

**The Police Ombudsman for  
Northern Ireland**

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**Presentation to**

**CACOLE Conference 2005**

***Current Issues in Police Accountability***

***5 October 2005***

*independent*  
*impartial*  
*investigation*

# The statutory duties

- To register and classify complaints
- To investigate, informally resolve or seek mediation of complaints
- To recommend necessary criminal or disciplinary action against police officers
- To provide management information to the Secretary of State, the Policing Board and the Chief of Police
- To secure the confidence of the public and of the police in the complaints system

# POWERS OF INVESTIGATION

- Police Ombudsman investigators all have law enforcement powers for the purposes of the investigation, e.g.
  - Powers of arrest, search and seizure
  - Powers to access and seize documentation or property
  - Powers to secure incident scene
- Using all necessary ancillary support e.g. forensic, scientific, technical and medical support



# Deaths caused by the Police

If there is a state killing there must be an Article 2 compliant investigation:

- Prompt
- Independent
- Capable of identifying those responsible
- Involving a sufficient degree of public scrutiny and information to the next of kin of the victim

Jordan v UK, Kelly v UK, McKerr v UK,  
Shanaghan v UK – May 2001

# Types of Incidents in which Firearms are used

- Police under fire or threat of fire from gunman
- Stopping fleeing suspects allegedly driving straight at police
- Stopping stolen cars
- Stopping vehicles which will not stop

# How we Investigate:

- 24/7 immediate call out
- Scene management, preservation and access
- Forensic Strategy meeting
- Seizure of weapons other than baton guns
- Examination of police vehicles etc as required
- Other forensic/photography/medical/mapping issues
- Appointments of Exhibits Officers
- Appointment of Family Liaison Officer
- Appointment of Disclosure Officer
- Risk Assessment meeting

# How we investigate cont'd/..

- Post Mortem issues
- Media Strategy meeting
- Establishment of Major Incident Room
- Use of specialist advisors
- Witness identification
- Door to door enquiries
- Hospital enquiries
- Video tape collected from police, army, commercial premises and community members



# How we investigate cont'd/..

- Relevant General Orders on weapon training, issue, deployment and use
- Any intelligence reports relating to the victim, other suspects, incident or location (includes national security materials)
- Weapon issue and return
- Quantity of ammunition issued and returned
- Details of Gold/Silver/Bronze Command personnel for both spontaneous and planned operations

# How we investigate cont'd/..

- Gold/silver/bronze decision logs
- Radio transmissions
- Incident logs
- Officer Reports
- Officer training records for type of weapon used
- Officer Human Rights Training record
- Officer Public Order Training Record (for baton gun usage)
- Use of Force and Conflict Resolution Model Training

# Issues for the Investigator

- Appointment of Post-Incident Managers
- Nature of incident
- Nature of context within which the incident occurred
- Management of incident scenes
- Adequacy and effectiveness of any pre-planning for incident
- Adequacy of supervision and management of pre-planning and incident
- Any criminal conduct
- Any disciplinary issues arising from breach of Code of Ethics

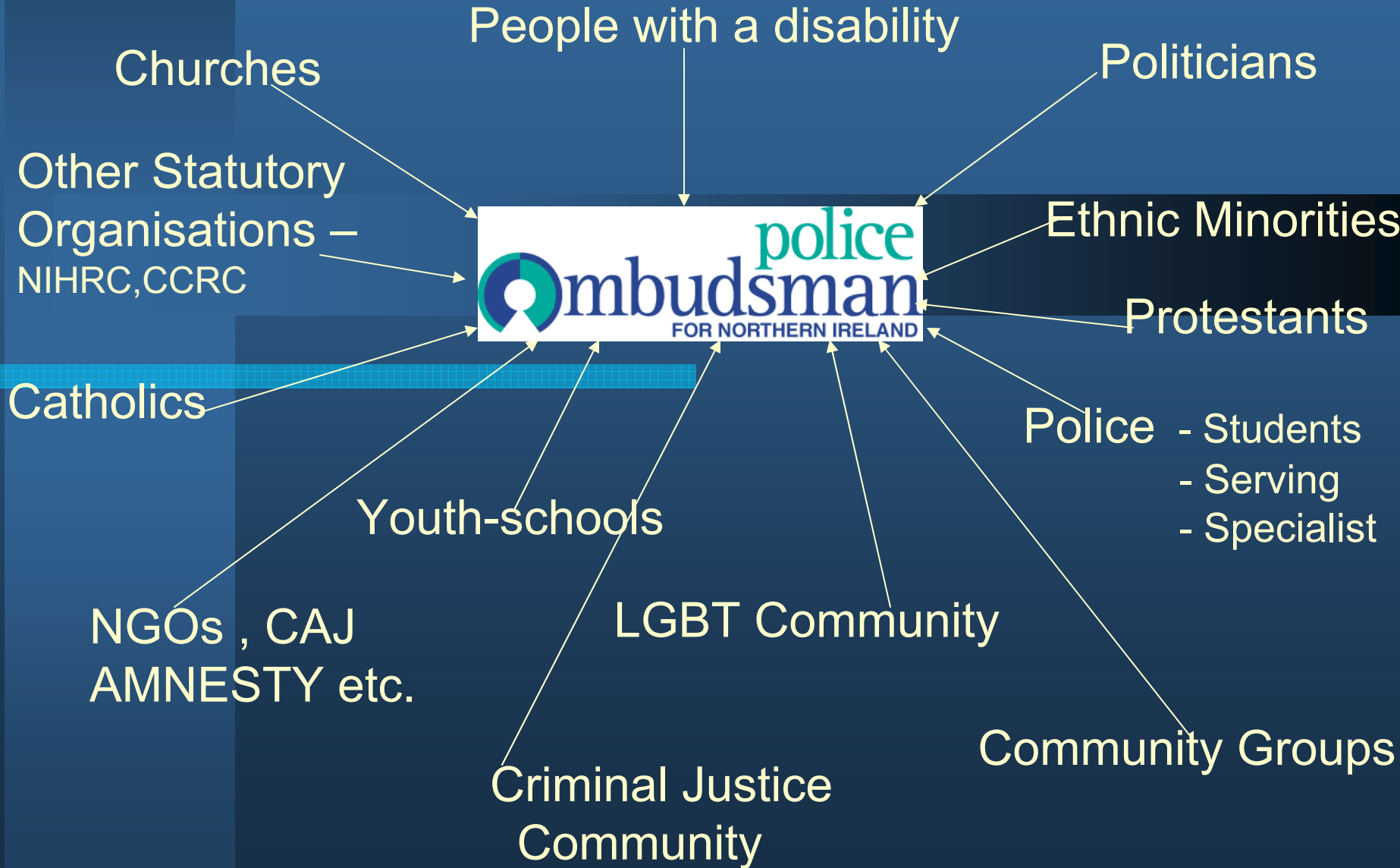
# Reporting on the use of firearms to:

- Secretary of State
- Northern Ireland Policing Board
- Chief of Police

# Community Presentations – 2004-05



# Outreach – 2004-05



*Thank you*