persons procedures to ensure they adhere to the guidance set out in Force Orders. Missing Persons should be an agenda item on all daily operational meetings
- carry out a review of processes of call handling, in particular the tasking of Crime Scene Investigators and the recording of their crime scene attendance within a police district.

CASE STUDY: POLICE OMBUDSMAN URGES STUDY AFTER “DANGEROUS AND UNJUSTIFIED” SHOTS

The Police Ombudsman recommended that the police should conduct a study into the use of personal protection weapons (PPWs) by its officers, after two separate investigations concluded that officers and members of the public had been placed in danger when shots were fired at moving vehicles. The investigations considered two incidents during which single shots were discharged as officers attempted to stop moving vehicles. No one was injured in either incident. However, it was found that in both cases the use of live gunfire had created “serious and unjustified safety risks”... “Live fire is potentially lethal, and should be used in only the most exceptional circumstances, when there is a serious and immediate threat to life...” I’m concerned that during these two incidents shots were fired when they were not absolutely necessary, and when nobody’s life was at immediate risk. “In the most dangerous situations, deciding whether to pull the trigger is a split-second and potentially life and death decision. We must ensure that officers are equipped with the knowledge and information they need to help them make that most difficult of decisions while under extreme stress,” said Mr Hutchinson. The two officers who discharged the shots were not disciplined but given advice.

REPORTING ON TRENDS AND PATTERNS IN COMPLAINTS AGAINST POLICE

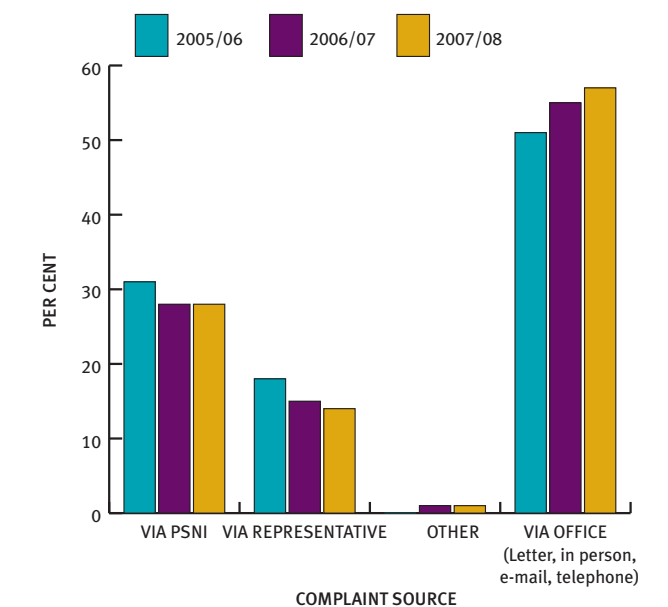
Each month the Office forwards statistical reports to police detailing the numbers and types of allegations arising from each of the District Command Units. This information is provided in the various formats identified by the PSNI. When any request for alternative information is received, this is provided where it is available. Such information assists local police managers as well as District Policing Partnerships (DPP’s) 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.

SOURCE OF COMPLAINTS

During the past year fifty seven percent of complaints were made directly to the Office of the Police Ombudsman by way of letter, email, and telephone or in person to the Office. This represents a two per cent increase on the previous year and reflects a continuing trend of increasing numbers of complainants contacting the Office directly. Twenty eight per cent of complaints were received via PSNI whilst fourteen percent were made to the Office by representation on behalf of complainants.

Source of complaints/non-complaint matters, 2005/06 - 2007/08



POLICE AREA REPORTS

From January 2008, the Policy and Practice Directorate has been producing analytical reports highlighting trends and patterns in police complaints in each of the 29 Policing Areas. These reports have been produced after consultation with the District Discipline Champions and the Professional Standards Department of the PSNI. The reports are to be produced on a six monthly cycle.

Example of quotes received:

‘Thank you for your reports which I have read and found to be very informative’
District Commander

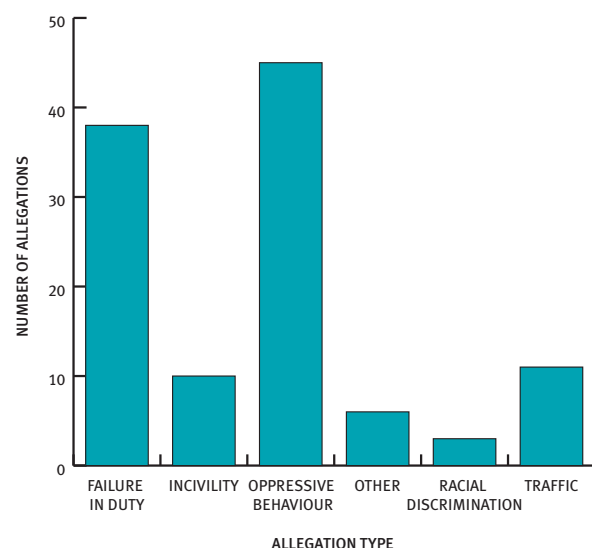
‘Overall genuinely very appreciative of the work. It certainly provides some informed detail and background to my role as Head of Discipline’
Discipline Champion

Nature of Allegations

Included in each of the reports is information on the number of complaints, the number of allegations and details of the allegation subtypes.

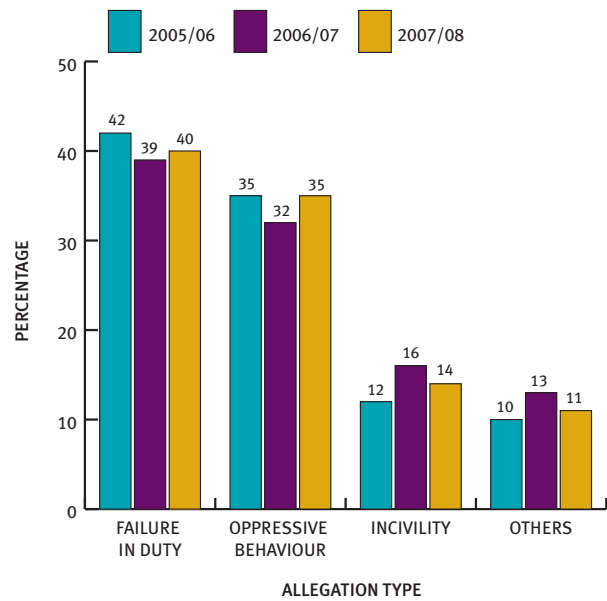
An equality monitoring section is included in the report. Details are provided which show the gender breakdown of the complainants in the particular areas. Figures are provided for ethnic origin, marital status, sexual orientation, religious belief and employment status. The reports provide valuable management information for Area Commanders, District Commanders and District Discipline Champions.

Allegation type in Sample Area X



Allegations by type and sub-type, 2007/08				
Allegation Type	Allegation Sub-type	Total	Monthly Average	%
Failure in Duty	Detention, treatment and questioning	97	8	2
	Failure in duty	1,700	142	33
	Identification procedures	1	0	0
	Multiple or unspecific breaches which cannot be allocated	2	0	0
	Other irregularity in procedure	109	9	2
	Searching of premises and seizure of property	123	10	2
	Stop and Search	37	3	1
	Tape recording	1	0	0
	Unknown	0	0	0
	Sub-total	2,070	173	40
Homophobia	Homophobia	3	0	0
Incivility	Incivility	703	59	13
	Sectarian abuse	26	2	0
	Sub-total	729	61	14
Malpractice	Corrupt practice	70	6	1
	Irregularity in relation to evidence/perjury	77	7	1
	Mishandling of property	54	5	1
	Sub-total	202	17	4
Oppressive Behaviour	Oppressive conduct or harassment	608	51	12
	Other assault	987	82	19
	Serious non-sexual assault	25	2	0
	Sexual assault	25	2	0
	Unlawful/unnecessary arrest or detention	179	15	3
	Unknown	0	0	0
	Sub-total	1,824	152	35
	Racial Discrimination	Racial discriminatory behaviour	20	2
Traffic	Traffic irregularity	66	6	1
Other	Other	283	24	5
Section 55 Referral	Section 55 Referral	24	2	0
Total 2007/08		5,220	435	100
Total 2006/07		5,589	466	-

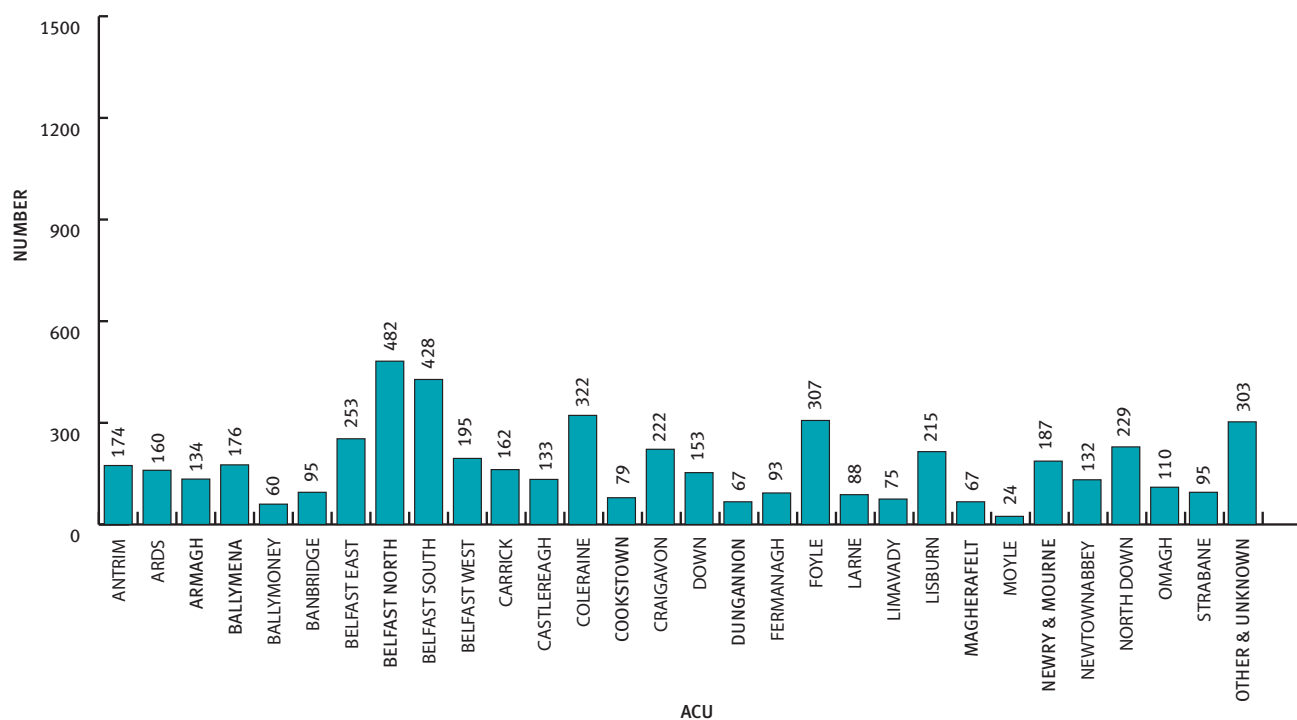
Allegation Types, 2005/06 - 2007/08



PROFILE OF COMPLAINTS AND ALLEGATIONS IN EACH POLICE AREA COMMAND UNIT (ACU)

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.

Allegations by ACU, 2007/08



Complaints and allegations arising from each ACU, 2007/08, and number of officers in each ACU								
	Complaints Number	%	Allegations Number	%	Officers Number	%	2006/07 Allegations/100 officers	2007/08 Allegations/100 officers
Antrim	108	3.8	174	3.5	148	2.6	126	118
Ards	92	3.2	160	3.3	240	4.1	101	67
Armagh	76	2.7	134	2.7	131	2.3	94	102
Ballymena	99	3.5	176	3.6	224	3.9	112	79
Ballymoney	32	1.1	60	1.2	65	1.1	41	92
Banbridge	64	2.2	95	1.9	133	2.3	53	71
Belfast East	146	5.1	253	5.1	273	4.7	100	93
Belfast North	261	9.2	482	9.8	436	7.5	119	111
Belfast South	231	8.1	428	8.7	492	8.5	81	87
Belfast West	122	4.3	195	4.0	253	4.4	102	77
Belfast Sub-Total	760	26.7	1,358	27.6	1,454	25.1	99	93
Carrick	97	3.4	162	3.3	104	1.8	125	156
Castlereagh	81	2.8	133	2.7	151	2.6	57	88
Coleraine	190	6.7	322	6.5	239	4.1	182	135
Cookstown	41	1.4	79	1.6	84	1.5	94	94
Craigavon	123	4.3	222	4.5	254	4.4	75	87
Down	88	3.1	153	3.1	173	3.0	59	88
Dungannon	44	1.5	67	1.4	144	2.5	66	47
Fermanagh	56	2.0	93	1.9	207	3.6	70	45
Foyle	156	5.5	307	6.2	366	6.3	80	84
Larne	46	1.6	88	1.8	79	1.4	112	111
Limavady	51	1.8	75	1.5	100	1.7	75	75
Lisburn	127	4.5	215	4.4	410	7.1	66	52
Magherafelt	38	1.3	67	1.4	89	1.5	67	75
Moyle	16	0.6	24	0.5	26	0.4	140	92
Newry & Mourne	119	4.2	187	3.8	314	5.4	66	60
Newtownabbey	84	2.9	132	2.7	213	3.7	61	62
North Down	143	5.0	229	4.7	181	3.1	113	127
Omagh	62	2.2	110	2.2	138	2.4	75	80
Strabane	58	2.0	95	1.9	118	2.0	94	81
Other / Unknown	230	-	303	-	0	-	-	-
Total	3,081	100	5,220	100	5,785	100	95	90

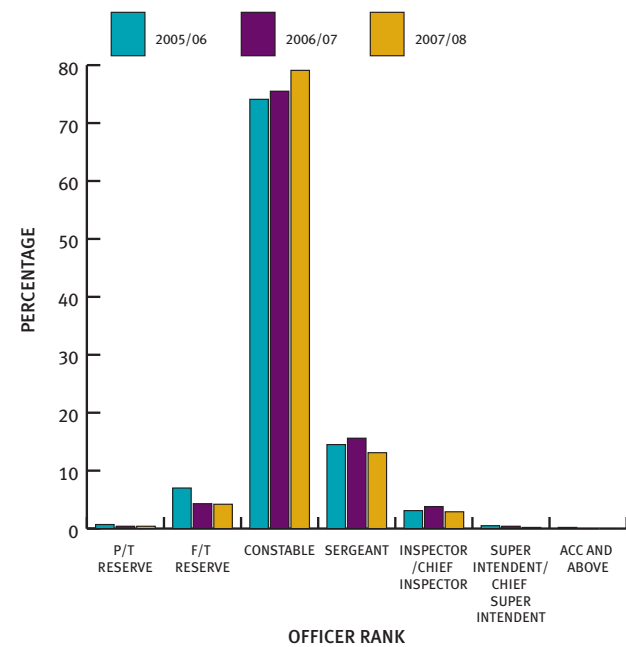
Information in respect of officer details supplied by PSNI. Includes 111 complaints in more than one ACU.

- Carrick, Coleraine, North Down and Antrim attracted most allegations per 100 officers.
- Decrease in allegations against officers in Ards, Ballymena, West Belfast, Coleraine, Moyle and Fermanagh.
- Increase in allegations against officers in Ballymoney, Banbridge, Castlereagh, Carrick and Down.

RANK OF OFFICERS SUBJECT OF COMPLAINTS

Of those officers complained about, almost eighty percent belong to the rank of constable. Compared to the previous two years the proportion of constables identified has increased whilst there has been a decrease for all other ranks.

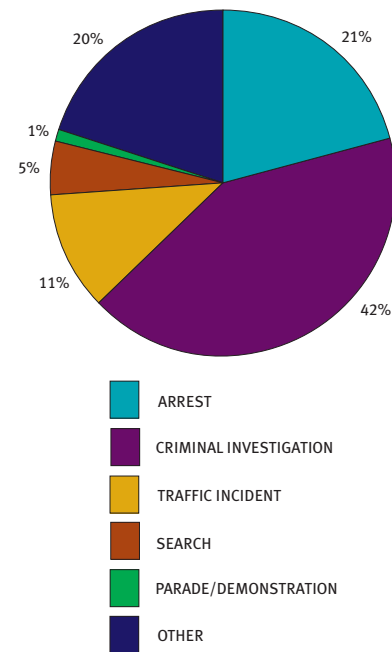
Rank of officers Complained about 2005/06 - 2007/08



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 (42%), which was the leading factor behind complaints. Just over one fifth of complaints related to arrests whilst eleven per cent of complaints were connected with traffic related incidents.

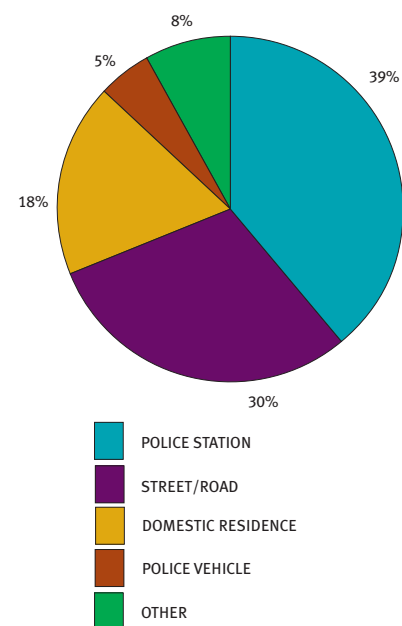
Factors underlying complaint, 2007/08



LOCATION OF INCIDENTS

During 2007/08, almost two fifths of allegations arose from incidents at police stations. This was followed by 30% of allegations which arose from incidents on the street or road.

Allegation location, 2007/08



CASE STUDY: HEALTH AND SAFETY CONCERNS

During the year the Police Ombudsman, Al Hutchinson, made a recommendation to police regarding their procedures in incidents when they have used CS Spray. The recommendation followed an investigation by his Office which looked at an incident when a police officer used his spray on two people. The Police Ombudsman investigation concluded that the use of force by the police officer appeared to have been justified given the aggression displayed towards police. However, he expressed some concerns: "Following any discharge of CS Spray, the primary concern is the health and safety of any person exposed to the spray, whether it be members of the public or police officers. It is very important that all information, including the after care given to those persons, is documented. This issue should be reinforced to all officers, particularly during their initial training in how to use the Spray," he said.

CASE STUDY: RECOMMENDATION REGARDING NOTEBOOKS

The Police Ombudsman made a recommendation that police review their administration of notebooks given to officers. Police officers are allowed to have only one notebook at a time – unless they have an earlier book returned to them for the purpose of giving evidence in court. However, during an investigation they were undertaking, Police Ombudsman staff established that one officer had eight notebooks, some of which had been recorded as having been returned to senior officers and some of which had never been officially issued to him. When Police Ombudsman investigators looked at his notebooks over an extended period, a number of problems became evident: the dates the notebooks had been issued and had been completed were not filled in, the notes in the books were not kept in sequential order and many of the booklets had blank pages. The Police Ombudsman recommended that police should review the administration of notebooks used as 'evidence gathering' tools. His recommendations included a suggestion that systems are regularly reviewed to ensure officers are never in charge of more than one notebook at any given time, other than for proper reasons.

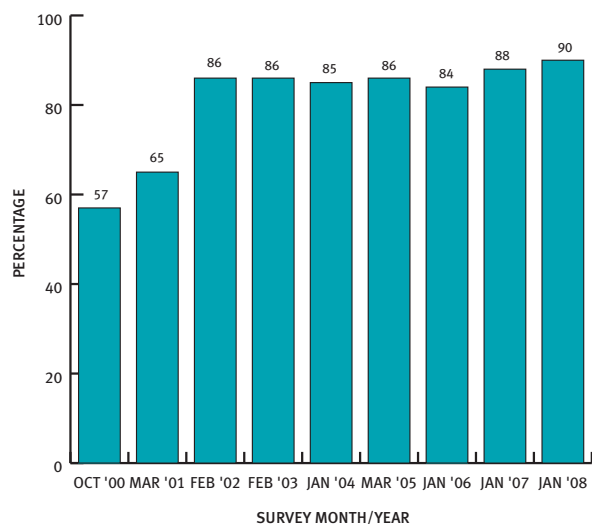
PUBLIC ATTITUDES TO THE OFFICE OF THE POLICE OMBUDSMAN

The Northern Ireland Statistics and Research Agency (NISRA) collected data for this independent report and fieldwork took place during January and February 2008. Over 1,200 persons participated in the survey.

AWARENESS OF THE POLICE OMBUDSMAN

- 90% of respondents said they had heard of the Police Ombudsman
- Males and females were equally likely to have heard of the Police Ombudsman
- Similar levels of Protestants (92%) and Catholics (90%) had heard of the Police Ombudsman
- 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 (93%).

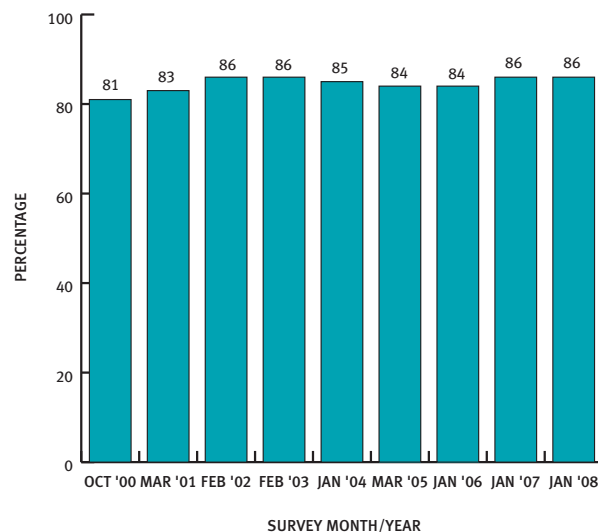
Proportions of respondents aware of the Police Ombudsman, October 2000- January 2008



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
- 12% thought that the Police Ombudsman was part of the police
- 89% of males compared to 83% of females thought the Police Ombudsman was independent of the police
- 83% of Catholic respondents and 88% of Protestant respondents thought the Police Ombudsman was independent of the police.

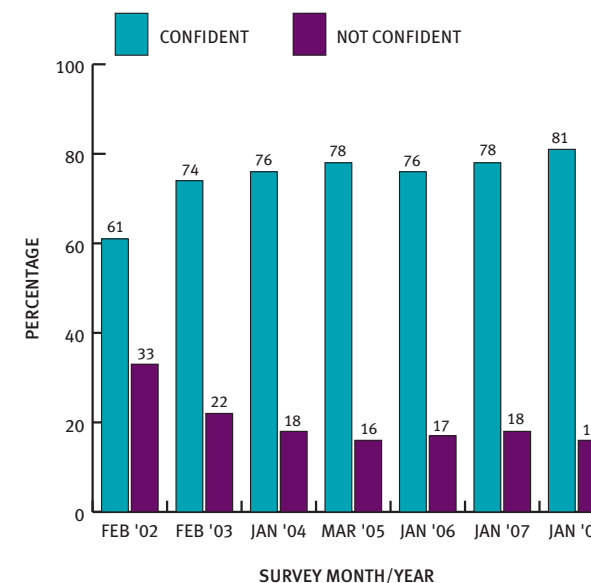
Proportions of respondents aware of the independence of the Police Ombudsman, October 2000 - January 2008



IMPARTIALITY OF INVESTIGATION

- 81% of respondents were confident that the Police Ombudsman investigates complaints in an impartial manner
- Males and females had similar levels of confidence in the impartiality of the investigations
- 86% of Catholics compared to 78% of Protestants were confident that the Police Ombudsman's investigations were impartial.

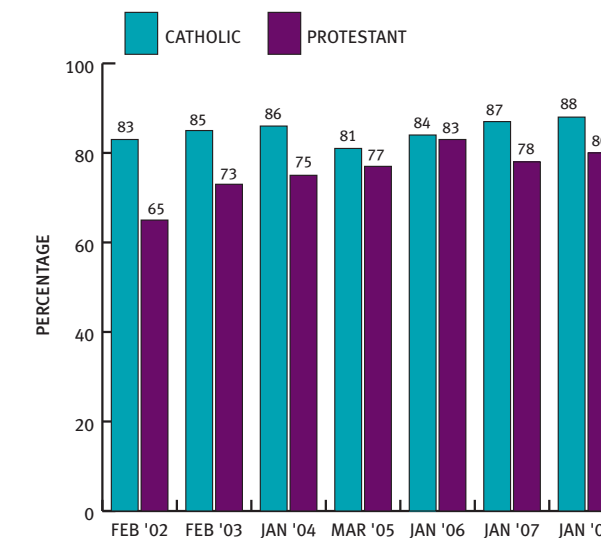
Confidence in the impartiality of the Police Ombudsman's Investigations, February 2002 - January 2008



EFFECT OF POLICE OMBUDSMAN ON POLICING

- 83% of respondents thought the Police Ombudsman would help ensure that the police do a good job
- Males and females were equally likely to hold this view
- Catholics (88%) were more likely than Protestants (80%) to think that the Police Ombudsman would help ensure the police do a good job.

Proportions of Catholic and Protestant respondents thinking that the Police Ombudsman would help the police do a good job, February 2002 - January 2008

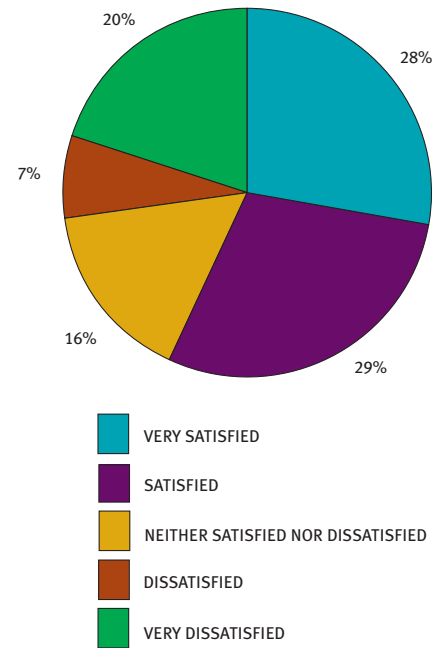


COMPLAINANT SATISFACTION

A complainant satisfaction survey questionnaire was issued to 2,647 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 553 questionnaires were returned giving a response rate of 21%.

A total of 57% of respondents, taking everything into account, were satisfied with the service they received. This includes 28% who were very satisfied.

Overall, taking everything into account, how satisfied or dissatisfied were you with the service you received? 2007/08



73% of respondents stated they would use the complaints system again.

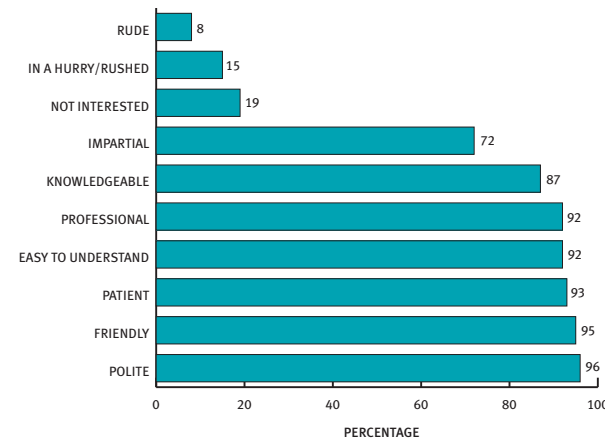
Of the 86% of complainants who had spoken to a member of staff from the Police Ombudsman Office:

- 96% thought staff were polite
- 87% thought staff were knowledgeable
- 92% thought staff were professional
- 72% thought staff were impartial.

78% of respondents were satisfied with how long the Office took to reply after making their complaints.

72% of respondents were satisfied with how clearly the process was explained to them.

How did the staff seem to you? 2007/08



“This was a very disagreeable episode but the Police Ombudsman’s office were a great help – sterling service. It gives great hope for our community’s future and the acceptance of our police service. Thank you “ (Complainant)

“I’m happy with all aspects of how my complaint was treated and the end result. I wish I had thought about complaining earlier as the problem had been going on for over two years”. (Complainant)

“I found your staff very good – right from my first complaint, the interview and any follow up conversations. I am pleased with the outcome and satisfied with your recommendations. Thank you!” (Complainant)

The Office continually reviews the systems used to measure complainant satisfaction. Following feedback received during the year the complainant questionnaire was revised to ensure optimum response.

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.

During 2007/08 a total of 1,269 questionnaires were issued to police officers subject to Police Ombudsman investigation. A total of 468 (37%) questionnaires were returned.

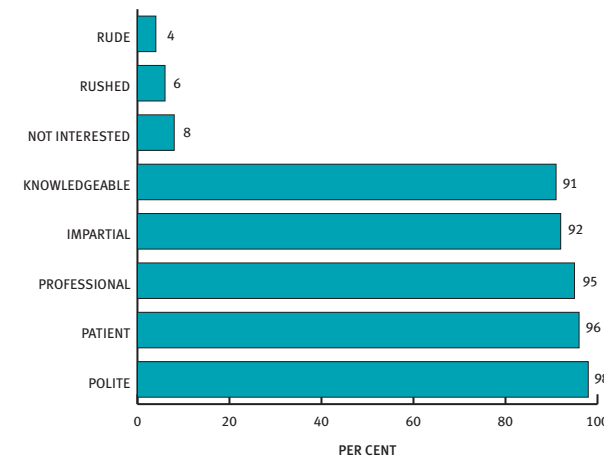
HIGH LEVELS OF POLICE OFFICER SATISFACTION WITH POLICE OMBUDSMAN’S INVESTIGATION

85% of police officers investigated thought they were treated fairly.

Of the 91% of police officers who spoke to a Police Ombudsman investigating officer:

- 95% thought Police Ombudsman investigators acted professionally
- 92% thought Police Ombudsman investigators acted impartially
- 96% thought Police Ombudsman investigators were patient
- 91% thought Police Ombudsman investigators were knowledgeable
- 98% thought Police Ombudsman staff were polite.

Police Officer Satisfaction with Police Ombudsman Investigating Staff

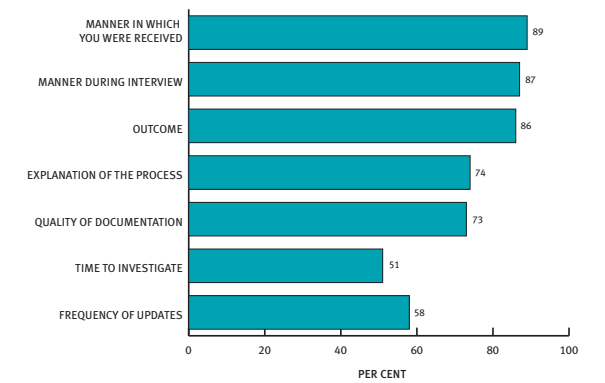


“I was treated more than professionally by the investigating officer. He kept me fully informed at every stage.”(Police officer)

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

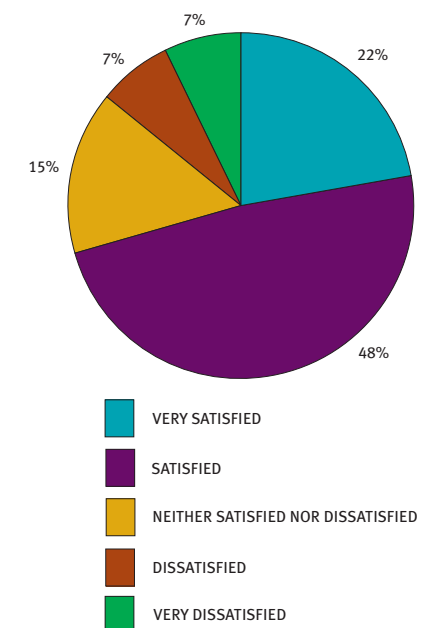


OVERALL POLICE OFFICER SATISFACTION WITH SERVICE

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 extremely satisfied with how this case was handled. The Investigating Officer was very professional and left me in no doubt that my case would be handled in a professional impartial manner. My thanks to him for this”. (Police officer)

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



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. One thousand, one hundred and eleven monitoring forms were returned, representing 37% of those issued.

RELIGIOUS BELIEF

Of the 1,103 complainants who provided information about their religious belief, 41% said they were Catholic (39% in 2006/07), and 43% identified their background as Presbyterian, Church of Ireland or Methodist (43% in 2006/07). Sixteen per cent identified themselves as having another religion or no religion (18% in 2006/07).

GENDER

Of those complainants whose gender was known, 71% were male (71% in 2006/07) and 29% were female (29% in 2006/07). (Gender is also inferred from complainants' titles or salutations.)

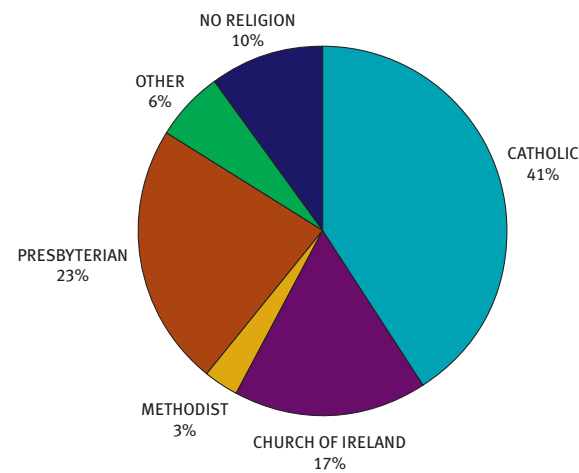
GENDER OF COMPLAINANTS

GENDER	Number	%
Male	2,066	71
Female	850	29
Total	2916	100

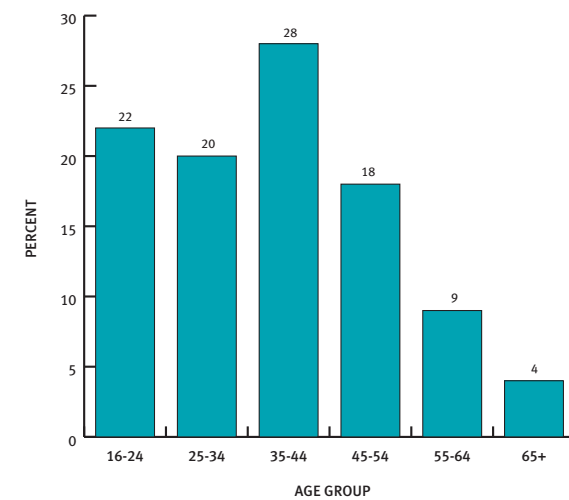
AGE

Of those complainants whose age was known, 28% fell within the 35-44 age group. The percentage of complainants aged under 25 is now 22%, similar to the 23% 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).

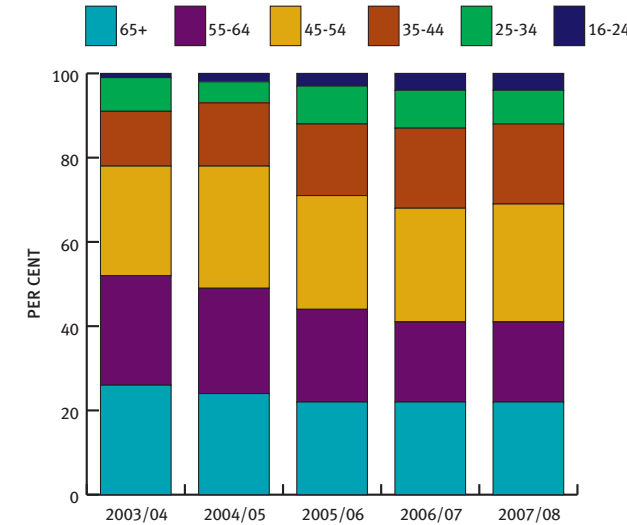
Complainants' Religious Belief



Complainants' Age



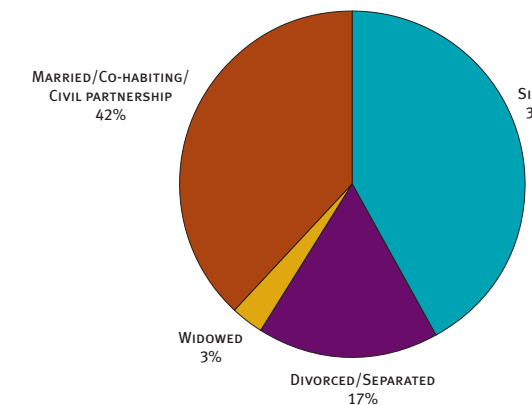
Age of Complainants



MARITAL STATUS

The largest proportion of complainants (42%) described themselves as being either married, co-habiting or in civil partnership. Thirty eight per cent said that they were single, while 17% said that they were either separated or divorced.

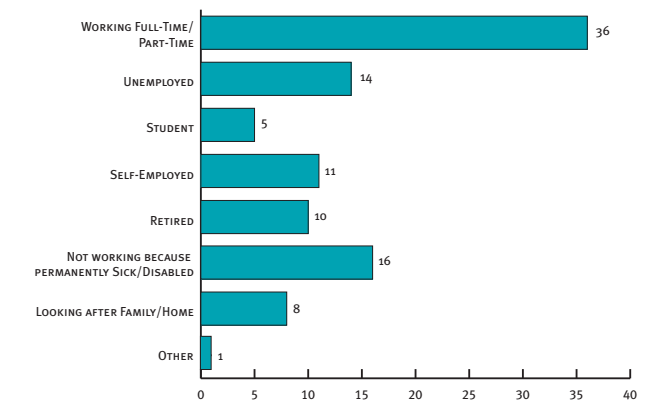
Complainants' Marital Status



EMPLOYMENT STATUS

Forty seven per cent of respondents said that they were working full or part time or self employed, while 14% of respondents said that they were unemployed.

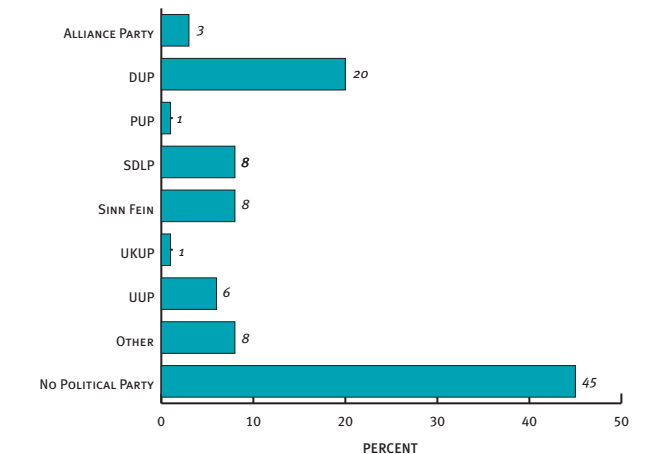
Complainants' Employment Status



POLITICAL OPINION

Of the 756 complainants who provided information about their political opinion, 3% supported the Alliance Party, 20% the DUP, 1% the PUP, 8% the SDLP, 8% Sinn Fein, 1% the UKUP, 6% the UUP and 8% others. Forty five per cent of complainants who provided information reported that they supported no political party.

Political Opinion



STATISTICAL AND RESEARCH REPORTS

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

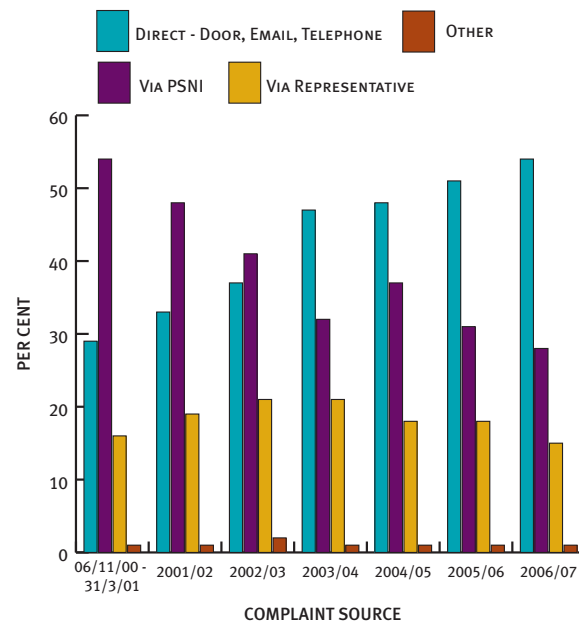
Developments in police complaints – 7 years on

In November 2007 the Police Ombudsman published the report sub-titled ‘Overview of trends and patterns in police complaints 2000-2007’. The report is a synopsis of the work of the Office since it opened in November 2000 up to 31 March 2007. It presents a picture of trends and patterns in police complaints, summaries of research and Policy and Practice reports, recommendations made and responded to by police, and commentary on our public profile and outreach programme. A sample of the contents is set out below.

