



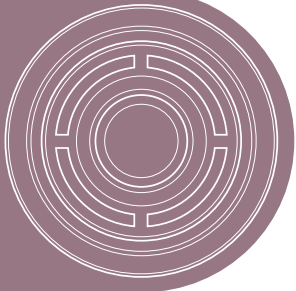
# THE HANDLING OF COMPLAINTS BY THE CRIMINAL JUSTICE SYSTEM

A follow-up review of inspection recommendations

April 2014

Criminal Justice Inspection  
Northern Ireland  
*a better justice system for all*





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## List of abbreviations

<b>CJI</b>	Criminal Justice Inspection Northern Ireland
<b>NICTS</b>	Northern Ireland Courts and Tribunals Service
<b>NIPS</b>	Northern Ireland Prison Service
<b>OPONI</b>	Office of the Police Ombudsman for Northern Ireland
<b>PBNI</b>	Probation Board for Northern Ireland
<b>PSNI</b>	Police Service of Northern Ireland
<b>PPS</b>	Public Prosecution Service for Northern Ireland
<b>YJA</b>	Youth Justice Agency



# Chief Inspector's Foreword

This follow-up review into how criminal justice organisations manage complaints indicated that mechanisms were operating effectively and efficiently and that organisations were using information from public complaints to further develop their services.

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Fieldwork completed with the Youth Justice Agency (YJA); the Police Service of Northern Ireland (PSNI); the Probation Board for Northern Ireland (PBNI) and the Northern Ireland Courts and Tribunals Service (NICTS) indicated there were few areas for improvement and some notable good practice such as the PBNI approaches to complaint handling and a PSNI District initiative to reduce the numbers of complaints of oppressive behaviour.

The Office of the Police Ombudsman (OPONI) deals with complaints against the police and in doing so collects section 75 data for analysis. The other inspected organisations would benefit from collecting section 75 data on complainants so that more detailed and relevant analysis can be carried out. Organisations should also look for comparisons in complaint handling with other similar organisations outside the jurisdiction so that their own performance can be set in context within the wider justice arena.

Due to changes in procedures introduced within the Public Prosecution Service for Northern Ireland (PPS); the appointment of new complaints oversight in both the PPS, the Northern Ireland Prison Service (NIPS);

and the prison reform programme, I believe that further fieldwork at this time within these organisations would be too early to assess any meaningful results and outcomes and would therefore not provide added value.

Any issues arising from developments regarding complaints handling in the PPS and the NIPS will be included in future planned organisational and thematic inspection work with them.

This review was carried out for Criminal Justice Inspection Northern Ireland (CJI) by William Priestley. My sincere thanks to all those who contributed to his work.

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**Brendan McGuigan**  
**Chief Inspector of Criminal Justice**  
**in Northern Ireland**

April 2014



# Executive Summary

The handling of complaints across the criminal justice system is by and large being carried out effectively and efficiently with information obtained as a result of complaints being used to inform the development of organisations.

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The proposal for a follow-up review into the *Handling of Complaints* was included in the 2011-12 CJI business plan. It followed the publication in 2007 of CJI's first inspection into how the main criminal justice organisations deal with complaints.<sup>1</sup>

Fieldwork was completed with the YJA, PSNI, PBNI and the NICTS. Initial fieldwork took place with the PPS.

Inspectors found that the handling of complaints by the PBNI, NICTS, YJA and the PSNI was carried out effectively and efficiently. Additionally, Inspectors believe that the recent review undertaken by the PPS to improve existing complaints handling arrangements and the change in oversight of complaints in the NIPS, should be afforded sufficient time to settle so that sound evaluation of their effectiveness can take place at a later date. Inspectors intend to monitor the changes in complaints handling in both these organisations as part of its existing inspection and follow-up review programme.

Feedback to individual organisations inspected was positive with a very few minor suggestions for improvement, not amounting to recommendations, which had been fully accepted. The appointment of a new post-holder as independent assessor of complaints for the PPS and Prisoner Ombudsman has potential to further develop the handling of complaints for both organisations.

Notable good practice was found when inspecting the PBNI. A recent review and redefining of its complaints procedures had been accompanied by comprehensive update training across the organisation and clear guidance. Staff were focused on dealing with complaints effectively and professionally.

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<sup>1</sup> The inspection was delayed due to urgent work which the allocated lead Inspector undertook between April and September 2011 and changes in the complaints framework within the remaining agencies to be inspected in the interim period.



The YJA and the NICTS were found to be operating well-defined, effective complaints mechanisms which were subject to regular monitoring and reporting to senior management. Information from complaints received was being incorporated into organisational development.

The PSNI system in support of the arrangements for dealing with complaints against the police administered by the OPONI was found to be effective and efficient. