

Office of the Police Ombudsman for Northern Ireland:

Analysis of Oppressive Behaviour allegations received by the Office of the Police Ombudsman for Northern Ireland, 2000-2012

November 2012

Foreword

As Police Ombudsman it is my statutory duty to ensure an independent and impartial police complaints system that enjoys the confidence of the public and the police. Being the organisation that deals with all public complaints against police we are in a unique position to monitor trends and patterns in the types of allegations made. The high numbers of allegations linked to alleged Oppressive Behaviour continues to be of concern to my Office. Whilst I accept that police have often a difficult role to play in their interactions with members of the public, officers, nevertheless, in serving the community must be seen to be acting with proportionality and professionalism at all times.

With around a third of allegations against police associated with oppressive conduct, assault or harassment on the part of police officers, it is important that my Office undertakes research by way of analysing the data and reporting on any emerging trends. This report draws the attention of the public and the police to a number of salient issues, including the over representation of young males and of Catholics making allegations of Oppressive Behaviour.

It is my hope that the findings of this report will be used by the PSNI in pursuance of its Complaints Reduction strategy and that over time we will see a falling trend in the number of Oppressive Behaviour related allegations. This will require continued close monitoring of police conduct and may necessitate a focus on police training and supervision.

I would like to thank my research staff and acknowledge their effort in producing this report.

Police Ombudsman for Northern Ireland

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Executive summary

This report provides an analysis of Oppressive Behaviour allegations received by the Office from it opened in November 2000 to March 2012. Due to changes in methods of recording, when the Office moved to the new Case Handling System (CHS) in December 2008, it is inappropriate to compare numbers of Oppressive Behaviour allegations received by year before and after the introduction of the CHS.

The report therefore firstly analyses trends in Oppressive Behaviour allegations received up until March 2008 and then provides a more detailed analysis of Oppressive Behaviour allegations received from April 2008 to March 2012.

Trends in number of Oppressive Behaviour allegations received

In the first full year of operation, the Office of the Police Ombudsman (the Office) received over 2,000 allegations of Oppressive Behaviour, this number declined slightly until 2004/05 before rising again in 2005/06 and remaining fairly stable until 2007/2008 when the Office received 1,847 Oppressive Behaviour allegations.

In December 2008 the Office's new CHS was introduced. Whilst the previous system recorded allegations of Unlawful/unnecessary Arrest/detention as Oppressive Behaviour allegations, the CHS does not classify this type of allegation within the Oppressive Behaviour category but rather reports on it separately.

In 2008/09, there were 1,614 Oppressive Behaviour allegations received by the Office. This increased to 1,882 in 2009/10, in line with the increase in the total number of allegations received by the Office. Since 2009/10 the number of Oppressive Behaviour allegations received by the Office has remained fairly stable.

Oppressive Behaviour Subtypes

Oppressive Behaviour allegations are classified into a number of subtypes to facilitate greater understanding of what the Oppressive Behaviour allegation relates to. Up until March 2008, the majority (63%) of Oppressive Behaviour allegations were classified within the subtype of Other Assault, where the complainant alleged

unjustified or excessive force or violent conduct on the part of a police officer. The proportion of Other Assault allegations fell from 2000/01 to 2007/08.

Overall, during the period from 2008/09 to 2011/12 the proportions of Oppressive Behaviour allegations classified as Oppressive Conduct or Harassment and Other Assault were similar. The proportion of Other Assault allegations fell gradually from 2008/09 to 2011/12, whilst the proportions of allegations classified within the subtypes of Oppressive Conduct or Harassment¹ increased between 2008/09 and 2009/10 but remained fairly stable until 2011/12.

Oppressive Behaviour allegations received by DCU

A District, covering North and West Belfast, not only received the greatest number of Oppressive Behaviour allegations from April 2008 to March 2012 but also received the greatest number of overall allegations.

Location and timing of incidents leading to Oppressive Behaviour

Incidents leading to allegations of Oppressive Behaviour were most likely to occur on a street or road. In addition, disproportionate numbers of allegations against the police have arisen from incidents occurring during Saturday and Sunday; and between midnight and 3am.

Weapons or other equipment

The majority of allegations received by the Office involving the use of weapons or other equipment were of Oppressive Behaviour and the most common piece of equipment used was handcuffs.

Recommendations made

When the investigation of an allegation is complete a recommendation for allegation closure is approved. Since December 2008, 43% of recommendations arising from Oppressive Behaviour allegations were that the allegation was not substantiated due

¹ In the CMS Oppressive Conduct and Harassment were included under one sub-category, whilst the CHS coded these allegation subtypes separately

to insufficient evidence. This is similar to the proportion of not substantiated recommendations made regarding all allegations.

Profile of complainants who made Oppressive Behaviour Allegations

Allegations of Oppressive Behaviour were more likely to be made by men generally and young men in particular. Catholics were over-represented among those who made allegations of Oppressive Behaviour.

Satisfaction with service received

Complainants who made one or more allegations of Oppressive Behaviour were less likely to be satisfied with the service provided by the Office, than complainants to the Office overall.

Characteristics of Officers who attracted Oppressive Behaviour Allegations

As may be expected officers in public facing roles, were over-represented among those who attracted Oppressive Behaviour allegations. In particular, younger officers in public facing roles and officers with less than 5 years' service were over-represented among those who attracted Oppressive Behaviour allegations. The Office intends to carry out further research to explore the reasons why certain groups of officers within public facing roles are more likely to attract complaints.

Classification of Oppressive Behaviour allegations

Within the classification of Oppressive Behaviour the Office categorises allegations into a number of subtypes. These subtypes facilitate greater understanding of what the Oppressive Behaviour allegation relates to. The subtypes are explained below:

Oppressive conduct/Harassment

Allegations are classified within this subtype in circumstances where the complainant is alleging misconduct by a police officer in relation to oppressive conduct not involving assault. Examples include allegations that a police officer acted in a threatening manner or allegations in respect of being repeatedly stopped by police and searched for no legitimate reason.

Other assault

Allegations are classified within this subtype where the complainant is alleging unjustified or excessive force or violent conduct on the part of a police officer. Examples include allegations that the complainant was pushed or otherwise physically abused without justification.

Serious non sexual assault

Allegations are included within this subtype where the complainant is alleging that the conduct of a police officer resulted in serious injury. Examples include allegations that as a result of police action a complainant sustained a broken bone.

Sexual assault

Allegations are included within this subtype where the complainant is alleging an assault by a police officer which is of a sexual nature.

Unlawful/Unnecessary Arrest/Detention

In December 2008 the Office introduced its new CHS. Up until the introduction of the CHS, Unlawful/Unnecessary Arrest/Detention allegations were included as a subtype within the Oppressive Behaviour category. From December 2008 onwards they were recorded as a separate allegation type in their own right.

It is therefore considered inappropriate to compare the number of Oppressive Behaviour allegations received before and after the introduction of the CHS.

Case studies

These case studies have been included to give the reader a flavour of the type of Oppressive Behaviour allegations made to the Office of the Police Ombudsman.

Motorist alleged harassment

This complaint was made directly to the Office of the Police Ombudsman and involved an allegation of harassment. The complainant alleged that police had stopped his car on numerous occasions and refused to provide him with the relevant documentation. The Investigating Officer appointed reviewed the individual instances of the complainant's car being stopped by police and could not establish misconduct on the part of any police officer. In addition, no evidence was found that police failed to provide the complainant with the correct documentation. As insufficient evidence existed to support the complainant's allegations, the case was closed with no disciplinary action being recommended against any police officer.

Disciplinary action recommended following conduct of Police Investigation

In correspondence received by the Police Ombudsman the complainant alleged that a police officer investigating a serious criminal offence dealt with him in an oppressive and uncivil manner. According to the complainant, the officer concerned, on a number of occasions treated him as if he were guilty of the allegations made. Following a thorough investigation, during which all parties concerned were interviewed and related evidential documentation reviewed, the Office recommended that the officer who was the subject of the complaint be disciplined in relation to the importance of making objective and accurate records which are based on firm evidence; and the importance of remaining professional at all times.

Alleged assault at time of arrest

The complainant alleged that at the time of his arrest he had been kned in the groin and punched in the stomach by police officers. The complainant further alleged that he was handcuffed too tightly. A subsequent investigation into the allegations

gathered all the relevant evidential material. When interviewed police officers concerned admitted having used force to effect the complainant's arrest but maintained that such force used was proportionate and reasonable in the circumstances. Police denied that the complainant was handcuffed too tightly. An evidential file was submitted to the Public Prosecution Service (PPS) which directed no prosecution against any police officer involved and the matter was returned to the Police Ombudsman. Upon reviewing the evidential papers, it was concluded that there was insufficient evidence to support disciplinary action being taken against any police officer and the complaint was closed by the Office as not substantiated.

Alleged Serious Assault

The complainant contacted the Office alleging assault by police at the time of his arrest. The complainant recalled that following his detention and handcuffing by police an officer involved pushed his knee into the latch of the handcuffs and pressed forward causing the complainant to break his wrist. When subsequently medically examined at hospital, X-Ray revealed that the complainant had sustained a fractured wrist. The Investigating Officer appointed by the Office conducted relevant interviews and secured all associated documentary evidence. Police officers interviewed stated that the complainant was intoxicated at the time of his arrest and fell on his hands whilst attempting to evade detention by police. Officers further maintained that it was necessary to restrain the complainant due to him struggling. Officers had no recollection of handcuffs being used as part of the restraint process and denied the specific allegations of assault made by the complainant. Given the nature of the allegations and the injury sustained, the investigation report was forwarded to the PPS together with all available evidence gathered during the course of the investigation. The PPS directed no prosecution against any police officer. In arriving at its determination not to recommend disciplinary action as a result of the allegation made, the Office of the Police Ombudsman concluded that the origin of the complainant's wrist injury was unclear. Having carefully considered all the evidential papers, the Police Ombudsman took the view that there was insufficient evidence to warrant disciplinary action being taken against any police officer.

Alleged Sexual Assault

The complainant alleged that following his arrest by police, an officer deliberately grabbed him by the testicles. During the course of the investigation into this matter, witness and medical evidence was secured. Medical evidence proved inconclusive and police, whilst admitting to using proportionate force to restrain the complainant, denied that he was assaulted as alleged. At the conclusion of the investigation an evidential file was referred to the PPS which directed no prosecution against the complained of police officer. In subsequent communication, the Investigating Officer referred the complainant to the direction from the PPS adding that, having further reviewed the evidential papers, no misconduct issues were identified. This complaint was duly closed as not substantiated.

Alleged Assault during Search

The complainant alleged that whilst being searched by police an officer became aggressive and pushed him. This caused the complainant to fall to the ground as a result of which he sustained a facial injury.

The Police Ombudsman Investigator secured all relevant documentation in respect of the incident. Related CCTV was obtained as was associated photographic, medical and witness evidence. The complained of officer when interviewed by the Investigating Officer denied acting in an aggressive manner towards the complainant as alleged.

At the conclusion of the investigation an evidential file was provided to the PPS who, following review of the papers, directed no prosecution against the officer involved. Upon being informed of the direction, the Police Ombudsman considered whether or not there was evidence of misconduct on the part of any police officer. The Ombudsman concluded that, in the circumstances pertaining, the force used by the officer involved was excessive and recommended that disciplinary action be taken against the officer. This was agreed by police and appropriate action taken.

Overview of Oppressive Behaviour allegations received from November 2000 to March 2012

As previously explained, up until the introduction of the CHS, the Office included Unlawful/Unnecessary Arrest/Detention allegations as a subtype within the Oppressive Behaviour category. From December 2008 onwards these allegation types were recorded as a separate allegation type in their own right.

This report therefore firstly presents details on Oppressive Behaviour allegations received from when the Office opened in November 2000 to March 2008, and then details on Oppressive Behaviour allegations received from April 2008 to March 2012 ².

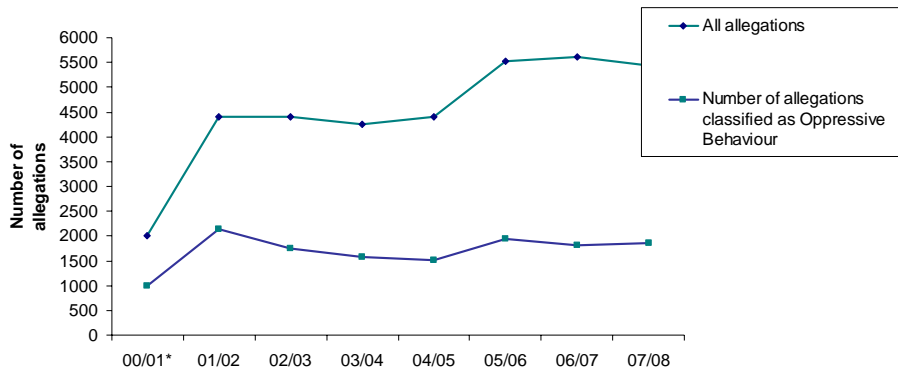
Number of allegations received

Each complaint received by the Office of the Police Ombudsman contains one or more allegations. Between November 2000 and March 2012, the Office received 60,049 allegations.

Figure 1 illustrates the total number of allegations and the number of Oppressive Behaviour allegations received by the Office up until March 2008. In its first full year of operation (2001/02) the Office received over 2,000 allegations of Oppressive Behaviour. This number declined slightly until 2004/05 before rising again in 2005/06 and remaining fairly stable until 2007/2008 when the Office received 1,847 allegations of Oppressive Behaviour.

² The CHS went live in December 2008. Complaints that were still open on this date were migrated onto the new CHS. For the purposes of this report therefore all complaints opened from April 2008 are classified using CMS (Case Management System) allegation types if they were opened on the CMS and CHS allegation types if opened on the CHS.