Source of complaints

In 2000/01, 54% of complaints were made directly to the PSNI with only 30% being made directly to the Police Ombudsman’s Office. Since that time, however, there has been a complete reversal of this trend with 55% of complaints now being made directly to the Office and 29% being made directly to the PSNI. The Police Ombudsman is encouraged that members of the public are increasingly contacting the Office directly should they wish to make a complaint.

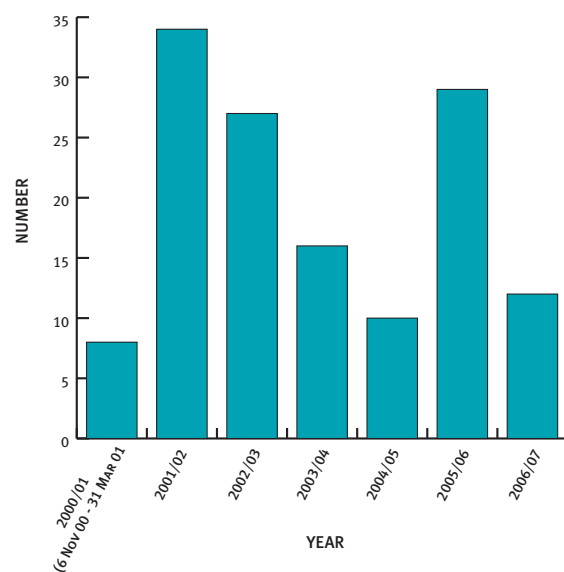
Source of Complaints, 2000/01 - 2006/07



Use of force

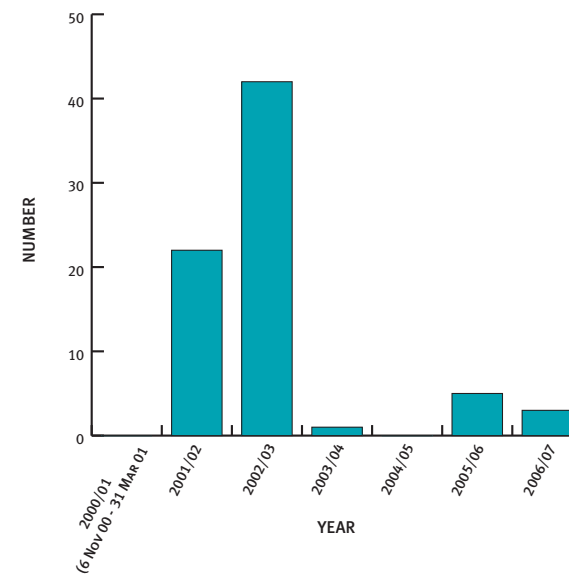
Since 2001/02, the number of allegations involving the use of a firearm by police officers has decreased. In 2005/06, however, the number of allegations increased almost three fold on the previous year. This was due to a number of public disorder situations that occurred during that year.

Allegations involving Firearm use, 2000/01 - 2006/07



The number of allegations involving baton round/AEP use has decreased considerably since 2002/03.

Allegations involving Baton Rounds/AEP's 2000/01 - 2006/07

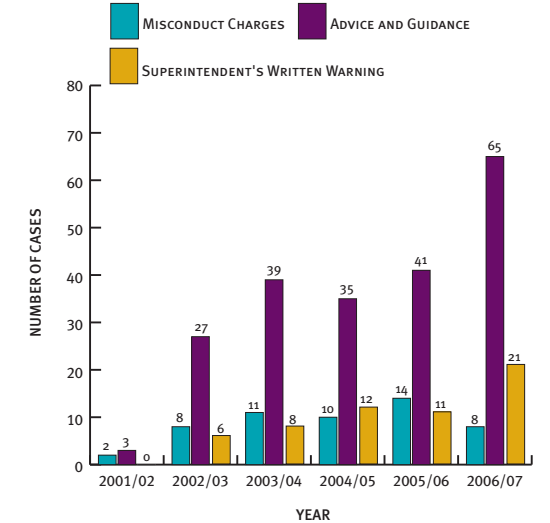


Discipline

Some cases are referred to the Chief Constable when there is clear evidence that an officer has committed a disciplinary breach. From 2001/02 until 2006/07, 321 cases have been referred to the Chief Constable, with the Police Ombudsman making the following recommendations:

- Misconduct Charges
- Superintendent’s Written Warning
- Advice and Guidance given to officers.

Cases recommended to Chief Constable, 2001/02 - 2006/07



SURVEY OF SERVING POLICE OFFICERS

This year the Police Ombudsman commissioned an independent survey of the views and attitudes of serving police officers towards the Office. The survey was supported by the Chief Constable, the Police Federation for Northern Ireland and the Superintendents’ Association of Northern Ireland. A Steering Group representing the Police Ombudsman’s Office, the Chief Constable and the staff associations agreed the survey methodology and the questionnaire. To ensure the independence of the survey, it was undertaken by Social and Strategic Research Ltd (SMSR), a company based in England. The Office of the Police Ombudsman, the Chief Constable, the Police Federation for Northern Ireland and the Superintendents’ Association for Northern Ireland urged all officers to complete and return the survey questionnaire, stressing the importance that the views and attitudes of police officers to the Office of the Police Ombudsman are made known. The survey fieldwork took place during February and March 2008. Analysis of the returned questionnaires was conducted by Dr Malcolm Hibberd, who has worked with police in the UK since 1982, carrying out research and providing consultancy and training and has worked extensively with police in Northern Ireland since the early 1990s. A report was produced in May and will be published in due course.

POLICY AND PRACTICE INVESTIGATION ON REGULATION 20 REPORTS

Between 6 November 2000 and 31 March 2006 the Office of the Police Ombudsman for Northern Ireland received more than 200 non-complaint matters arising from Section 55 of the Police (NI) Act 1998. Regulation 20 of the RUC (Complaints etc.) regulations 2000 places a statutory duty on the Police Ombudsman, at the conclusion of such investigations, to send a copy of the related report to the Northern Ireland Policing Board, the Chief Constable and the Secretary of State.

A substantial number of these completed reports have incorporated Police Ombudsman recommendations aimed at improving policing policies and procedures in generic areas such as the use of firearms, baton rounds or CS Spray, or they may make specific recommendations in relation to one-off incidents.

This policy and practice investigation was commissioned to review the operation of the Regulation 20 reporting procedure and assess the impact of the recommendations on policing policies and practices. The following are a sample of the recommendations contained in Regulation 20 reports and a summary of PSNI responses to them.

Crime Scene Management

- Scientific Support Staff should receive training relating to forensic issues at major crime scenes, specifically the need to wear protective clothing and contamination issues.

PSNI Response

All PSNI Scientific Support staff have now received awareness training in relation to forensic issues at major crime scenes. New standard operating procedures have also been written and supplied to all staff.

- All Scientific Support Staff should receive training in the law relating to the Criminal Procedure and Investigations Act 1996 (CPIA), specifically relating to their need to record, retain and reveal to the Disclosure officer all the material produced by them in an investigation.

PSNI Response

A review is currently being undertaken of the training required by all Scientific Support staff in relation to the CPIA 1996.

- The Senior Investigating Officer in charge of all major crime investigations should ensure that the crime scene is videoed before any forensic examinations take place.

PSNI Response

All officers attending the Senior Investigating Officer modules are now made aware of the need to video all Major Crime Scenes.

- All Senior Investigating Officers should define the parameters of a major crime scene, ensure that a search plan is considered and set a Forensic Strategy. All actions/decisions/orders should be recorded and take place in accordance with the National Murder Investigation Manual.

PSNI Response

All officers attending the Senior Investigating Officer modules are now trained and made aware of their need to set a Forensic Strategy in line with the National Murder Investigation Manual.

CS Spray

- All Custody Officers to be reminded of the need to accurately record all required details pertaining to CS Spray discharges relating to prisoners who have been exposed to CS Spray on the relevant Custody Record. Such good record keeping ensures the accountability and transparency of the custody process in accordance with the PACE Codes of Practice.

It is recommended that all Custody Officers be reminded of the need to issue Form CS3 to prisoners who have been exposed to CS Spray prior to their release from custody. This is an important duty of care issue and the Police Service of Northern Ireland would be vulnerable to criticism if a member of the public were released from police custody and suffered an extreme reaction to the effects of CS spray having not been handed said information sheet.

PSNI Response

All Custody Officers were reminded, via DCU Command, of their duties in relation to detained persons who have been exposed to CS Spray, and these issues will be addressed in the training of Custody Officers.

- All police officers issued with CS spray canisters should be reminded of the importance of accurately recording all aspects relating to the use of such devices and related aftercare issues. This specifically relates to distances at which CS spray is discharged, the nature of aftercare advice given, and the manner in which prisoners exposed to CS spray are conveyed from their place of arrest to the nearest Custody Office. Such attention to detail is stipulated in General Order 28/2004 and ensures the transparency and accountability of the process.

PSNI Response

On 23 March 2006 an email was issued to all police, reminding them of the need to maintain accurate records of any use of force; in particular, the use of CS Spray, including the distance at which CS Spray is discharged, the nature of aftercare advice given, and the manner in which prisoners exposed to CS Spray are conveyed from their place of arrest to the Custody Suite.

Baton Guns

- All officers currently classified in the use of baton guns are issued with authorisation cards, which must be presented before baton gun and baton rounds are issued.

PSNI Response

The subject of baton gun authorisation cards was examined. While these have been issued in the past on an ad hoc basis, it was agreed that the HR database (SAPS) is a much more reliable system. The rollout of new technology within the Service means that records are now updated by Firearms Trainers in a much more timely fashion.

- That, as part of the review of evidence gatherers, spotters/evidence gatherers in discharges from vehicles are used in all cases.

PSNI Response

Your report highlighted the fact that the actual discharge of baton rounds is seldom captured on police evidential video. This resulted in the PSNI experimenting with various methods of gathering such evidence. Staff from your office were invited to view our experiments with cameras on helmets, baton guns and baton vests, which demonstrated that the capturing of video evidence of each baton round fired is neither practicable nor feasible using these methods. The Police Ombudsman SIO accepted that these methods do not meet your evidential requirements, and agreed that the use of evidence gatherers is the best way forward. The Review Panel has referred the aspect of evidence gatherers to the Operational Training Policy Group to take forward and the Panel will seek regular updates from the Policy Group to ensure a system is put in place.

Baton Round Warnings

- No evidence exists that any public warnings were given, despite the fact that there would appear to have been opportunity to give such warnings. It is recommended that the necessity of giving such warnings at the scene of disorder should be brought to the attention of relevant personnel in order that lessons can be learned.

Guidelines do state that such warnings should be given when practicable. Despite the very serious nature of the disorder it is felt that a number of warnings could, and indeed, should have been given prior to some of the baton round discharges. The criticism is levelled in order that this point is reinforced to officers in future order situations. It is vitally important that established guidelines and procedures be followed in order to protect the public. In addition, it also protects police officers from possible sanction at a later date.

PSNI Response

General Order 46/2000 – ‘Service Policy in relation to the issue, deployment and use of Baton Rounds in situations of serious public disorder’ was amended by Weekly Order 22/04, issued on 2 June 2004. This amendment deals with the need to give a warning before force is used, and the importance of making a record of warnings given.

Police Vehicles

- That consideration be given for all police vehicles used for general patrol and public order situations to have markings on their roof making them identifiable from the air.

PSNI Response

After considerable technical and practical difficulties, the programme for roof marking of police vehicles has begun. Priority is being given to land rovers and water cannon in the first instance.

Vehicle Pursuits

- That the PSNI review the Urban Region instructions and provide for supervision by the Control Room in incidents such as the matter dealt with in this Report, pending the introduction of the ACPO Policy on pursuits.

PSNI Response

The recommendation has been addressed through the implementation of the new Vehicle Pursuit Management Policy, which became operational on the 2 January 2007. This was a lengthy process, which in addition to devising the policy, required new police staff to become qualified as instructors, trainers to attend the Pursuit Course in England and the delivery of training to District Trainers and Communications staff. The full Vehicle Pursuit training programme then commenced on the 2 October 2006 and is ongoing.

Risk Assessment

- That all officers responsible for the preparation and authorisation of operational orders are made aware of the need to complete specific risk assessments prior to the operation taking place.

PSNI Response

Operations Department, Crime Department and Territorial Assistant Chief Constables have reinforced the need for specific risk assessments to be carried out, prior to operations taking place.

POLICY AND PRACTICE INVESTIGATION ON USE OF HANDCUFFS

During the period from November 2000 until March 2007 the Office received 1,033 complaints involving the use of handcuffs. In light of this the Police Ombudsman conducted a policy and practice investigation into handcuff complaints. The purpose of the investigation was to ascertain emerging patterns or trends into the use of handcuffs by the police and establish what lessons could be learned. The report will be published in June 2008.

The policy and practice investigation comprised three main elements. Firstly complaints involving handcuffs received over the last seven years were analysed to explore the location and timing of incidents, circumstances leading to the incident, profile of the complainants and outcome of the complaints.

Secondly a detailed examination of complaints involving handcuffs classified as closed during the year April 2006-March 2007 was undertaken to explore the nature of the complaint, circumstances surrounding the incident and the types of injury received.

Qualitative research was also undertaken to examine the views and experiences of police officers in relation to the use of handcuffs.

There were 1,033 complaints received and 1,054 allegations involving the use of handcuffs

between November 2000 and March 2007. The majority were allegations of assault of a ‘less serious nature’. Complaints tended to be made mostly by males in the 16-24 age group. The majority of incidents took place at the weekend, with 17% of all incidents taking place between midnight and 3:00am on Saturdays and Sundays. North Belfast District Command Unit recorded the highest number of handcuff complaints.

A total of 52 allegations were examined in detail. Forty out of 52 allegations included as part of the allegation that the handcuffs had been applied too tightly by one or more of the police officers involved in the incident. Out of the 46 Forensic Medical Officer (FMO) reports examined, in 12 cases ‘red marks’ were the only injury reported by the FMO and in 9 cases the FMO actually noted that no injury was present.

Findings from the qualitative research showed that police officers were very confident in deciding when to use handcuffs and in applying handcuffs. They also had positive views on handcuff training received and on the design of handcuffs. Whilst all police officers said that they would check for tightness, only four out of the thirteen police officers interviewed said they would record this as a matter of course.

A NUMBER OF RECOMMENDATIONS WERE MADE REGARDING THE USE OF HANDCUFFS

Scenario based training

- That the handcuff training should include as much ‘role play’ and ‘scenario based’ situations as possible and that Probationary Development training should involve an element of scenario based handcuff training.

Warning given against struggling

- That the Police Service of Northern Ireland Policy Directive PD 07/07 should be amended to place an onus on police officers, where possible, that when handcuffs are applied a warning should be given to the subject that struggling may cause the handcuffs to tighten and cause injury.

Recording of Evidence

- That police officers should record in notebooks that
 - they have asked subject if handcuffs are too tight
 - they have checked and adjusted for tightness
 - they have double locked the handcuffs
 - they have warned the subject that struggling may cause injury.

Design of Rigid Handcuff

- That keyholes are located on both sides of handcuffs.
- That research is initiated aimed at resolving the issue of where police officers keep their keys.

Recording of more details on injuries to Complainants

- That Forensic Medical Officers (FMOs) where appropriate, fill in a hand injury chart in conjunction with the body chart.
- That they record if the injuries were consistent with handcuffing and how severe the injuries are.
- That guidelines should be developed to advise FMOs how to record injuries in a consistent way eg if there was a fracture, skin breach or nerve injury.

At the end of the financial year a response to the report’s recommendations was awaited from the Chief Constable. Once received it will be incorporated in the final report, which is scheduled to be published in June 2008.

Key Performance Indicators	Targets (2007-2008)	Performance against Targets (2007-2008)
Level of Complaints registered	Resource and action all complaints and related allegations registered	2,970 complaints (5,220 allegations)
Complainant Satisfaction	60% of complainants being satisfied or very satisfied with service received	57% achievement
	75% of complainants willing to use the service again	73% achievement
Quality of Investigations	On a 60-day basis all on-going investigations will be subject to a quality review by supervisors and managers	97% achievement
	One third of all cases closed will be reviewed in line with quality assurance indicators	Full Quality Assurance programme deferred until CHS goes live
Responsiveness to serious incidents referred to the Police Ombudsman on-call team	To respond (24/7) within 1.5 hours to serious incidents referred in Belfast and 3 hours outside Belfast	100% compliance
Prompt Service	Register all appropriate matters reported to the Police Ombudsman within 3 working days of receipt	86% achievement
	90% of all complaints to be actioned within 5 working days of being registered	80% achievement
	All telephone calls to the Office to be responded to within 10 seconds	99% achievement
	95% of complainants calling to the Office to be seen within 5 minutes	84% achievement
Timely updating of complainants and police officers	85% of complainants to be updated every 6 weeks	83% achievement
	85% of police officers to be updated every 6 weeks	70% achievement
	85% of police officers and complainants in Historic Cases to be updated every 6 weeks after an investigation has been commenced	Achieved

Key Performance Indicators	Targets (2007-2008)	Performance against Targets (2007-2008)
Timely Process	90% of complaints, not subject of investigation or Informal Resolution, to be dealt with within 40 working days	73% achievement
	90% of complainants to be contacted by the Investigating Officer within 3 working days of the complaint being allocated to that officer	94% achievement
	90% of complaints suitable for Informal Resolution to be referred within 3 working days of complainant consent being obtained	94% achievement
	To review, assess and prioritise all statutory referrals and public complaints, in Historic Cases, within 50 working days	75% achievement
Timeliness of the complaint investigation	90% of new complaint investigations to be completed within 120 working days, apart from grave or exceptional matters	68% achievement
Informing the public and police	Maintain a programme to inform the public via the media of the outcomes of complaints and investigations	9 press releases re investigation outcomes. 3 major media profile interviews with Police Ombudsman
	Maintain a reactive programme to respond to questions from the public, their representatives and the media about the work of the Office of the Police Ombudsman	Office subject of more than 150 media articles, 20 FOI requests
	Provide a targeted programme of information and engagement within the community, including 40 events in schools in association with community organisations	15 events attended
	A programme of information to be provided to District Policing Partnerships and all new District Command Units	Presentations as requested
	To provide an effective information service to the new parliament, to the Assembly Committees and related bodies	No significant requests

Key Performance Indicators	Targets (2007-2008)	Performance against Targets (2007-2008)
Public confidence in the Office	Public awareness and confidence in the police complaints system, as measured independently, will be maintained	90% Public awareness 88% Independent 81% Impartial 85% Fair 83% Helps Police do a good job
Police confidence in the Office	75% of police officers subject of investigation to be satisfied with the service provided by the Police Ombudsman	70% achievement
	To measure police officer views and attitudes to the Police Ombudsman's Office by a survey of every police officer by February 2008	Completed, results to be published
Published research papers on matters rising from complaint handling	Complainant Satisfaction Survey - July '07	Completed
	Public Attitudes Survey - August '07	Completed
	Police Officer Satisfaction Survey - August '07	Completed
	Statistical and Research Review (2000-07) October '07	Completed
	Police Officer Survey - December '07	Completed
Reports on trends and patterns of complaints and allegations	Equality Monitoring of Complainants - December '07	Completed
	To make available all agreed reports within timescales	Achieved
Police policy and practice investigations	To publish a report on the PSNI response to recommendations arising from reports on matters referred under Section 55 of the Police Act 1998 by October '07	Completed
Timely production of Corporate Plan and Annual Report	Corporate Plan to be available by 30 May '07	Achieved
	Annual Report to be available by 30 June '07	Achieved
Expenditure of approved funding	To maintain expenditure within 2% of allocated resource funding	Achieved

Key Performance Indicators	Targets (2007-2008)	Performance against Targets (2007-2008)
Effective management information systems	Conduct a post-project review of the implementation of the CHS System by September '07	Not achieved
	Ensure all identified training in support of CHS is carried out by August '07	Not achieved
Level of staff attendance	To reduce the level of staff absence	Achieved
Programme of staff development and training	To maintain 70% of investigating officers with achievement of accredited investigator status	Achieved
	8 managers to participate in an accredited management training programme	Achieved
	To develop an accredited complaints officer training programme	Not achieved
Compliance with Equality Legislation	To prepare the annual training needs analysis of all staff by 30 June '07 and ensure delivery of 80% of approved training by 31 March 2008	64% achievement
	To complete annual fair employment monitoring return by 1 May '07	Completed
	To complete annual equality scheme progress report by 31 August '07	Completed
	To establish an updated equality scheme by 31 August '07	Not finalised

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.

