

# Police Complaints Procedures in Ireland and the United Kingdom:



Why are the Reforms not Working?

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# The Jurisdictions

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- Republic of Ireland (ROI)
- United Kingdom
  - Northern Ireland (NI)
  - England and Wales (E & W)
  - Scotland



# Overview

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- Development of independent element
- Ongoing concerns
- Primary weaknesses
- Suggestions for further reforms



# Development of independent element

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- Independent *ex post facto* review 1970s-1980s
- Independent supervision 1980s-2000s
- Independent Ombudsman model 2000s



# Current procedures

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- Ombudsman Office/Commission
- Independent investigators
- Self-initiated investigations
- Recommend action



# Ongoing Concerns

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- Low rate of success
- E & W Parliamentary report
- ROI criticisms
- Operational independence in NI?



# Lack of real independence

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- Reliance on former police officers
- Police investigating themselves
- Reliance on police expertise
- Reliance on police information



# Regulatory Capture

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- Differential investigation
  - Lack of robust questioning
  - Accepting police accounts at face value
  - Failure to search out evidence
- Protocols ceding control to the police
  - Restrictions on access to police records
  - Interview requests





# Other weaknesses

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- Police obstructionism
  - Delays in access to police records
  - False and misleading police replies
  - Concealing relevant information
- Shortage of resources
  - Imbalance between Police and Ombudsman resources
  - Forced reliance on police investigation



# Further reforms

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- No one-size fits all
- Full independent investigation for non-service complaints
- Full use of investigative powers
- Enhanced informal resolution for service complaints
- Direct accountability for service complaints