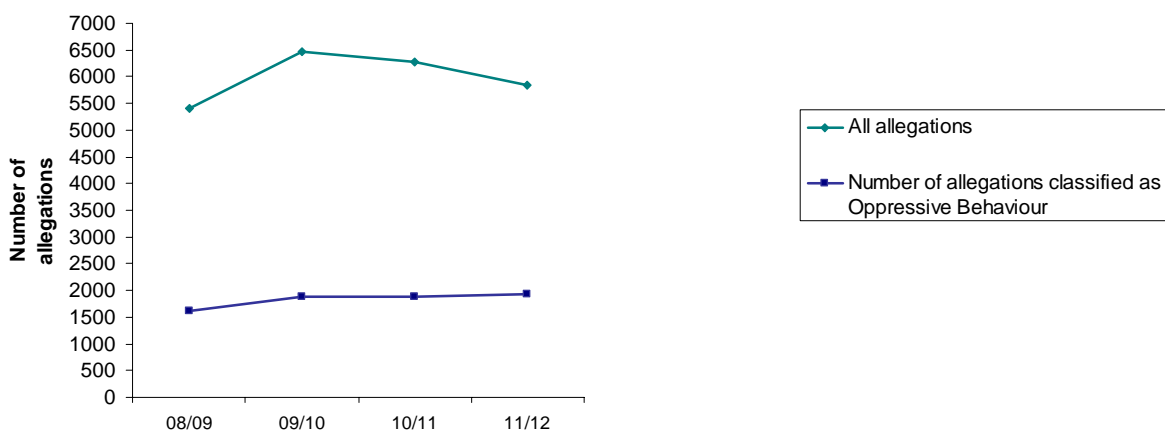
Figure 1: Number of allegations received, 2000/01 – 2007/08



*Nov 2000-March 2001

Figure 2 illustrates the total number of allegations and the number of Oppressive Behaviour allegations received by the Office from April 2008 until the end of March 2012. (As previously explained Unlawful/unnecessary arrest or detention allegations are classified as an allegation category in their own right in the CHS and no longer classified as Oppressive Behaviour allegations).

Figure 2: Number of allegations received, 2008/09 – 2009/10

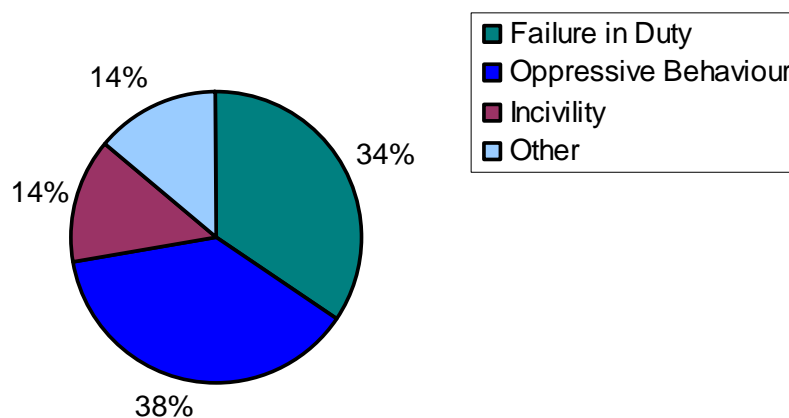


In 2008/09 the Office received 1,614 allegations of Oppressive behaviour. The number of Oppressive Behaviour allegations received increased from 2008/2009 to 2009/10, in line with the increase in the total number of allegations received by the Office during this year. From 2009/10 to 2011/12 the number of Oppressive Behaviour allegations received by the Office remained fairly stable. In 2011/12 the Office received 1,924 allegations of Oppressive Behaviour.

Allegation types

Figure 3 shows that the main allegation type received by the Office from November 2000 to March 2008 was Oppressive Behaviour.

Figure 3: Main allegation types, November 2000 –March 2008



When the CHS went 'live' a number of new allegation types were introduced allowing for more detailed analysis. A small number of allegations which had previously been included within Failure in Duty and Incivility allegation types are now included within the Other category. Figure 4 shows that the main allegation type received by the Office from April 2008 to March 2012 was Failure in Duty.

Figure 4: Main allegation types, April 2008- March 2012

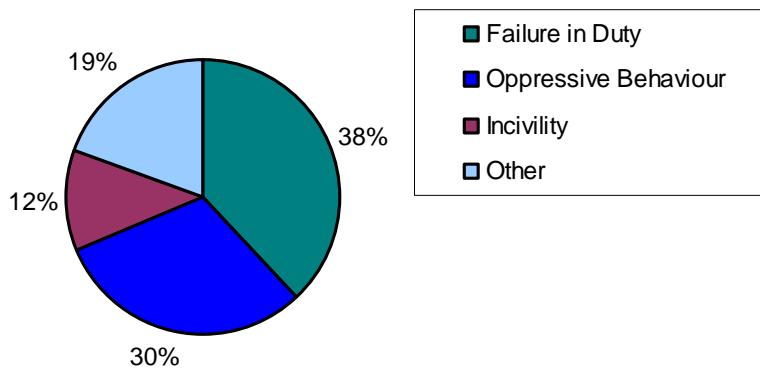
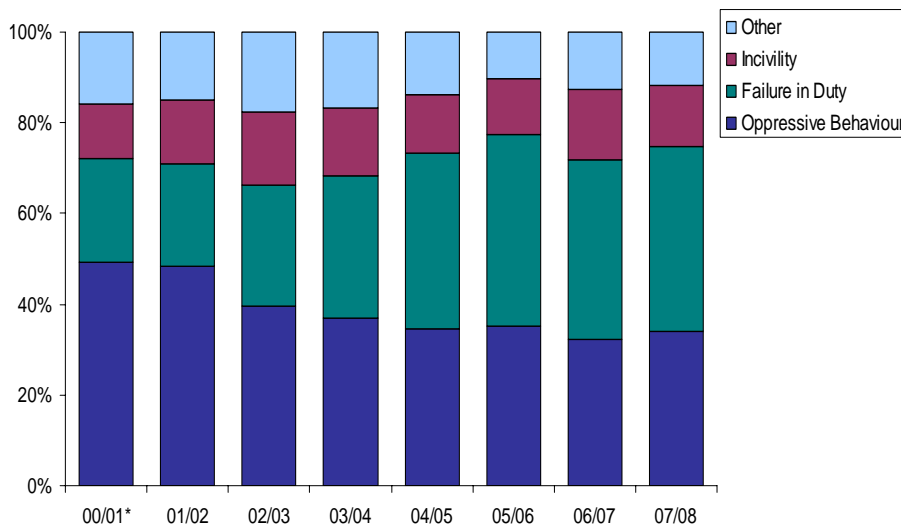


Figure 5 shows the proportions of allegation types received by year until March 2008. Oppressive Behaviour allegations constituted almost half of allegations in 2000/01 and 2001/02. From 2004/05 to 2007/08, Failure in Duty was generally the dominant allegation type.

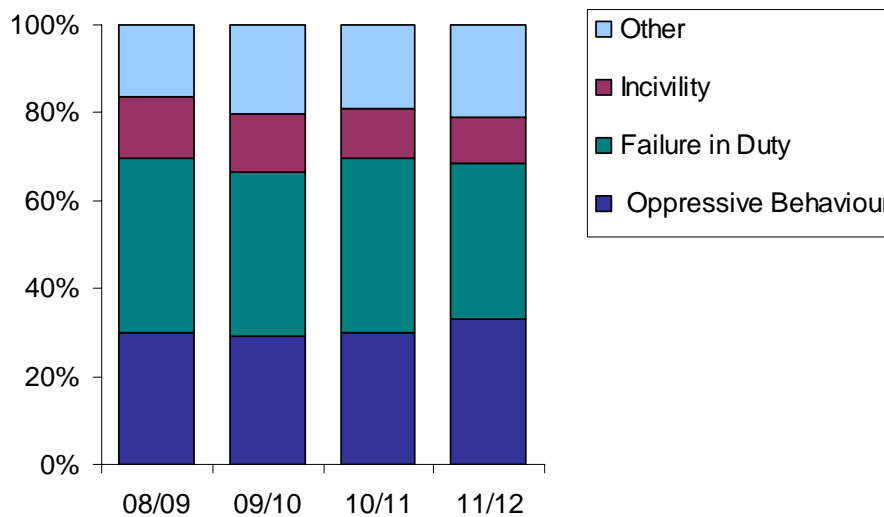
Figure 5: Proportion of allegation types received, November 2000-March 2008



*Nov 2000-March 2001

Figure 6 shows the proportions of allegation types received from April 2008 to March 2012. Failure in Duty remains the dominant allegation type, although the proportion of Failure in Duty allegations declined from 2010/11 to 2011/12 whilst the proportion of Oppressive Behaviour allegations increased from 30% to 33%.

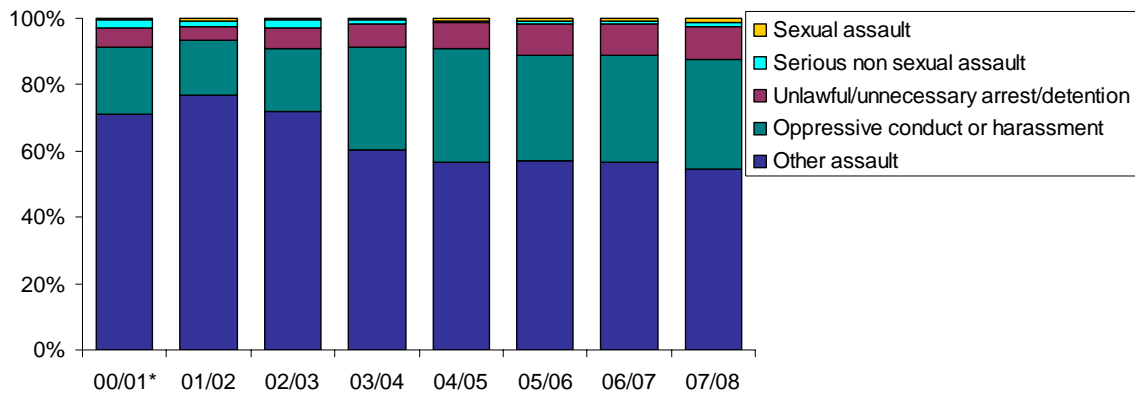
Figure 6: Proportion of allegation types received, April 2008-March 2012



Oppressive Behaviour subtypes

Figure 7 shows the subtypes of Oppressive Behaviour allegations received since the Office opened until March 2008. Overall, the majority (63%) of Oppressive Behaviour allegations were classified within the subtype Other Assault, although the proportion of Other Assault allegations received in the first three years of the operation of the Office was higher than in subsequent years. Twenty-seven percent of allegations were classified as Oppressive Conduct or Harassment and 8% as Unlawful/unnecessary Arrest or Detention.

Figure 7: Oppressive Behaviour allegation subtypes, November 2000–March 2008



*Nov 2000/March 2001

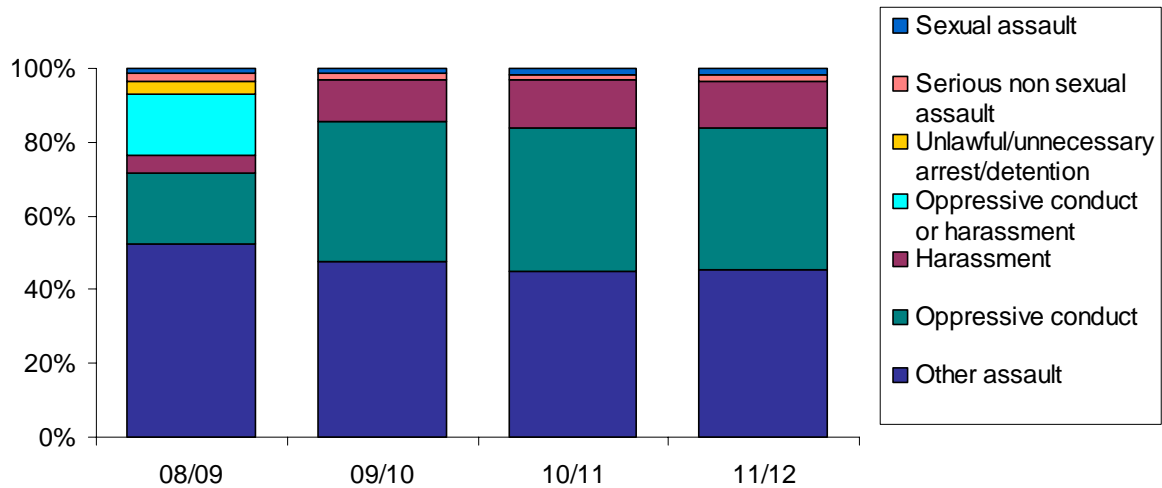
Figure 8 shows the proportions of Oppressive Behaviour allegation subtypes received since April 2008. As previously explained, Unlawful/unnecessary Arrest or Detention is now included as a category in its own right and no longer classified within Oppressive Behaviour³. The CHS also classifies Oppressive Conduct and Harassment as separate allegation sub-categories within the Oppressive Behaviour allegation type.

Overall, during the period from 2008/09 to 2011/12 the proportion of Oppressive Behaviour allegations classified as Oppressive Conduct or Harassment was similar to the proportion classified as Other Assault. The proportion of Oppressive Behaviour allegations classified within the subtype of Other Assault fell gradually from 2008/09 to 2011/12, whilst the proportion of allegations classified within the subtypes of Oppressive Conduct or Harassment⁴ increased between 2008/09 and 2009/10 but have remained fairly stable since.

³ Includes a small number of Unlawful/unnecessary Arrest/detention allegations classified as Oppressive Behaviour in the CMS which were not closed when the new system went live in December 2008 and thus migrated onto the new system.