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 normal pension age. As detailed below, the pension age is 60 or 65 depending on the particular pension arrangement. 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 in 2004 for an initial three years as Independent Non-Executive members of the Audit Committee in the Office. Their tenure was extended until 2009 during the year. They are remunerated on the basis of hours employed at a rate of £38 per hour.

SALARY AND PENSION ENTITLEMENTS

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

Remuneration	2007-08		2006-07	
	Salary (£'000)	Benefits in kind (to nearest £100)	Salary (£'000)	Benefits in kind (to nearest £100)
Mrs Nuala O'Loan ¹ Police Ombudsman (to 5 November 2007)	70-75	-	115-120	-
Mr Al Hutchinson ² Police Ombudsman (from 6 November 2007)	50-55	6,100	-	-
Mr Samuel Pollock Chief Executive	85-90	-	80-85	-
Mr Justin Felice ³ Senior Director of Investigations (to 8 September 2007)	35-40	-	75-80	-
Mr James Coupland ⁴ Senior Director of Investigations (from 8 January 2008)	20-25	-	-	-
Mrs Olwen Laird Director of Corporate Services	55-60	-	50-55	-
Mr Greg Mullan Director of Policy and Practice	50-55	-	50-55	-
Mr Tim Gracey Director of Information	50-55	-	50-55	-
Mr John Larkin Director of Investigations	70-75	-	70-75	-
Mr Jim Kitson ⁵ Director of Legal Services (from 1 June 2007)	40-45	-	-	-
Mr Edward Simpson Non Executive Audit Committee Member	0-5	-	0-5	-
Mr RST Ewing Non Executive Audit Committee Member	0-5	-	0-5	-

1. Salary Figure quoted is for the period 1 April 2007 to 5 November 2007. The full year equivalent is £120 – 125k

2. Salary Figure quoted is for the period 6 November 2007 to 31 March 2008. The full year equivalent is £135 – 140k

3. Salary Figure quoted is for the period 1 April 2007 to 8 September 2007. The full year equivalent is £85 – 90k

4. Salary Figure quoted is for the period 8 January 2008 to 31 March 2008. The full year equivalent is £80 – 85k

5. Salary Figure quoted is for the period 1 June 2007 to 31 March 2008. The full year equivalent is £50 – 55k

PENSION BENEFITS

Audited Information	Accrued pension at pension age as at 31/3/08 and related lump sum £'000	Real increase in pension and related lump sum at age 60 £'000	CETV at 31/3/08 £'000	CETV at 31/3/07 £'000	Real increase in CETV £'000	Employer contribution to partnership pension account (Nearest £100)
Mrs Nuala O'Loan <i>Police Ombudsman</i> (as at 5 November 2007)	32.5-35.0 plus lump sum of 97.5-100	0-2.5 plus lump sum of 2.5-5.0	699	670	18	N/A
Mr Al Hutchinson¹ <i>Police Ombudsman</i> (from 6 November 2007)	N/A	N/A	N/A	N/A	N/A	N/A
Mr Samuel Pollock <i>Chief Executive</i>	7.5-10.0 plus lump sum of 22.5-25.0	0-2.5 plus lump sum of 2.5-5.0	188	142	27	N/A
Mr Justin Felice <i>Senior Director of Investigations</i> (as at 8 September 2007)	2.5-5.0	0-2.5	58	47	9	N/A
Mr James Coupland² <i>Senior Director of Investigations</i> (from 8 January 2008)	N/A	N/A	N/A	N/A	N/A	N/A
Mrs Olwen Laird <i>Director of Corporate Services</i>	10.0-12.5	0-2.5	119	88	13	N/A
Mr Greg Mullan <i>Director of Policy and Practice</i>	17.5-20.0 plus lump sum of 52.5-55.0	0-2.5 plus lump sum 0-2.5	383	329	7	N/A
Mr Tim Gracey <i>Director of Information</i>	7.5-10 plus lump sum 27.5-30.0	0-2.5 plus lump sum 0-2.5	194	161	9	N/A
Mr John Larkin³ <i>Director of Investigations</i>	N/A	N/A	N/A	N/A	N/A	N/A
Mr Jim Kitson <i>Director of Legal Services</i>	0-2.5	0-2.5	28	14	9	N/A
Mr Edward Simpson⁴ <i>Non Executive Audit Committee Member</i>	N/A	N/A	N/A	N/A	N/A	N/A
Mr Sidney Ewing⁴ <i>Non Executive Audit Committee Member</i>	N/A	N/A	N/A	N/A	N/A	N/A

1. Pension arrangements in respect of Mr Hutchinson are yet to be finalised

2. Member of the Nuvos scheme with less than 3 months service, therefore only a refund of contributions due

3. On secondment from West Midlands Police Service

4. Non Pensionable service

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 30 July 2007, civil servants may be in one of four defined benefit schemes; either a 'final salary' scheme (classic, premium or classic plus); or a 'whole career' scheme (nuvos). These statutory arrangements are unfunded with the cost of benefits met by monies voted by Parliament each year. Pensions payable under classic, premium, classic plus and nuvos are increased annually in line with changes in the Retail Prices Index (RPI). Members joining from October 2002 may opt for either the appropriate defined benefit arrangement or 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. Classic plus is essentially a hybrid with benefits in respect of service before 1 October

2002 calculated broadly as per classic and benefits for service from October 2002 calculated as in premium. In nuvos a member builds up a pension based on his pensionable earnings during their period of scheme membership. At the end of the scheme year (31 March) the member's earned pension account is credited with 2.3% of their pensionable earnings in that scheme year and the accrued pension is uprated in line with RPI. In all cases members may opt to give up (commute) pension for lump sum up to the limits set by the Finance Act 2004.

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 pension age, or immediately on ceasing to be an active member of the scheme if they are already at or over pension age. Pension age is 60 for members of classic, premium and classic plus and 65 for members of nuvos.

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 figures include the value of any pension benefit in another scheme or arrangement which the individual has transferred to the Civil Service pension arrangements. They also include any additional pension benefit accrued to the member as a result of their purchasing additional pension benefits at their own cost. CETVs are calculated within the guidelines and framework prescribed by the Institute and Faculty of Actuaries and do not take account of any actual or potential reduction to benefits resulting from Lifetime Allowance Tax which may be due when pension benefits are drawn.

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

9 June 2008

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 operating cost statement, 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 Office of the Police Ombudsman for Northern Ireland 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; and
- 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 Managing Public Money.

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 2008 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.

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 risk register is considered at each meeting of 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 financial and management information and complaints and investigations. The Internal Auditor noted limited assurance in respect of Information Technology systems, however I am satisfied that the necessary actions are now being progressed to improve the adequacy of controls in this area. These internal audit reports build upon the assurance received from Internal Audit in previous years.

Samuel Pollock, OBE

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

9 June 2008

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 2008 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, the information which comprises the Report of the Chief Executive, included in the Annual 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. This other information comprises the Foreword, Report of the Police Ombudsman, the Review of the Work and Performance of the Office and unaudited part of the Remuneration Report. 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 2008 and of its net 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 which comprises the Report of the Chief Executive included within the Annual 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.

T J Burr

Comptroller and Auditor General

24 June 2008

National Audit Office
151 Buckingham Palace Road
Victoria
London SW1W 9SS

Operating Cost Statement for the year ended 31 March 2008

	Note	2007/08 £	2006/07 £
Operating Expenditure			
Salaries and wages	3	5,885,175	5,679,879
Other operating costs	4	2,364,105	2,442,754
Depreciation	6	272,029	277,131
Permanent diminution on revaluation of fixed assets	11	39,111	65,006
Notional cost of capital	5	57,192	49,380
Total Operating Expenditure		8,617,612	8,514,150
Release from Government Grant Reserve	11	(26,448)	(31,853)
Credit in respect of notional cost of capital	5	(57,192)	(49,380)
Net Operating Cost for the year		8,533,972	8,432,917
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		8,533,972	8,432,917
Unrealised gain on revaluation	11	(25,083)	(60,677)
Total Recognised Losses for the year		8,508,889	8,372,240
The notes on pages 63 to 75 form part of these accounts.			

Balance Sheet as at 31 March 2008

	Note	as at 31 March 2008 £	as at 31 March 2007 £
Fixed Assets			
Tangible assets	6	1,231,378	1,239,370
Intangible assets	6	969,736	947,960
		2,201,114	2,187,330
Debtors falling due after more than one year	7	3,443	0
Current Assets			
Debtors and prepayments	7	138,892	164,031
Cash at bank and in hand	8	148,457	189,716
		287,349	353,747
Creditors - amounts falling due within one year	9	(468,676)	(720,710)
Net Current Liabilities		(181,327)	(366,963)
Total Assets less Current Liabilities		2,023,230	1,820,367
Creditors - amounts falling due after more than one year	9	-	-
Provisions for liabilities and charges	10	(124,750)	(112,550)
		1,898,480	1,707,817
Financed By:			
Capital and Reserves			
General Reserve	11	835,617	990,591
Government Grant Reserve	11	934,560	614,006
Revaluation Reserve	11	128,303	103,220
		1,898,480	1,707,817
The notes on pages 63 to 75 form part of these accounts.			

Samuel Pollock, OBE

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

9 June 2008

Cash Flow Statement for the year ended 31 March 2008

	Note	2007/08 £	2006/07 £
Net cash outflow from continuing operating activities	14	(8,287,658)	(7,954,199)
Payment for fixed assets	6	(479,601)	(664,326)
Net cash outflow before financing		(8,767,259)	(8,618,525)
Financing	15	8,726,000	8,689,000
(Decrease)/increase in cash and cash equivalents	16	(41,259)	70,475

The notes on pages 63 to 75 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 Managing Public Money and Financial Reporting Manual (FreM)

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 Capital Grants and Grand-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 used 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.

1.3 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.

1.4 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.

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 seven 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.

1.5 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 50 to 54 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.