⁴ In the CMS Oppressive Conduct and Harassment were included under one sub-category, whilst the CHS coded these allegation subtypes separately

Figure 8: Oppressive Behaviour allegation subtypes, April 2008 – March 2012



Section 55 non complaint referrals

By virtue of Section 55 of the Police (Northern Ireland) Act 1998 the Police Ombudsman can investigate matters about which no complaint has been made.

During the period from April 2009 to the end of March 2012, 69 non complaint matters which related to Oppressive Behaviour were recorded by the Office. These include Police Ombudsman Call-ins and Chief Constable Referrals.

Police Ombudsman Call-ins are matters which the Police Ombudsman decides to investigate in the public interest. Chief Constable Referrals are matters which are referred by the Chief Constable, under Section 55, to the Police Ombudsman. These include Firearm discharge, use of Taser, Use of Attenuated Energy Projectiles (AEPs), death following police contact and other matters in the public interest.

Table 1 shows the factors underlying Section 55 non complaint matters relating to Oppressive Behaviour.

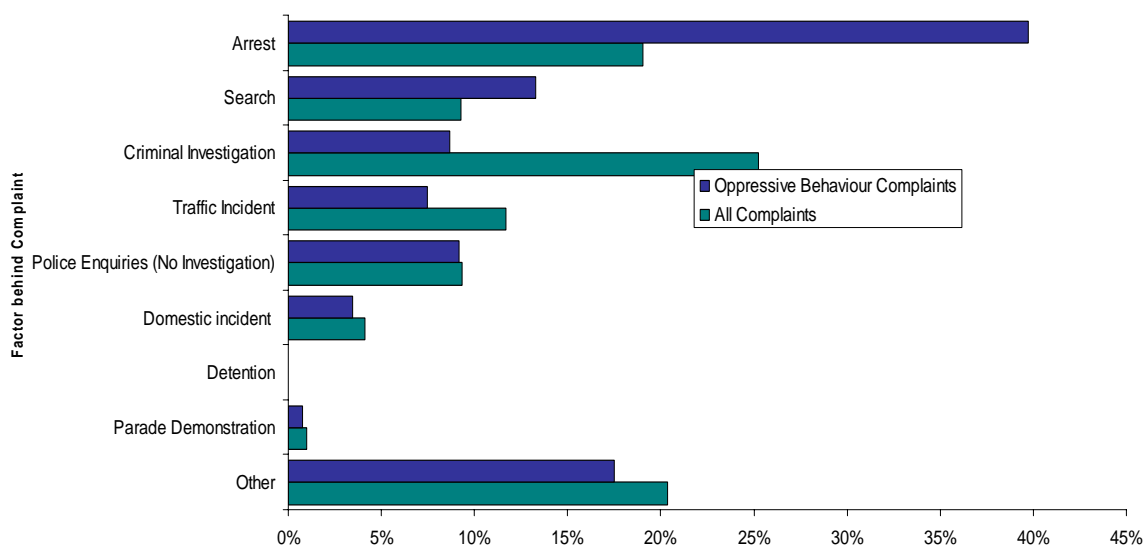
Table 1: Underlying factors in Section 55 non complaint matters relating to Oppressive Behaviour, April 2009 – March 2012

Underlying factor	2009/10	2010/11	2011/12
Taser	9	11	9
Use of Firearm	5	4	3
AEP	3	6	10
Use of excessive force	1	1	4
Other	0	1	0
Threat to life	0	0	1
Injury during police pursuit	0	0	1
Total	18	23	28

Factors underlying complaints

The Office records information on the factors underlying complaints received. Figure 9 illustrates the factors underlying complaints comprising one or more Oppressive Behaviour allegations, compared with overall complaints received by the Office.

Figure 9: Factors underlying complaints received, April 2008- March 2012



Since April 2008, the most common factors underlying complaints (where known) were Criminal Investigations (25%) and Arrest (19%). Forty percent of Oppressive Behaviour complaints related to Arrest - substantially higher than for overall

complaints. The proportion of Oppressive Behaviour complaints relating to Criminal Investigation was substantially lower than for overall complaints.

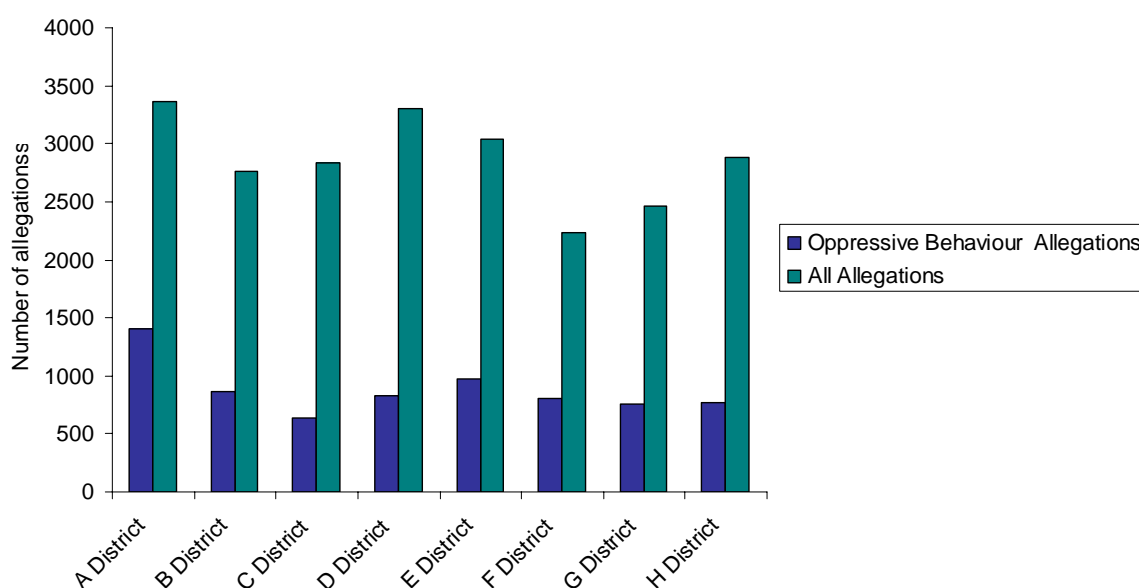
The “Other” category includes instances where, for example, the Office has determined that there was more than one factor underlying the complaint or the underlying factor was related to police response, records management, police failure to investigate or police disclosure of information.

District Command Units (DCUs) and Area Command Units (ACUs)

When an allegation is received by the Office the location of the incident is recorded. This information assists local police to profile the nature and level of complaints and allegations in each area.

Figure 10 shows that A District not only received the greatest number of overall allegations during the period from April 2008 to March 2012 but also received the greatest number of allegations of Oppressive Behaviour. Appendix 1 (Table 5) shows the number of Oppressive Behaviour allegations received within each ACU. North Belfast received both the highest number of overall allegations and the highest number of Oppressive Behaviour allegations during this time period.

Figure 10: Allegations received by DCU, April 2008 –March 2012



It is not possible to explain with certainty the reasons for the variations in the numbers and types of Oppressive Behaviour allegations arising from incidents occurring within each District. However, factors which influence such variations may include the following:

The extent of major planned and unplanned policing operations within the District may influence the number of allegations made in the area. For example, in E District in 2011/12 there were a number of major incidents involving police searches which contributed to a rise in the number of allegations received during this year.

The level of public confrontation with police in certain areas may also influence the number of allegations made in the area. Districts with interface areas may also have higher levels of police confrontation than other areas.

Appendix 2 shows the number of incidents where police used force in each District from April 2009 to March 2012⁵. Table 3 shows Use of Force Statistics for Northern Ireland.

Overall in Northern Ireland from 2009/10 to 2011/12 there were 2,735 incidents involving batons (including incidents where batons were drawn but not used). The baton was used in 37% of these incidents. B District recorded the highest number of incidents where batons were drawn only (323 incidents) or were drawn and used (188 incidents).

Overall in Northern Ireland from 2009/10 to 2011/12 there were 1,674 incidents involving CS spray (including incidents where CS spray was drawn but not sprayed). CS was sprayed in 64% of these incidents. G District had the highest number of incidents involving CS spray (349 incidents), although A District recorded a higher number of incidents where CS was sprayed (238 incidents) than G District.

Overall in Northern Ireland from 2009/10 to 2011/12 there were 1,015 incidents involving firearms (including incidents where firearms were drawn and pointed but

⁵ Source: Statistics Branch, PSNI

not discharged). Firearms were discharged in eight incidents during this time period in Northern Ireland. A District recorded the highest number of incidents involving firearms (231 incidents).

Overall in Northern Ireland from 2009/10 to 2011/12 there were 226 incidents involving AEPs (including AEPS pointed but not discharged). AEPs were discharged in 72% of these incidents. The highest number of incidents involving AEPs occurred in A District (130 incidents).

Overall in Northern Ireland from 2009/10 to 2010/11 there were 379 incidents involving Tasers (including incidents where Tasers were drawn, but not fired). Tasers were fired in 8% of these incidents. The highest numbers of incidents involving Tasers occurred in B District (90 incidents).

The numbers of police officers based within the District may also be a factor influencing the number of Oppressive Behaviour allegations made in the area. In order to compare allegations across districts, the number of Oppressive Behaviour allegations per 100 officers was calculated for each district. Appendix 2, Table 2 shows that in 2011/12, A District received the highest number of Oppressive Behaviour allegations per 100 police officers.

The population and demographic of the area may also influence the number of allegations received in the area. Appendix 2 shows the population of each ACU in 2010. North Belfast received the highest number of allegations of Oppressive Behaviour allegations per 1,000 of population. Analysis of the profile of complainants also showed that overall young males and Catholics were over-represented among those who made allegations of Oppressive Behaviour.

Overall, during the period from 2008/2009 to 2011/12, 30% of all allegations made were classified as Oppressive Behaviour allegations. Figure 11 shows the proportion of allegations classified as Oppressive Behaviour within each DCU. During the period 2008/09 to 2011/12, A District had the highest proportion of allegations received classified as Oppressive Behaviour (42%). Appendix 1 (Table 5) shows the

proportion of allegations classified as Oppressive Behaviour within each ACU. West Belfast had the highest proportion of allegations classified as Oppressive Behaviour.

Figure 11: Proportion of Oppressive Behaviour allegations received by DCU, April 2008 – March 2012

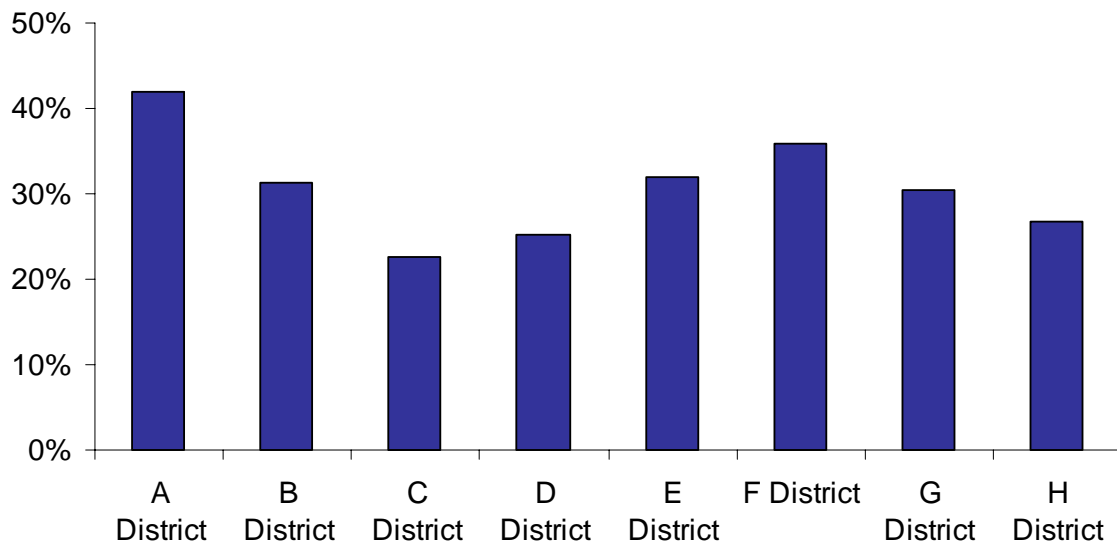
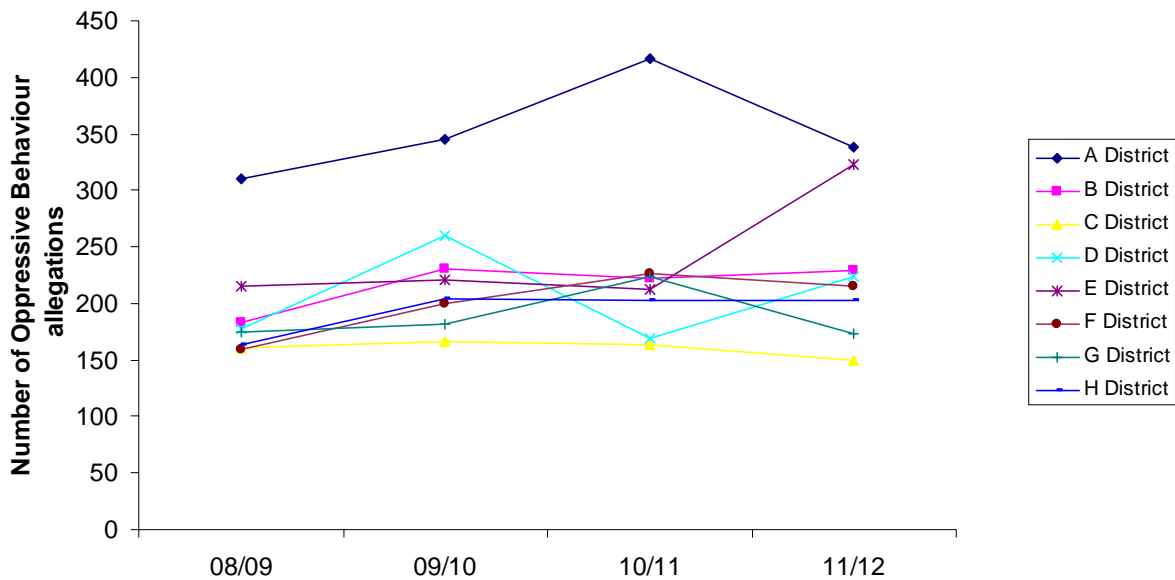


Figure 12 presents the number of Oppressive Behaviour allegations received by each DCU from 2008/2009 to 2011/12. The largest increase in the number of Oppressive Behaviour allegations over these four years was in E District, with a sharp increase in the number of Oppressive Behaviour allegations received during 2011/12. The number of Oppressive Behaviour allegations received in A District peaked in 2010/11 before falling back to previous levels in 2011/12.

Figure 12: Number of Oppressive Behaviour allegations received, by District and Year, 2008/09 – 2011/12



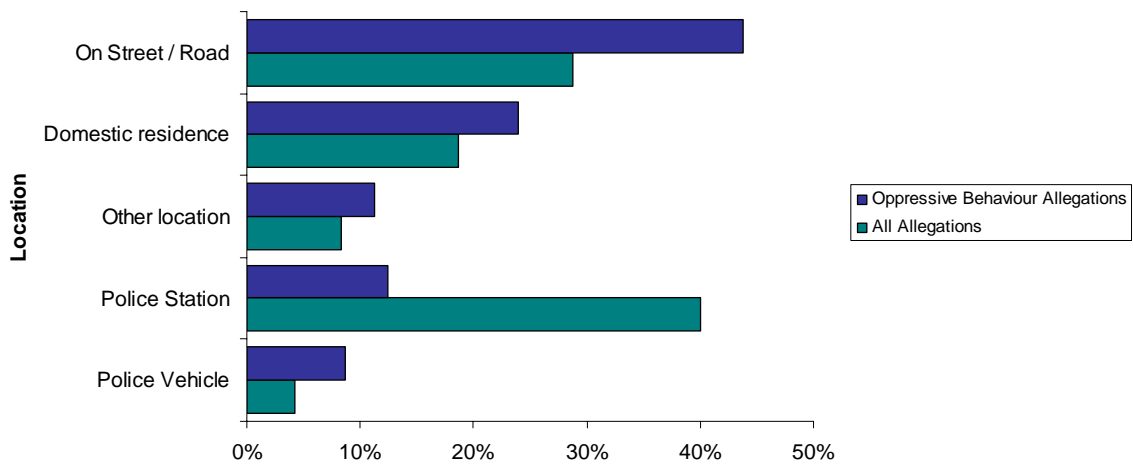
Location

The Office records information on the location of the incident from which allegations arise, and these are illustrated in Figure 13. Overall allegations received by the Office were most likely to arise from incidents occurring at a police station^{6, 7} (40%). However, incidents leading to allegations of Oppressive Behaviour were most likely to occur on a street or road (44%). Incidents leading to Oppressive Behaviour allegations were less likely than overall allegations to occur at a police station.

⁶ Includes custody suite

⁷ Note that for some failure in duty allegations, for example, failure to update or failure to investigate the incident is recorded as occurring in a police station.

Figure 13: Location of incidents leading to allegations received, April 2008 – March 2012

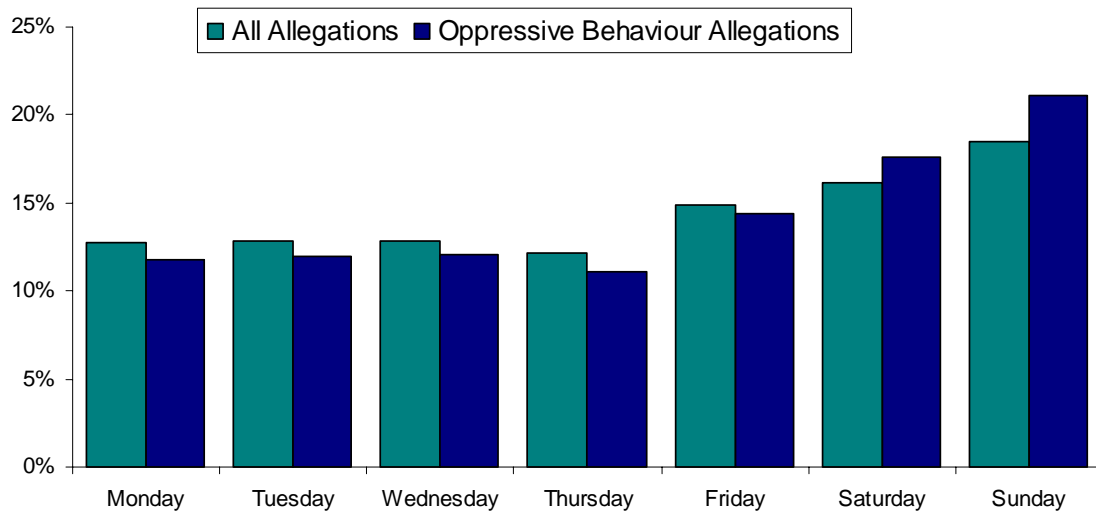


Time of incident leading to Oppressive Behaviour allegations

The Office also records information on the day and time of the incidents that lead to allegations against police officers being made.

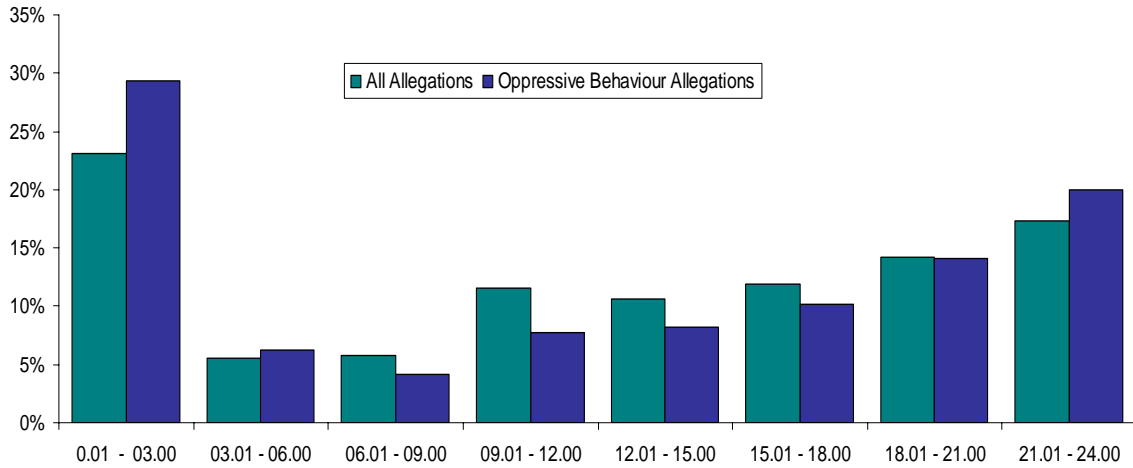
Since April 2008, a disproportionate number of allegations against the police have arisen from incidents occurring during Saturday and Sunday; 35% of all allegations and 39% of Oppressive Behaviour allegations received by the Office, where the day of the incident was known, arose from incidents which happened on Saturday or Sunday (Figure 14).

Figure 14: Allegations received by day of the week, April 2008 –March 2012



Similarly, a disproportionate amount of allegations against the police have arisen from incidents occurring in the early hours of the morning; 23% of all allegations and 29% of Oppressive Behaviour allegations received by the Office, where the time of the incident was known, occurred between midnight and 3am (Figure 15).

Figure 15: Allegations received by time of day, April 2008 –March 2012

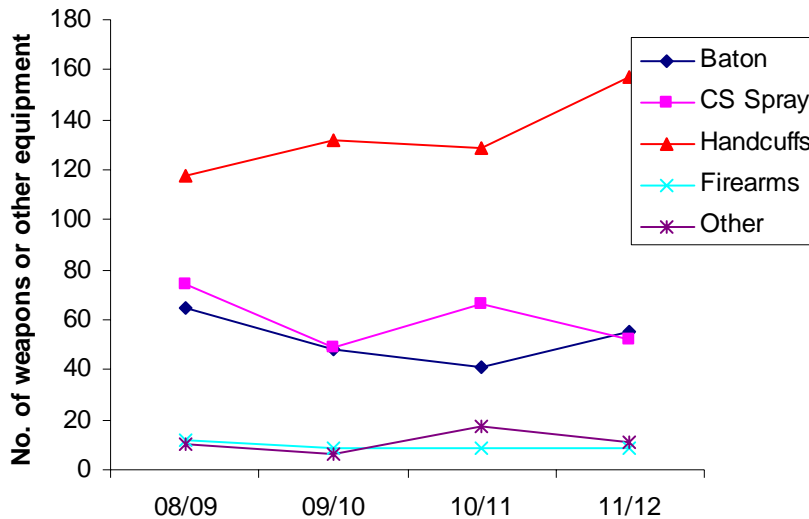


Weapons or other equipment

The Office records information on the types of weapons or other equipment that are complained about. From April 2008 to March 2012, 5% of total allegations received have cited the use of a weapon or other equipment. The majority of these allegations involving the use of weapons or other equipment were Oppressive Behaviour allegations. Overall, 15% of Oppressive Behaviour allegations involved the use of a weapon or other equipment.

Figure 16 shows the types of weapons or other equipment used during incidents leading to Oppressive Behaviour allegations. Since 2008, handcuffs were the most common weapon or piece of equipment cited. Further details of types of weapons or other equipment cited is detailed in Appendix 1 (Table 11).

Figure 16: Types of weapons or other equipment used in incidents leading to Oppressive Behaviour allegations, April 2008 – March 2012

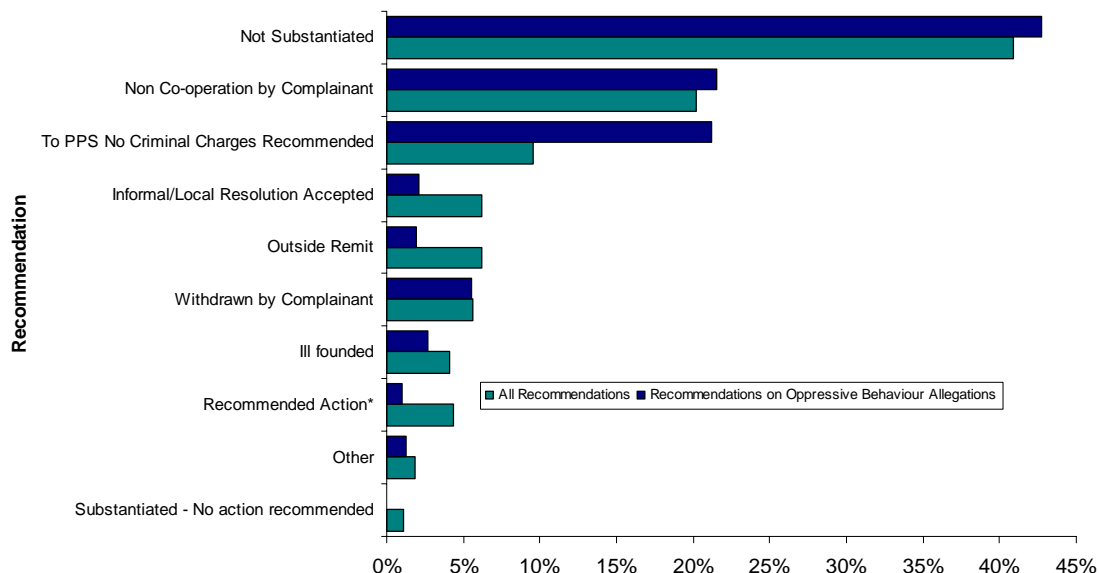


Recommendations made

When the investigation of an allegation is complete a recommendation for allegation closure is made. Each allegation may have more than one associated recommendation, for example when there are a number of police officers linked to an allegation. From December 2008 to March 2012 the Office made 12,201 recommendations regarding Oppressive Behaviour allegations. These 12,201 recommendations involved 6,293 allegations.

Figure 17 shows the types of recommendations made against Oppressive Behaviour allegations compared with all allegations closed during the time period.

**Figure 17: Recommendations arising from allegations closed, December 2008
March 2012**



* Includes action such as Criminal charges, Misconduct Hearings, Superintendent’s Written Warning and Advice and Guidance

Forty-three percent of recommendations arising from Oppressive Behaviour allegations were closed as not substantiated due to there being insufficient evidence to support the allegation. This is compared with 41% of all recommendations. Twenty-two percent of recommendations arising from Oppressive Behaviour allegations were closed due to non co-operation by the complainant. This is compared with 20% of all recommendations.

Overall, 10% of all recommendations were sent to the Public Prosecution Service (PPS) recommending that no criminal charges be directed against any police officer. This is compared with 21% of recommendations arising from allegations of Oppressive Behaviour.

In certain cases complaints of a less serious nature are deemed suitable for an Informal Resolution process following the consent of the complainant. As would be expected, allegations of Oppressive Behaviour were less likely to be informally or locally resolved than other allegations. Oppressive Behaviour allegations were also less likely to be closed as outside the Office’s remit.

One percent of total recommendations arising from Oppressive Behaviour allegations recommended that some form of action be taken against the individual officer concerned, compared with 4% of all recommendations made.

Appendix 1 (Table 12) shows recommendations arising from allegations closed by year.

During the period from April 2009 to the end of March 2012, 69 non-complaint matters which related to Oppressive Behaviour were recorded by the Office⁸. As of October 2012, 55 of these matters were completed and 14 remain ongoing.