1.6 Leases

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

1.7 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 Staff costs incurred during the period were as follows:

	2007/08 £	2006/07 £
Amounts payable in respect of directly employed staff		
Wages and salaries	3,193,457	3,071,055
Social security costs	246,503	246,201
Employer's pension contributions	603,756	590,561
Total direct employee staff costs	4,043,716	3,907,817
Amounts payable in respect of staff on secondment, agency/temporary staff and contract staff	1,841,459	1,772,062
Total staff costs	5,885,175	5,679,879

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:

	2007/08 No.	2006/07 No.
Directly employed Police Ombudsman staff		
Management and executive	6	6
Administrative and support staff	35	35
Complaints and investigation staff	73	68
Seconded, agency/temporary and contract staff		
Management and executive	1	1
Administrative and support staff	3	5
Complaints and investigation staff	25	25
Total	143	140

3.3 Police Ombudsman's Remuneration

Mr Al Hutchinson was appointed as Police Ombudsman on 6 November 2007. His total remuneration as Police Ombudsman, including benefits in kind but excluding pension contributions, was £60,739 (£nil for the year ended 31 March 2007). Employer pension contributions of £6,328 have been accrued in relation to Mr Al Hutchinson's pension for 2007/08.

The former Police Ombudsman, Mrs Nuala O'Loan completed her tenure in Office on 5 November 2007. Her total remuneration, excluding pension contributions, was £72,939 (£118,772 for the year ended 31 March 2007). The former Police Ombudsman was 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. The scheme actuary valued the scheme as at 31 March 2007. You can find details in the resource accounts of the Cabinet Office: Civil Superannuation (www.civilservice-pensions.gov.uk).

For the year ended 31 March 2008, employers' contributions of £603,756 were payable to the PCSPS (£590,561 for the year ended 31 March 2007) at one of four rates in the range 17.1% to 25.5% per cent of pensionable pay, based on salary bands. The scheme's Actuary reviews employer contributions every four years following a full scheme valuation. From 2008/09, the salary bands will be revised but the rates will remain the same. (The rates will be changing with effect from April 2009). The contribution rates are set to meet the cost of the benefits accruing during 2007/08 to be paid when the member retires, and not the benefits paid during this period to existing pensioners.

Employees can opt to open a partnership pension account which is a stakeholder pension with an employer contribution. Employer contributions are age-related and range from 3% to 12.5% of pensionable pay. Employers also match employee contributions up to 3% of pensionable pay. Additionally 0.8% of pensionable pay is payable to the PCSPS to cover the cost of the future provision of lump sum benefits of death in service and ill health retirements of these employees. There were no employer's contributions paid to the appointed stakeholder pension providers, nor to the PCSPS.

The Remuneration Report on pages 50 to 54 contains detailed pension information.

4. OTHER OPERATING COSTS

	2007/08 £	2006/07 £
Travel and subsistence	241,390	259,086
Training, recruitment and other personnel costs	584,365	587,649
Rates, maintenance, electricity and other accommodation costs	369,999	383,492
Consultancy and legal costs	23,854	20,854
Information and media	139,835	106,679
Printing, stationery, postage and office equipment	136,739	117,695
Direct case investigation costs	153,107	213,868
Computer support including maintenance and telecommunications	237,360	206,702
Operating leases; photocopying machines	11,729	14,870
Operating leases; other (rent & car leases)	305,612	301,487
Other costs	99,938	112,822
External audit fee	14,000	13,750
Provisions - provided in year (note 10)	86,000	103,800
Provisions - released in year not required (note 10)	(39,823)	-
Total	2,364,105	2,442,754

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 less total liabilities.

For the purpose of this calculation the opening capital employed as at the 1 April 2007 and the closing capital employed as at 31 March 2008 have been used.

	2007/08 £	2006/07 £
Interest on capital employed	57,192	49,380

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 2007	950,000	248,571	826,607	2,025,178	785,309	347,970	1,133,279	3,158,457
Additions	0	9,664	105,346	115,010	177,172	7,659	184,831	299,841
Revaluation	(100,000)	11,317	(10,884)	(99,567)	(26,448)	(8,548)	(34,996)	(134,563)
Disposals	0	0	0	0	0	0	0	0
Transfers	0	16,653	68,220	84,873	(84,873)	0	(84,873)	0
At 31 March 2008	850,000	286,205	989,289	2,125,494	851,160	347,081	1,198,241	3,323,735
Depreciation								
At 1 April 2007	0	121,813	663,995	785,808	1,110	184,209	185,319	971,127
Charge for year	118,750	31,224	74,890	224,864	0	47,165	47,165	272,029
Backlog	(118,750)	4,984	(3,900)	(117,666)	0	(2,869)	(2,869)	(120,535)
Disposals	0	0	0	0	0	0	0	0
Transfers	0	1,110	0	1,110	(1,110)	0	(1,110)	0
At 31 March 2008	0	159,131	734,985	894,116	0	228,505	228,505	1,122,621
Net Book Value								
At 31 March 2007	950,000	126,758	162,612	1,239,370	784,199	163,761	947,960	2,187,330
At 31 March 2008	850,000	127,074	254,304	1,231,378	851,160	118,576	969,736	2,201,114

Leasehold improvements have been valued by Valuation and Lands Agency on the existing use basis at £850,000 as at 31 March 2008 (£950,000 as at 31 March 2007). The open market valuation at that date was £nil (£nil at 31 March 2007).

	2007/08 £	2006/07 £
Analysis of capital expenditure		
Total fixed asset additions	299,841	764,320
Decrease/(increase) in accruals related to fixed asset additions (note 9)	179,760	(99,994)
Total cash payments for fixed assets	479,601	664,326

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 2008 £	as at 31 March 2007 £
Debtors	3,075	2,275
Prepayments	135,817	161,756
	<u>138,892</u>	<u>164,031</u>
Amounts falling due after one year		
Prepayments	3,443	0
	<u>3,443</u>	<u>0</u>

8. CASH AT BANK AND IN HAND

	as at 31 March 2008 £	as at 31 March 2007 £
Bank	148,057	189,316
Cash	400	400
	<u>148,457</u>	<u>189,716</u>

9. CREDITORS

	as at 31 March 2008 £	as at 31 March 2007 £
Amounts falling due within one year		
Taxation, pension and social security accruals	43,642	73,787
Trade creditors	20,761	100,484
Other accruals	404,273	546,439
	<u>468,676</u>	<u>720,710</u>

Creditors include an amount of £1,814 (£181,574 2006/07) 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 2008/09.

Creditors include an Inter-Governmental balance of £120,919 (£53,853 2006/07) 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 2008 £	as at 31 March 2007 £
Balance as at 1 April 2007	112,550	8,750
Provisions provided in year	86,000	103,800
Provisions released in year not required	(39,823)	0
Provisions utilised in year	(33,977)	0
Balance as at 31 March 2008	<u>124,750</u>	<u>112,550</u>

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 2008 the Office had ongoing two Judicial review processes, and four civil claims. The provision which has been calculated in respect of these matters is £83,750 for judicial reviews, £41,000 for civil actions. These provisions relate mainly to legal costs to be incurred in defending these matters. At 31 March 2007 the provision for £112,550 was in respect of three Judicial review matters, three Industrial Tribunal processes and one civil claim.

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	2007/2008 Total £	as at 31 March 2007 £
Opening balance at 1 April 2007	990,591	614,006	103,220	1,707,817	1,422,910
Net Operating Cost for the year	(8,533,972)	-	-	(8,533,972)	(8,432,917)
Grant in Aid received	8,378,998	-	-	8,378,998	8,109,767
Capital Grant received to purchase Case Handling System	-	347,002	-	347,002	579,223
Transfer to reflect in year depreciation & diminution of assets purchased by Capital Grant	-	(26,448)	-	(26,448)	(31,853)
Unrealised surplus on revaluation of fixed assets	-	-	25,083	25,083	60,677
Balance at 31 March 2008	835,617	934,560	128,303	1,898,480	1,707,817

Transfer to Operating Cost Statement from the Government Grant Reserve:	2007/08 £	2006/07 £
Diminution arising on revaluation of fixed assets	(26,448)	(30,743)
Depreciation transferred to Operating Cost Statement	0	(1,110)
	(26,448)	(31,853)

Analysis of Revaluations	2007/08		2006/07	
	Through Revaluation Reserve £	Through Operating Cost Statement £	Through Revaluation Reserve £	Through Operating Cost Statement £
Land and Buildings, leasehold improvements	18,750	-	61,111	-
Furniture and Fittings	6,333	-	(434)	-
Information technology	-	(6,984)	-	(18,760)
Case Handling System	-	(26,448)	-	(30,743)
Software Licences	-	(5,679)	-	(15,503)
	25,083	(39,111)	60,677	(65,006)

12. CAPITAL COMMITMENTS

As at 31 March 2008 the Office of the Police Ombudsman for Northern Ireland had contracted capital commitments with two suppliers amounting to £143,290 (£128,010 as at 31 March 2007).

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 2008 £	as at 31 March 2007 £
Operating leases expiring:				
Within one year	0	7,043	7,043	16,810
Between two and five years	0	14,300	14,300	5,571
After five years	263,200	0	263,200	263,200
Total	263,200	21,343	284,543	285,581

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

	2007/08 £	2006/07 £
Total operating expenditure	(8,617,612)	(8,514,150)
Depreciation charge	272,029	277,131
Permanent diminution in value of fixed assets	39,111	65,006
Notional cost of capital	57,192	49,380
Provisions provided in year	86,000	103,800
Provisions utilised in year	(33,977)	0
Provisions released in year not required	(39,823)	0
Decrease / (Increase) in debtors and prepayments	21,696	(23,230)
(Decrease) / Increase in creditors and accruals	(72,274)	87,864
Net cash outflow from operating activities	(8,287,658)	(7,954,199)

15. ANALYSIS OF FINANCING:

	2007/08 £	2006/07 £
Grant in Aid to fund resource expenditure	8,246,396	8,024,674
Grant in Aid to fund capital expenditure	132,602	85,093
Capital Grant to fund capital expenditure	347,002	579,233
	8,726,000	8,689,000

16. ANALYSIS OF CHANGES IN CASH

	as at 31 March 2008 £	as at 31 March 2007 £
Opening balance at 1 April 2007	189,716	119,241
(Decrease) / Increase in cash	(41,259)	70,475
Closing balance at 31 March 2008	148,457	189,716

17. CONTINGENT LIABILITIES

At 31 March 2008 the Office did not have any contingent liabilities.

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 2008 are set out below:

	Book value £	Fair value £
Financial assets:		
Cash at bank	148,457	148,457
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 24 June 2008.

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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