Recommendations made to the PPS

At the conclusion of an investigation conducted by the Office, the Police Ombudsman will consider whether the investigation report indicates that a criminal offence may have been committed by any police officer. If it is determined that the report indicates that a criminal offence may have been committed by an officer the Ombudsman will send a copy of the report to the PPS together with such recommendations as the Ombudsman considers appropriate. From December 2008 to March 2012 the Office sent 2,648 recommendations in respect of Oppressive Behaviour allegations to the PPS, recommending no prosecution. In addition, ten recommendations were forwarded to the PPS recommending criminal charges.

Table 2 shows the criminal charges recommended by the Office in relation to Oppressive Behaviour allegations from December 2008 to March 2012.

⁸ See page 19

Table 2: Criminal charges recommended relating to Oppressive Behaviour allegations December 2008- March 2102

Charges recommended	Number
Common assault	5*
Assault occasioning actual bodily harm	2
Threats to kill	1
Careless driving causing grievous bodily injury	1
Grievous bodily harm	1

*two of these common assault recommendations relate to one individual case

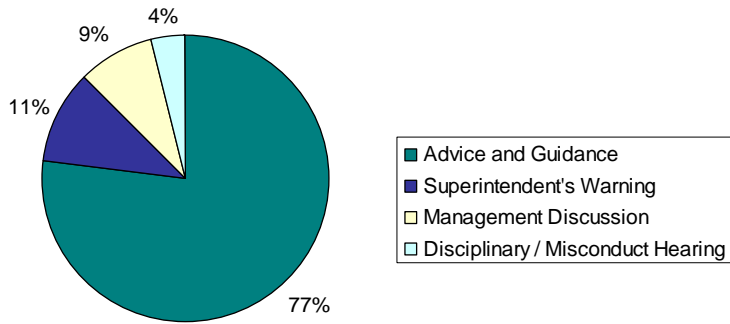
The PPS directed action in two cases and no prosecution in the remaining cases.

Recommendations made to the Chief Constable

Where the PPS has dealt with the issue of criminal proceedings, or where the Ombudsman determines that an investigation report does not indicate that a criminal offence may have been committed by a police officer, the Ombudsman will send the Chief Constable, or other appropriate disciplinary authority, a memorandum containing his recommendation as to whether or not disciplinary action should be taken in respect of the conduct which has been the subject of investigation. From December 2008 to March 2012 the Office sent 104 recommendations regarding Oppressive Behaviour allegations to the Chief Constable recommending that action be taken. Figure 18 shows details of recommendations sent to the Chief Constable relating to individual police officers.

The majority of these recommendations were that the individual police officer received Advice and Guidance in relation to allegations of Oppressive Behaviour made against them. The Office made 11 recommendations for Superintendent's Written Warnings, nine recommendations for Management Discussions and four recommendations for Disciplinary/Misconduct hearings.

Figure 18: Recommendations made to the Chief Constable regarding Oppressive Behaviour allegations, December 2008 – March 2012



Profile of complainants who attracted Oppressive Behaviour allegations

The Police Ombudsman's Office is committed to fulfilling its obligations under Section 75 of the Northern Ireland Act (1998). All complainants (with the exception of those under 16 years) are asked to complete an equality monitoring form which captures information relevant to the nine categories specified in Section 75 of the Northern Ireland Act (1998). In addition to those respondents who declared their age and gender on the monitoring form, the Office can also determine complainants' age from their date of birth and, in most cases, can determine their gender from their title or salutation. This section of the report used data from complaints received from April 2006 to September 2011. Methodological details including numbers in samples are outlined in Appendix 3.

Types of allegations made

Figures 19 and 20 show the types of allegations made by male and female complainants. Male complainants were generally more likely to make allegations of Oppressive Behaviour than their female counterparts. There were also differences in the types of allegation made against police officers by men and women of different age groups. Oppressive Behaviour accounted for the greatest proportion of allegations made by 16-24 year old males and 25-34 year old males and the likelihood of making Oppressive Behaviour allegations decreases with age. Women aged 16-24 were more likely than older women to make allegations of Oppressive Behaviour.

Figure 19: Allegations by age (males), April 2006 – September 2011

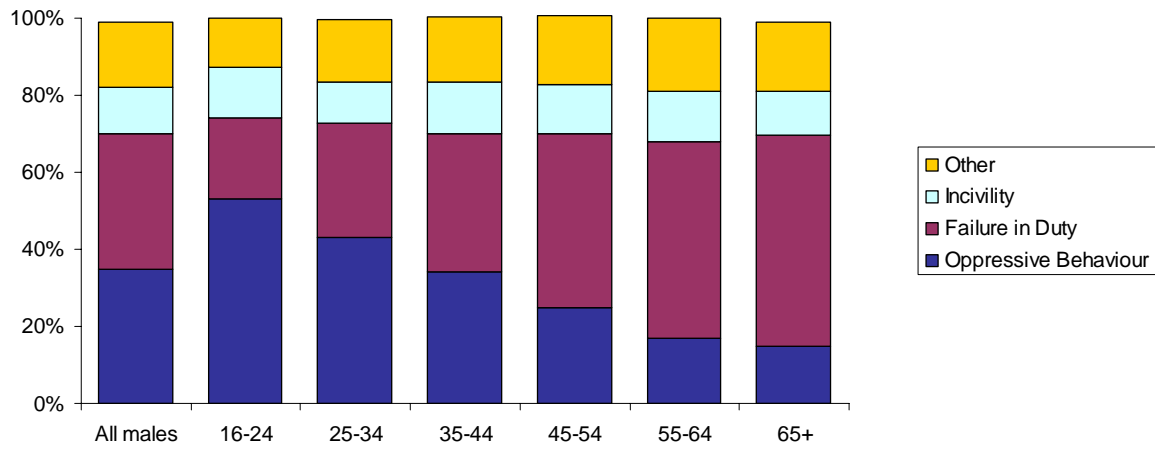


Figure 20: Allegations by age (females), April 2006 – September 2011

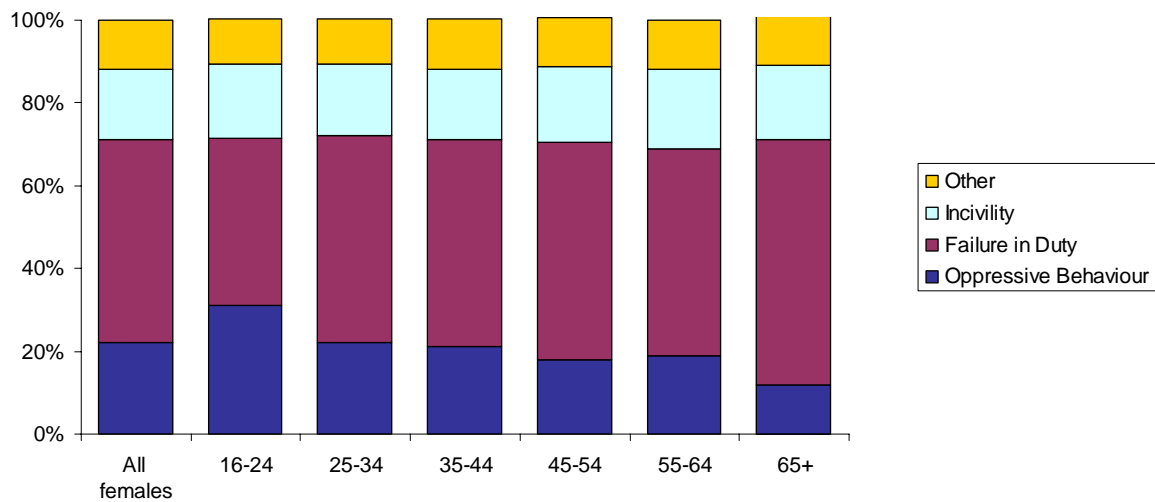
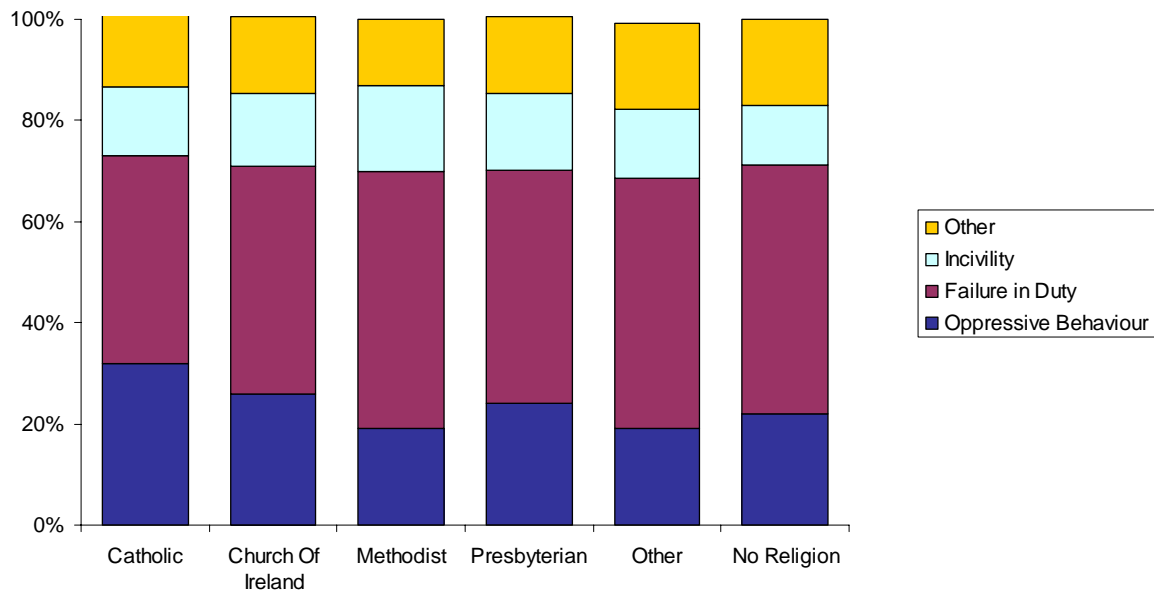


Figure 21 shows that Catholics were generally most likely to make allegations of Oppressive Behaviour than complainants of other religious beliefs or no religious beliefs.

Figure 21: Allegations by religion, April 2006 – September 2011



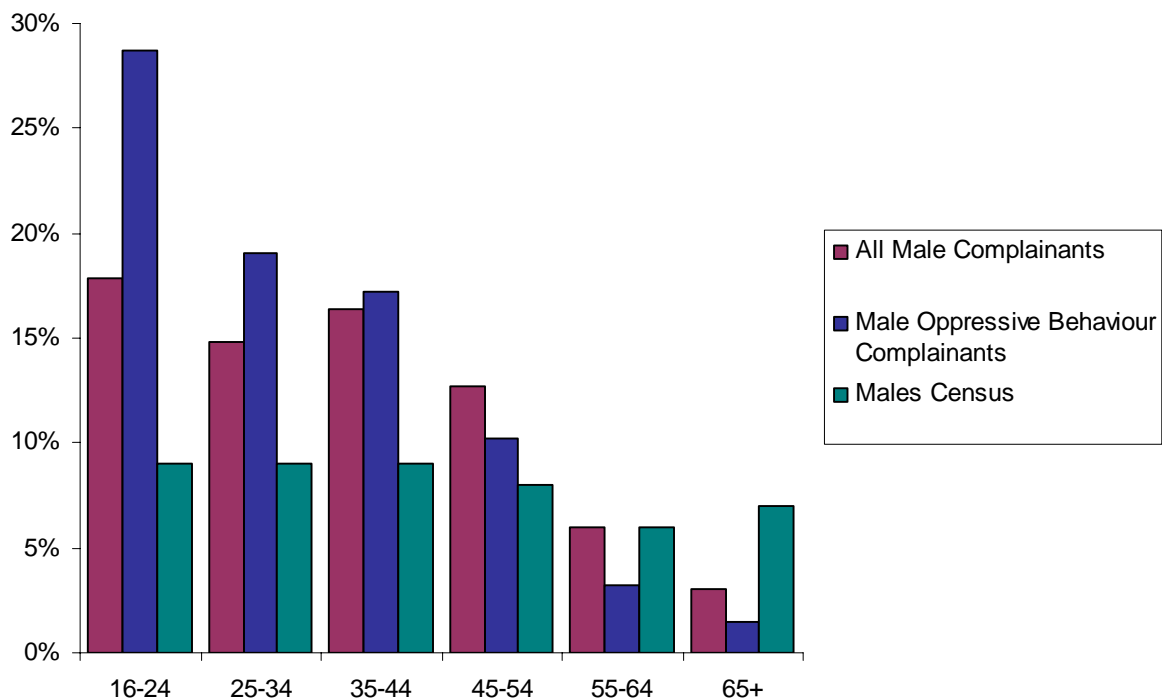
Profile of complainants who made allegations of Oppressive Behaviour

Men were over-represented among those who made complaints, and this over-representation was more pronounced among complainants who made one or more allegations of Oppressive Behaviour. Since 2006/07, males comprised 70% of all complainants to the Office and 78% of all Oppressive Behaviour complainants compared with 48% of the general population.

Figure 22 and 23 show the age and gender make-up of complainants compared with the general population. Whilst males aged 16-44 comprise over one quarter of the population, they comprised almost half of complainants and nearly two thirds of Oppressive Behaviour complainants. As Figure 22 shows the biggest differential is for 16-24 year old males who made up nine percent of the population, but 18% of all

complainants and 29% of complainants who alleged Oppressive Behaviour. There is some research evidence to suggest that young men may be more likely to come into contact with the police in potentially confrontational situations and experience more adversarial forms of contact with the police than females⁹.

Figure 22: Age profile of male complainants, April 2006 – September 2011



Females were generally under-represented within the complainant profile and in particular within the groups of females who made one or more allegations of Oppressive Behaviour. Females comprised 52% of the general population compared with 30% of complainants and 22% of Oppressive Behaviour complainants. The greatest differential is for women aged 65 and over. Whilst ten percent of the general population were women aged 65+, less than one per cent of Oppressive Behaviour complainants were females in this age group.

⁹ Improving Engagement: Building Trust in Policing with Young People; Shared Space No. 11 March 2011, Community Relations Council

Figure 23: Age profile of female complainants, April 2006 – September 2011

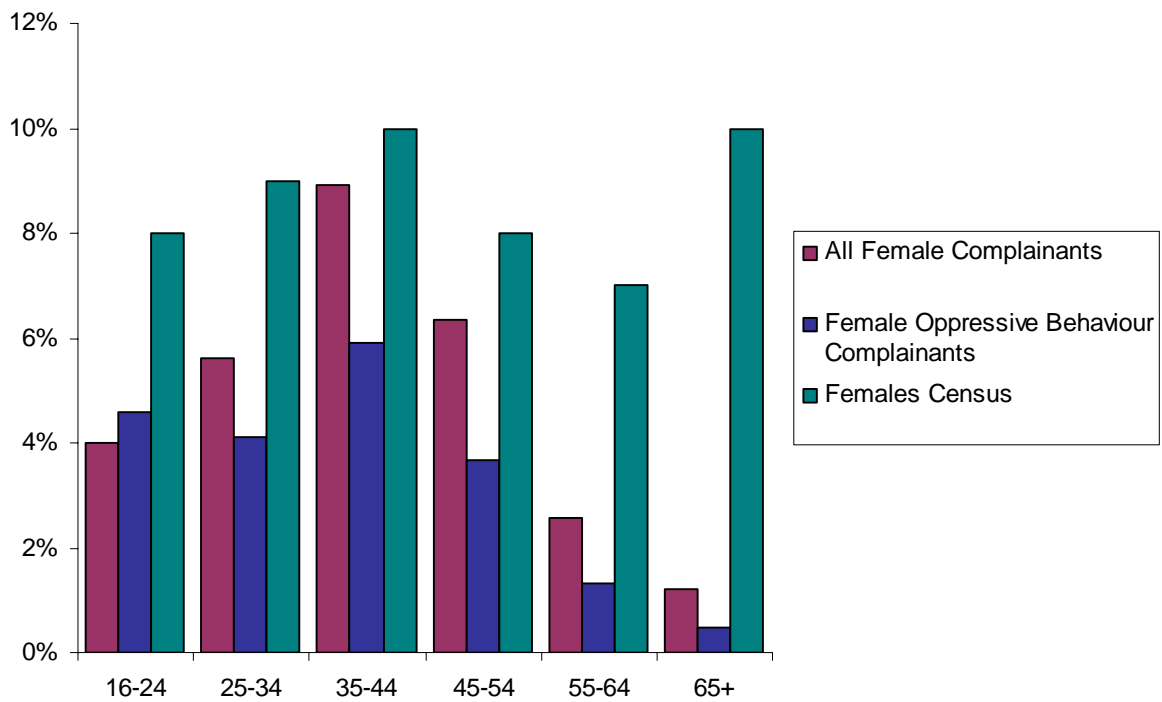
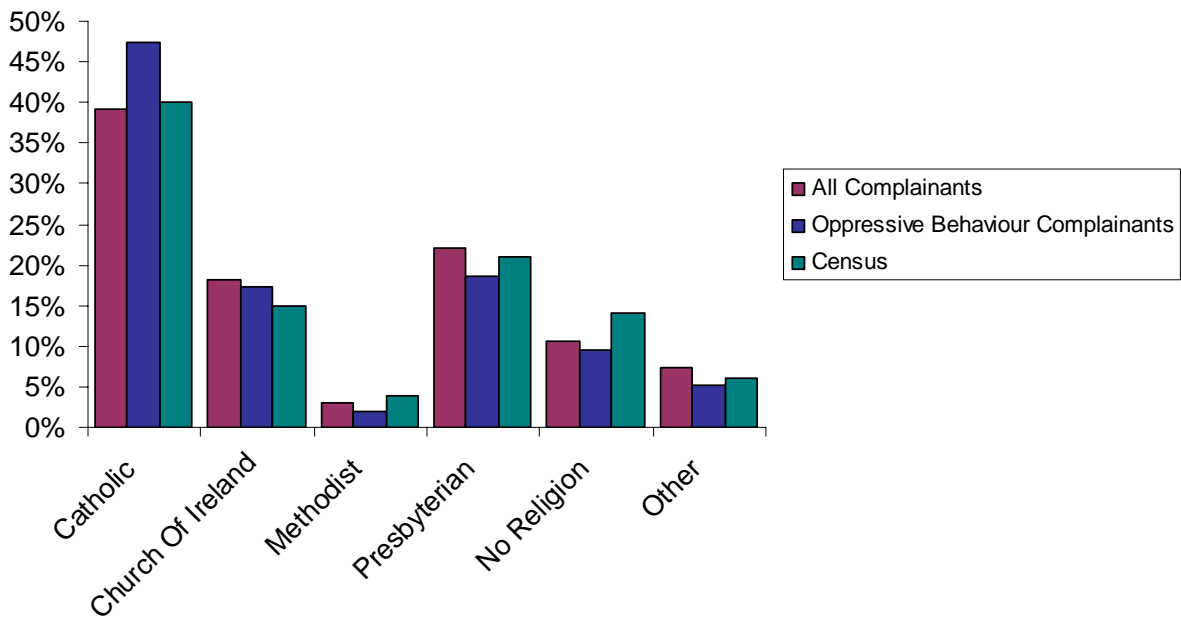


Figure 25 shows the profile of complainants according to religious belief. Results show that Catholics were over-represented among those who made Oppressive Behaviour related complaints.

Figure 25: Religious Belief of complainants, April 2006 – September 2011



Complainant satisfaction with complaints comprising Oppressive Behaviour allegations

The Complainant Satisfaction Survey asks complainants to express their views on services provided by the Office. The survey includes the following questions:

- Overall, do you think you were treated fairly by the Office?
- Overall, taking everything into account, how satisfied or dissatisfied were you with the service you received from the Police Ombudsman's Office?
- If you had a new complaint about the police, would you use the complaints system again?

Table 3 compares the results from all complainants who had complaints closed between April 2008 - March 2011 with complainants who alleged Oppressive Behaviour. Methodological details are outlined in Appendix 3. Results show that complainants who made a complaint which included one or more Oppressive Behaviour allegations were less satisfied with the level of service provided by the Office than overall complainants to the Office who had a complaint closed during the time period.

Table 3 Complainant Satisfaction Rates, April 2008-March 2011

Area	All complainants (n=1710)	Complainants whose complaint included one or more Oppressive Behaviour allegation types (n=437)
% Complainants thought they were treated fairly	72	65
% Complainants satisfied or very satisfied with service	61	53
% Complainants would use service again	70	62
% Complainants satisfied with time taken to resolve complaint	55	47
% Complainants satisfied with the outcome of the complaint	41	26

Characteristics of officers who attracted Oppressive Behaviour allegations

Phase 1

In December 2011 the Office published a report detailing the characteristics of police officers who attracted complaints. The aim of the research was to determine if the characteristics of police officers who attracted complaints were different to the characteristics of police officers in the PSNI overall. The research focused on officers who attracted complaints between December 2008 and October 2010 and included police officers in all roles within the PSNI.

When the profile of the overall PSNI was compared with the profile of officers who attracted Oppressive Behaviour allegations, results showed a number of groups were over-represented among those who attracted Oppressive Behaviour allegations, but not all role, age, gender and rank subgroups were over-represented within these groups (See Appendix 1, Table 23).

Officers in the Response and Neighbourhood Policing Unit (R&NPU) and Tactical Support ¹⁰role groups were over-represented among those who attracted Oppressive Behaviour allegations. Overall, 71% of Officers in the R&NPU attracted one or more allegations of oppressive behaviour compared with 46% in the PSNI. However, further analysis showed that only the following subgroups within these role groups were over-represented among those who attracted Oppressive Behaviour allegations;

- Officers in the R&NPU role group with less than 15 years' service;
- Officers in the R&NPU role group aged 18-34 and 35-44;
- Officers in the R&NPU role group ranked Constable and Sergeant;
- Male officers in the R&NPU role group;
- Officers in the Tactical Support role group with less than 15 years' service;
- Officers in the Tactical Support role group aged 18-34 and 35-44;

¹⁰ Caution should be exercised as the number of Officers in the Tactical Support group is small

- Officers in the Tactical Support role group ranked Constable;
- Male officers in the Tactical Support role group.

Overall, 23% of officers in the PSNI had less than five years' service whilst 51% of officers who attracted one or more Oppressive Behaviour allegations had less than five years' service.

However, whilst overall the group of officers with less than five years' service were over-represented, analysis of role, age, gender and rank subgroups showed that not all subgroups were over-represented among those who attracted Oppressive Behaviour allegations.

Only the following subgroups were over-represented:

- Officers with less than five years' service in the R&NPU and the Tactical Support role group;
- Officers with less than five years' service aged 18-34 and 35-44;
- Constables with less than five years' service ; Sergeants with less than 10 years' service;
- Male and female officers with less than five years' service.

Whilst overall, officers aged 18-34 were over-represented among those who attracted Oppressive Behaviour allegations, analysis of role, age, gender and rank subgroups showed that not all subgroups were over-represented among those who attracted Oppressive Behaviour allegations.

Only the following subgroups were over-represented:

- Officers aged 18-34 with less than five years' service (whilst groups with longer lengths of service had similar or smaller proportions of officers than in the PSNI overall);
- Officers aged 18-34 in the R&NPU and the Tactical Support role groups;
- Officers aged 18-34 ranked Constable and Sergeants;
- Male officers aged 18-34.

In summary, the research found that, as may be expected, officers in public facing roles were more likely to attract complaints. However, there were some exceptions to this, for example whilst officers with less than 15 years service were over-represented among those who attracted Oppressive Behaviour allegations, officers with more than 15 years service were under-represented.

Phase 2

This first phase of the research included an analysis of the entire PSNI and identified a number of roles within which officers were more likely to attract complaints. The Office intends to conduct a second phase of the research which will concentrate only on those officers, identified in phase 1, in public facing roles who were most likely to attract complaints. The proposed research will also explore the roles within Neighbourhood and Response Units separately.

The research will involve the use of statistical techniques to assess the impact of factors, such as role and age, on the likelihood that an officer will attract complaints. Researchers will use qualitative techniques to explore the findings, for example; why a disproportionate number of officers in certain roles attract complaints.

Oppressive Behaviour experienced by the general public in Northern Ireland

Findings of Public Attitude Survey:

As part of a programme of annual research, the Office of the Police Ombudsman commissions a survey of public awareness of the police complaints system in Northern Ireland.

The survey asks respondents whether police officers have ever behaved towards them in an unacceptable way. The survey also asks what type of behaviour was unacceptable. Results from public awareness surveys carried out from January 2004 to February 2011 were used to indicate the level of 'Oppressive Behaviour' type behaviour, that the general public reported they experienced arising from the conduct of police officers even if they did not go on to make a complaint.

Overall, 16% of respondents said that police officers had behaved towards them in an unacceptable way. Those respondents who stated that they had been treated unacceptably by a police officer were asked to think about the most recent incident and indicate from a list of behaviours on a show card what they felt that the police officer did that was unacceptable.

Table 4 shows a full breakdown of the types of unacceptable behaviour experienced by respondents during the most recent incident.

Table 4: Types of unacceptable behaviour experienced during recent incident, January 2004- February 2011

Behaviour	% (number of respondents who answered question = 1491)
Officer was disrespectful or impolite	60%
Officer did not carry out their duty properly	22%
Officer harassed you	20%
Officer didn't follow proper procedures	20%
Officer wrongly accused you of behaviour	17%
Officer was violent (for example pushed or struck you)	15%
Officer swore	15%
Stopped or searched you without reason	14%
Discrimination by race, gender, age or religion	11%
Officer used sectarian, racist or sexist language	9%
Searched house without reason	4%
Other	4%
Officer took an item of respondent's property	2%

(Note: Percentages add to more than 100% as respondents could give more than one response)

Whilst the term "Oppressive Behaviour" was not explicitly named on the show card, the Office classifies two of the behaviour categories as 'Oppressive' type behaviour:

- 'The officer harassed you;' and
- 'The officer was violent towards you (for example, pushed or struck you).'

The Office classifies other types of behaviour under separate allegation types.

Table 4 shows that when respondents thought about the most recent type of unacceptable behaviour experienced they were more likely say that the officer was disrespectful or impolite rather than the officer harassed them or was violent towards them.

Survey results also showed that overall, men (23%) were more likely to say they had been treated unacceptably than women (11%). Men who said they had been treated

unacceptably were more likely than women to say the officer was violent towards them or harassed them.

Looking at age, younger men were more likely to say they had been treated unacceptably than older men (28% of those men aged under 45 compared with 18% of those aged 45+). When asked about types of behaviour experienced younger men were more likely than older men to say the officer was violent. Similar proportions of older and younger men reported that the officer harassed them.

Overall, younger women were more likely to say they had been treated unacceptably than older women (13% of those aged under 45 compared with 9% of those aged 45+). When asked about types of behaviour experienced, similar proportions of older and younger women said the officer was violent toward them or harassed them.

Overall, Catholics were more likely than Protestants to say they had been treated unacceptably (18% compared with 15%). When asked about the type of behaviour they experienced recently Catholics were more likely than Protestants to go on to say the police officer harassed them or was violent towards them.

Appendix 1: Statistical tables

Note: Data provided below relating to complaints received from November 2000 until March 2011 was extracted on 15 April 2012.

Figures may therefore be subject to future review.

Table 1a: Allegations received by year, 6 November 2000 - March 2008*

Year	All allegations	Number of Oppressive Behaviour (OB) allegations	Percentage OB allegations
Nov 2000-Mar 2001	2005	987	49%
01/02	4413	2129	48%
02/03	4402	1746	40%
03/04	4253	1573	37%
04/05	4401	1519	35%
05/06	5515	1938	35%
06/07	5615	1818	32%
07/08	5432	1847	34%
Total	36036	13557	38%

Table 1b: Allegations received by year, April 2008 - March 2012*

Year	All allegations	Number of Oppressive Behaviour (OB) allegations	Percentage OB allegations
08/09	5407	1614	30%
09/10	6481	1882	29%
10/11	6283	1893	30%
11/12	5842	1924	33%
Total	24013	7313	30%

*Up until December 2008 Unlawful/unnecessary arrest/detention allegations were included within the Oppressive Behaviour allegation type, whereas after the introduction of the Office's new Case Handling System (CHS) in December 2008, Unlawful/unnecessary arrest/detention allegations were not included within the Oppressive Behaviour allegation type. Complaints that were still open on 1 December 2008 were migrated onto the new CHS. For the purposes of this report therefore all complaints opened from April 2008 are classified using CMS types if they were opened on the CMS and CHS allegation types if opened on the CHS.

Table 2a : Allegation types by year, CMS**

Year	Number of all allegations	Number of Oppressive Behaviour allegations	Number of Failure in Duty allegations	Number of Incivility allegations	Other
Nov 2000-Mar 2001	2005	987	461	240	317
01/02	4413	2129	1001	619	664
02/03	4402	1746	1172	708	776
03/04	4253	1573	1327	641	712
04/05	4401	1519	1703	571	608
05/06	5515	1938	2333	676	568
06/07	5615	1818	2216	872	709
07/08	5432	1847	2219	735	631
Total	36036	13557	12432	5062	4985

Table 2b : Allegation types by year, CHS**

Year	Number of all allegations	Number of Oppressive Behaviour allegations	Number of Failure in Duty allegations	Number of Incivility allegations	Other
08/09	5407	1614	2142	760	891
09/10	6481	1882	2430	856	1313
10/11	6283	1893	2494	695	1201
11/12	5842	1924	2076	608	1234
Total	24013	7313	9142	2919	4639

**The allegation categories used in the CHS and the old case management System (CMS) are not directly comparable. A number of new allegation types were introduced allowing for more detailed analysis. A small number of allegations had previously been included within Failure in Duty and Incivility allegation types but are now included within the Other category in the Table 2b above.

Table 3a : Sub-types of Oppressive Behaviour allegations received by year

Year	Number of all Oppressive Behaviour allegations	Oppressive Behaviour subtype				
		Other assault	Oppressive conduct or harassment	Unlawful/unnecessary arrest /detention	Serious non sexual assault	Sexual assault
Nov 2000-Mar 2001	987	702	199	59	21	6
01/02	2129	1636	348	92	39	14
02/03	1746	1253	333	108	45	7
03/04	1573	948	489	108	19	9
04/05	1519	859	520	119	9	12
05/06	1938	1107	612	190	13	16
06/07	1818	1027	585	178	11	17
07/08	1847	1007	614	178	24	24
Total	13557	8539	3700	1032	181	105

Table 3b : Sub-types of Oppressive Behaviour allegations received by year

Year	Number of all Oppressive Behaviour allegations	Oppressive Behaviour subtype						
		Other assault	Oppressive conduct	Harassment	Oppressive conduct or harassment*	Unlawful /unnecessary arrest /detention*	Serious non sexual assault	Sexual assault
08/09	1614	849	305	82	265	54	36	23
09/10	1882	895	719	213	-	-	31	24
10/11	1893	851	740	243	-	-	27	32
11/12	1924	871	742	243	-	-	33	35
Total	7313	3466	2506	781	265	54	127	114

* allegations migrated from old system

Table 4 : Factors underlying complaints received, April 2008 - March 2012

Complaint factor	Number relating to all complaints	Percentage of all complaints	Number of complaints relating to OB	Percentage of OB complaints
Other	2574	20%	841	17%
Parade Demonstration	127	1%	38	1%
Domestic incident	521	4%	165	3%
Police Enquiries (No Investigation)	1179	9%	440	9%
Traffic Incident	1494	12%	358	7%
Criminal Investigation	3188	25%	417	9%
Search	1170	9%	638	13%
Arrest	2405	19%	1912	40%
Unknown	575	-	255	-
Total	13233	100%	5064	100%

Table 5 : Allegations by area as a proportion of all allegations, 2008/2009 - 2011/2012

	Area	Number of all allegations	Number of Oppressive Behaviour allegations	Percentage Oppressive Behaviour allegations
A District	North Belfast	1986	774	39
	West Belfast	1379	635	46
	Sub-total	3365	1409	42
B District	East Belfast	971	249	26
	South Belfast	1788	615	34
	Sub-total	2759	864	31
C District	Ards	610	126	21
	Castlereagh	685	125	18
	Down	664	152	23
	North Down	872	237	27
	Sub-total	2831	640	23
D District	Antrim	818	197	24
	Carrickfergus	321	69	21
	Lisburn	1410	404	29
	Newtownabbey	752	161	21
	Sub-total	3301	831	25
E District	Armagh	546	184	34
	Banbridge	582	147	25
	Craigavon	1069	355	33
	Newry & Mourne	841	286	34
	Sub-total	3038	972	32
F District	Cookstown	362	123	34
	Dungannon & S Tyrone	572	200	35
	Fermanagh	690	258	37
	Omagh	606	219	36
	Sub-total	2230	800	36
G District	Foyle	1367	424	31
	Limavady	503	144	29
	Magherafelt	323	96	30
	Strabane	275	89	32
	Sub-total	2468	753	31
H District	Ballymena	887	228	26
	Ballymoney	157	51	32
	Coleraine	1454	396	27
	Larne	309	70	23
	Moyle	79	26	33
	Sub-total	2886	771	27
Other/Unknown		1135	273	24
Total		24013	7313	30

Table 6 : Oppressive Behaviour allegations by area and year, 2008/09 - 2011/12

District	Area	2008/09	2009/10	2010/11	2011/12	Total
A District	North Belfast	159	197	265	153	774
	West Belfast	151	148	151	185	635
	Sub-total	310	345	416	338	1409
B District	East Belfast	51	81	53	64	249
	South Belfast	132	149	169	165	615
	Sub-total	183	230	222	229	864
C District	Ards	29	35	27	35	126
	Castlereagh	32	40	28	25	125
	Down	38	35	34	45	152
	North Down	62	56	75	44	237
	Sub-total	161	166	164	149	640
D District	Antrim	56	49	37	55	197
	Carrickfergus	24	22	15	8	69
	Lisburn	70	155	68	111	404
	Newtownabbey	28	34	49	50	161
	Sub-total	178	260	169	224	831
E District	Armagh	55	36	34	59	184
	Banbridge	22	44	40	41	147
	Craigavon	62	81	84	128	355
	Newry & Mourne	76	60	55	95	286
	Sub-total	215	221	213	323	972
F District	Cookstown	35	24	26	38	123
	Dungannon & S Tyrone	61	51	44	44	200
	Fermanagh	38	63	87	70	258
	Omagh	25	62	69	63	219
	Sub-total	159	200	226	215	800
G District	Foyle	96	94	139	95	424
	Limavady	36	39	31	38	144
	Magherafelt	18	26	27	25	96
	Strabane	25	23	26	15	89
	Sub-total	175	182	223	173	753
H District	Ballymena	49	76	40	63	228
	Ballymoney	5	11	17	18	51
	Coleraine	91	91	118	96	396
	Larne	13	22	17	18	70
	Moyle	5	4	10	7	26
	Sub-total	163	204	202	202	771
Other/Unknown		70	74	58	71	273
Total		1614	1882	1893	1924	7313

Table 7 : Allegations received by location, April 2008 - March 2012

Location	Number of all allegations	Percentage allegations	Number of OB allegations	Percentage OB allegations
On street / road	6599	29%	3078	44%
Domestic residence	4286	19%	1682	24%
Other location	1916	8%	794	11%
Police station(including custody suite)	9201	40%	871	12%
Police vehicle	980	4%	609	9%
Unknown	1031	-	279	-
Total	24013	100%	7313	100%

Table 8: Allegations received by day of the week, April 2008 - March 2012

Day of the week	Number of all allegations	All allegations	Number of OB allegations	Percentage OB allegations
Monday	2027	13%	699	12%
Tuesday	2038	13%	709	12%
Wednesday	2038	13%	720	12%
Thursday	1932	12%	658	11%
Friday	2369	15%	854	14%
Saturday	2562	16%	1050	18%
Sunday	2933	18%	1258	21%
Unknown	8114	-	1365	-
Total	24013	100%	7313	100%

Table 9 : Allegations received by time of day, April 2008 - March 2012

Time of day	Number of all allegations	All allegations	Number of OB allegations	Percentage OB allegations
0.01 - 03.00	1653	23%	899	29%
03.01 - 06.00	395	6%	192	6%
06.01 - 09.00	411	6%	129	4%
09.01 - 12.00	827.0	12%	237	8%
12.01 - 15.00	757.0	11%	253	8%
15.01 - 18.00	849.0	12%	312	10%
18.01 - 21.00	1012.0	14%	432	14%
21.01 - 24.00	1237	17%	614	20%
Unknown	16872	-	4245	-
Total	24013	100%	7313	100%

Table 10 : Percentage of allegations involving weapons, April 2008 - March 2012

	Number of weapons or other equipment used	Percentage of allegations
All allegations	1177	5%
OB allegations	1069	15%

Table 11 : Types of weapons or other equipment used (OB allegations) , April 2008 - March 2012

Weapon or other equipment	Baton	CS Spray	Handcuffs	Firearms	Other*
08/09	65	74	118	12	10
09/10	48	49	132	9	6
10/11	41	66	129	9	17
11/12	55	52	157	9	11
Total	209	241	536	39	44*

*Includes Police Vehicles, Riot shield, Tasers and AEPs cited as weapon or other equipment

Table 12 : Recommendations arising from allegations closed, 1 December 2008 - 31 March 2012

Recommendation type	Number arising from all allegations	Percentage arising from all allegations	Number arising from OB allegations	Percentage OB Allegations
Not substantiated	12540	41%	5211	43%
Non co-operation	6194	20%	2627	22%
To PPS- no criminal charges	2933	10%	2585	21%
Withdrawn	1720	6%	674	6%
Ill founded	1263	4%	328	3%
Informally/Locally Resolved	1890	6%	254	2%
Outside remit	1891	6%	233	2%
Recommended action	1338	4%	119	1%
Other	569	2%	156	1%
Substantiated - no action recommended	342	1%	14	0%
Total	30680	100%	12201	100%

Table 13 : Recommendations arising allegations closed by year, 1 December 2008-31 March 2012

Recommendation type	Dec 2008- March 2009		2009/10		2010/11		2011/12	
	Arising from all allegations	Arising from OB allegations	Arising from all allegations	Arising from OB allegations	Arising from all allegations	Arising from OB allegations	Arising from all allegations	Arising from OB allegations
Not substantiated	33%	37%	41%	42%	42%	45%	41%	42%
Non co-operation	23%	28%	20%	22%	18%	18%	22%	23%
To PPS- no criminal charges	6%	15%	10%	21%	10%	22%	10%	22%
Withdrawn	7%	8%	6%	6%	6%	6%	5%	4%
Ill founded	6%	4%	4%	2%	5%	3%	5%	2%
Informally /Locally Resolved	7%	3%	7%	2%	6%	2%	5%	2%
Outside remit	7%	2%	6%	2%	6%	2%	6%	2%
Recommended action	6%	1%	4%	1%	4%	1%	5%	1%
Other	2%	1%	2%	1%	2%	1%	2%	1%
Substantiated - no action recommended	2%	0%	1%	0%	1%	0%	1%	0%
Total	2217	774	9817	3937	9830	3829	8816	3661

Table 14: Recommendations to PPS regarding OB allegations, 1 December 2008-31 March 2012

	Total
Recommendations for no prosecution	2648
Recommendations for prosecution	10

Table 15: Recommendations to the Chief Constable regarding OB allegations, 1 December 2008-31 March 2012

	Total
Advice and Guidance recommended	80
Supt Warning recommended	11
Management Discussion Recommended	9
Disciplinary / Misconduct Hearing Recommended	4
Total	104

Table 16 : Allegation types made by male complainants by age group, 1 April 2006 - 30 September 2011

Allegation type	% Allegations made by group						
	All males	16-24	25-34	35-44	45-54	55-64	65+
Oppressive Behaviour	35%	53%	43%	34%	25%	17%	15%
Failure in Duty	35%	21%	30%	36%	45%	51%	55%
Incivility	12%	13%	11%	13%	13%	13%	11%
Other	17%	13%	16%	17%	17%	19%	18%
Total (Males)	99%	100%	100%	100%	100%	100%	99%

Table 17 : Allegation types made by female complainants by age group, 1 April 2006 - 30 September 2011

Allegation type	% Allegations made by group						
	All females	16-24	25-34	35-44	45-54	55-64	65+
Oppressive Behaviour	22%	31%	22%	21%	18%	19%	12%
Failure in Duty	49%	40%	50%	50%	53%	50%	59%
Incivility	17%	18%	17%	17%	18%	19%	18%
Other	12%	11%	11%	12%	12%	12%	12%
Total (females)	100%	100%	100%	100%	101%	100%	101%

Table 18 : Allegation types made by religion, 1 April 2006 - 30 September 2011

Allegation type	Catholic	Church Of Ireland	Presbyterian	Other	No religion	Methodist
Oppressive Behaviour	32%	26%	24%	18%	23%	19%
Failure in Duty	41%	45%	46%	50%	49%	51%
Incivility	14%	14%	15%	14%	13%	17%
Other	14%	15%	15%	13%	15%	13%
Total	100%	100%	100%	100%	100%	100%

Table 19 : Gender of complainants and Census, 1 April 2006 - 30 September 2011

Gender	All complainants	OB complainants	Census 2001
Male	70%	78%	48%
Female	30%	22%	52%

Table 20 : Age of complainants (males) and Census, 1 April 2006 - 30 September 2011

Age Group - male	All complainants	OB complainants	Census 2001
16-24	18%	29%	9%
25-34	15%	19%	9%
35-44	16%	17%	9%
45-54	13%	10%	8%
55-64	6%	3%	6%
65+	3%	1%	7%
Total	70%	79%	48%

Table 21 : Age of complainants (females) and Census, 1 April 2006 - 30 September 2011

Age group - female	All complainants	OB complainants	Census 2001
16-24	4%	5%	8%
25-34	6%	4%	9%
35-44	9%	6%	10%
45-54	6%	4%	8%
55-64	3%	1%	7%
65+	1%	0%	10%
Total	30%	20%	52%

Table 22 : Religious belief of complainants and Census, 1 April 2006 - 30 September 2011

Religious belief	All complainants	OB complainants	Census 2001
Catholic	39%	47%	40%
Presbyterian	22%	19%	21%
Church Of Ireland	18%	17%	15%
Methodist	3%	2%	4%
No Religion	11%	9%	14%
Other	7%	5%	6%
Total	100%	100%	100%

Table 23: Groups over-represented among those who attracted Oppressive Behaviour allegations, Dec 2008-Oct 2010

Group	PSNI	Group of officers who attracted one or more Oppressive Behaviour allegations	Group of officers who attracted two or more Oppressive Behaviour allegations
	%	(n=1738) %	(n=949) %
Officers with less than five years' service	23.4	50.6	51
Officers in Response and & Neighbourhood Policing Unit	45.9	70.9	74.1
Officers in Tactical Support	7.9	10.6	10.6
Officers aged 18-24	3.1	6.5	6.6
Officers aged 25-34	25.5	43.9	46.4
Constables	81.2	86.5	86.6
Males	74	82.1	87.1

Appendix 2 Supporting data

Table 1 Oppressive Behaviour allegations per 1,000 population

District	Area	2010 mid year population estimates	Number of OB allegations 2008/09-2011/12	Average number of OB allegations per year	OB allegations per 1,000 population per year
A District	North Belfast	84,013	774	193.50	2.30
	West Belfast	53,925	635	158.75	2.94
		137,938	1409	352.25	2.55
B District	East Belfast	68,614	249	62.25	0.91
	South Belfast	62,193	615	153.75	2.47
		130,807	864	216.00	1.65
C District	Ards	78,248	126	31.50	0.40
	Castlereagh	67,029	125	31.25	0.47
	Down	70,770	152	38.00	0.54
	North Down	79,940	237	59.25	0.74
		295,987	640.00	160.00	0.54
D District	Antrim	54,145	197	49.25	0.91
	Carrickfergus	40,158	69	17.25	0.43
	Lisburn	117,836	404	101.00	0.86
	Newtownabbey	83,605	161	40.25	0.48
		295,744	831	207.75	0.70
E District	Armagh	59,441	184	46.00	0.77
	Banbridge	47,955	147	36.75	0.77
	Craigavon	93,623	355	88.75	0.95
	Newry & Mourne	99,880	286	71.50	0.72
		300,899	972	243.00	0.81
F District	Cookstown	36,655	123	30.75	0.84
	Dungannon & S Tyrone	57,748	200	50.00	0.87
	Fermanagh	63,076	258	64.50	1.02
	Omagh	52,866	219	54.75	1.04
		210,345	800	200.00	0.95
G District	Foyle	109,826	424	106.00	0.97
	Limavady	33,564	144	36.00	1.07
	Magherafelt	44,730	96	24.00	0.54
	Strabane	40,099	89	22.25	0.55
		228,219	753	188.25	0.82
H District	Ballymena	63,451	228	57.00	0.90
	Ballymoney	30,564	51	12.75	0.42
	Coleraine	56,790	396	99.00	1.74
	Larne	31,650	70	17.50	0.55
	Moyle	16,998	26	6.50	0.38
		199,453	771	192.75	0.97
Other/Unknown			273	68.25	
Northern Ireland		1,799,392	7313	1828.25	1.02

Table 2 Number of Oppressive Behaviour allegations per 100 officers 2011/12

	No. of officers 2011/12*	Number of OB allegations in 2011/12	Number of OB allegations in 2011/12 per 100 officers
A District	630	338	54
B District	577	229	40
C District	575	149	26
D District	689	224	33
E District	881	323	37
F District	595	215	36
G District	633	173	27
H District	527	173	33

Source: PSNI

*Includes District officers only. Does not include TSG, Roads Policing or Headquarters staff

Table 3 Use of Force Statistics by PSNI officers

Use of Force	2009/10	2010/11	2011/12
AEP Pointed	23	21	20
AEP Discharged	15*	51**	96***
AEP Total	38	72	116
Baton Drawn Only	638	536	537
Baton Drawn & Used	348	392	284
Baton Total	986	928	821
CS Drawn (not sprayed)	217	194	187
CS Sprayed	370	376	330
CS Total	587	570	517
Firearm Drawn or Pointed	345	302	360
Firearm Discharged	5	3	0
Firearm Total	350	305	360
Taser Drawn ¹	136	85	126
Taser Fired	9	14	9
Taser Total	145	99	135

* 33 AEPs were fired by 15 officers

** 181 AEPs were fired by 51 officers

*** 350 AEPs were fired by 96 officers

¹ Includes drawn/ aimed and red-dot.

Source: Statistics Branch, PSNI

Table 4 Use of Batons by District

	2009/10			2010/12			2011/12		
	Baton Drawn Only	Baton Drawn & Used	Baton Total	Baton Drawn Only	Baton Drawn & Used	Baton Total	Baton Drawn Only	Baton Drawn & Used	Baton Total
A District	76	66	142	73	96	169	55	45	100
B District	88	60	148	142	67	209	93	61	154
C District	47	17	64	39	30	69	37	29	66
D District	39	22	61	35	20	55	28	15	43
E District	99	50	149	93	61	154	106	55	161
F District	76	25	101	38	20	58	61	22	83
G District	113	64	177	65	51	116	78	26	104
H District	100	44	144	51	47	98	79	31	110
Total	638	348	986	536	392	928	537	284	821

Table 5 Use of CS Spray by District

	2009/10			2010/11			2011/12		
	CS Drawn (not sprayed)	CS Sprayed	Total	CS Drawn (not sprayed)	CS Sprayed	Total	CS Drawn (not sprayed)	CS Sprayed	Total
A District	23	96	119	25	83	108	17	59	76
B District	27	27	54	32	32	64	16	23	39
C District	16	24	40	10	23	33	12	21	33
D District	11	27	38	21	30	51	19	28	47
E District	20	40	60	17	30	47	26	32	58
F District	40	36	76	19	42	61	17	55	72
GDistrict	43	60	103	43	86	129	38	79	117
H District	37	60	97	27	50	77	42	33	75
Total	217	370	587	194	376	570	187	330	517

Table 6 Use of Firearms by District

	2009/10	2010/11	2011/12
	Firearm, drawn pointed or discharged	Firearm, drawn pointed or discharged	Firearm, drawn pointed or discharged
A District	73	69	89
B District	40	36	51
C District	29	33	23
D District	54	39	52
E District	54	41	56
F District	35	21	25
G District	32	37	43
H District	33	29	21
Total	350	305	360

Table 7 Use of AEPs by District

	2009/10	2010/11	2011/12
	AEP Pointed and Discharged	AEP Pointed and Discharged	AEP Pointed and Discharged
A District	21	55	54
B District	5	5	38
C District	3	1	0
D District	4	2	9
E District	3	5	11
F District	0	1	1
G District	0	1	3
H District	2	2	0
Total	38	72	116

Table 8 Use of Tasers by District

	2009/10	2010/11	2011/12
	Taser - drawn, aimed or fired	Taser - drawn, aimed or fired	Taser - drawn, aimed or fired
A District	29	22	30
B District	31	27	32
C District	30	10	9
D District	18	11	24
E District	11	12	17
F District	0	4	6
G District	4	9	13
H District	22	4	4
Total	145	99	135

Appendix 3 Data sources

The main source of data used for this report is complaints and allegations data obtained from Police Ombudsman's CHS. The section below outlines details of the CHS, data quality and data limitations.

The report includes the following data sources:

- Data from the survey carried out to assess public attitudes to the complaints system;
- Equality monitoring data to determine the profile of complainants;
- Data relating to the characteristics of officers who attract complaints
- Complainant satisfaction data.

Complaints and Allegations Data

Statistical information is derived from the Police Ombudsman's CHS; an integrated and comprehensive ICT system that covers all key aspects of receiving and processing a complaint from receipt to closure, including the investigation process and final recommendations. The system captures comprehensive data about the complainant, the complained against parties, the incident and allegations made. Data can be downloaded and exported to a number of commonly used software packages for analysis (Excel, Access, SPSS).

Data Quality

CHS data quality is considered to be high. The system has been designed to limit the incidence of inaccurate data input through the use of measures such as logical validation checks, drop down lists for data input and a minimum of free format data. The Police Ombudsman has a dedicated team who assure the quality of CHS content. All data input is completely auditable and allows for an effective quality control procedure to review and, where necessary, amend key data for the purpose of accurate reporting. When considered necessary, focused data cleansing exercises of key fields are also conducted. Additionally, 100% audits of fields with small numbers associated are conducted.

Data Limitations

Because of the nature of some of the highly sensitive material handled by the Office of the Police Ombudsman in the investigation of cases, a small proportion of cases will have only limited information available on the CHS. On balance, the Police Ombudsman considers that the assurance of the privacy of the information and individuals associated with this small number of sensitive cases outweighs the need for full access to the data. In practice, the number of cases is so small that the restriction has no impact on the quality of statistical reporting. Additionally, as the CHS is a live system allegations can be removed or added and data amended during the course of enquiries or investigations, thus all published statistics may be subject to future revisions; however this will have no impact on overall trends.

Bias and Errors

As stated above, substantial validation and quality control procedures are in place to ensure that the data derived from CHS are of high quality. However, there is still a possibility of a small number of errors arising from data input, missing data, failure to update data and errors in communication. The Police Ombudsman estimates that the level of error is so small that it has no impact on the quality of statistical reports.

All Section 55 referrals, complaints and allegations, were identified from the Police CMS and CHS. The CMS was operational until the end of November 2008 when it was replaced by the CHS. The CMS was a complaint based system and the CHS is an allegation based system.

Profile of complainants

The Office is committed to fulfilling the obligations under Section 75 of the Northern Ireland Act (1998) (the “equality duties”). To help achieve this, the Office issues every complainant a confidential self-completion questionnaire, asking for information relevant to the nine categories specified in Section 75 of the NI Act (1998).

The information used for this section of the report covers complaints made to the Office of the Police Ombudsman from 1 April 2006 to 30 September 2011, during which time 17,908 complaints were recorded. The questionnaire included the

categories of age, gender, marital status, religious belief, race, disability, sexual orientation, employment status, dependants, political opinion and country of birth.

Between April 2006 and September 2011 the Office received 5,849 completed questionnaires, representing a sample size of 33% of all complainants. In addition to those respondents who declared their gender on the monitoring form, it was also possible to determine a majority of complainants' genders from their title or salutation, so that there was a total sample of 99% for whom gender was known. In addition to those who declared their age on the monitoring form, it was also possible to determine complainants' ages from the date of birth that they provided, giving an overall sample of 59% for whom age was known.

Further details of surveys can be accessed at <http://www.policeombudsman.org>.

Complainant Satisfaction

The Office carries out a survey to monitor and evaluate the service provided to complainants who have made a complaint to the Ombudsman's Office and identify any issues that arise in a timely manner.

The information used for this section of the report covers information regarding complaints closed during the period 1 April 2008 to 30 March 2011. Complainant satisfaction surveys were issued to 9284 complainants following closure of their complaints. A total of 1710 questionnaires were returned giving a response rate of 18%.

This section compares complainant satisfaction levels of those who had made complaints comprising one or more allegations of Oppressive Behaviour with satisfaction levels of complainants to the Office.

Further details of surveys can be accessed at <http://www.policeombudsman.org>.

Characteristics of officers who attract Oppressive Behaviour allegations

The information used for this section of the report was published in December 2011 in the report entitled "Characteristics of police officers in Northern Ireland who attract

complaints, 2008-2010". This report analyses the characteristics of police officer who receive complaints from December 2008-October 2010. Further details of the report can be accessed at <http://www.policeombudsman.org>.

Survey to assess public attitudes to the complaints system

This section of the report outlines details of unacceptable behaviour by police perceived by the general public. As part of a programme of annual research, the Office of the Police Ombudsman commissions a number of questions, regarding public attitudes to the police complaints system, on an omnibus survey carried out by the Northern Ireland Research and Statistics Agency (NISRA). NISRA selects a random sample from the Valuation and Lands Agency List of addresses. Data from surveys carried out from January 2004 to February 2011 were used for this section of the report. Overall, during this period, interviews were achieved with 9406 persons aged 16 and over.

As part of the survey respondents are asked whether police officers have ever behaved towards them in an unacceptable way, and what type of behaviour was unacceptable.

Further details of surveys can be accessed at <http://www.policeombudsman.org>.

Additional copies of this and other publications are available from:

Research and Performance Directorate
Police Ombudsman for Northern Ireland
New Cathedral Buildings
11 Church Street
Belfast
BT1 1PG

Telephone: 028 9082 8648

Fax: 028 9082 8605

Witness Appeal Line: 0800 0327 880

Email: research@policeombudsman.org

These publications and other information about the work of the Police Ombudsman for Northern Ireland are also available on the Internet at:

Website: www.policeombudsman.org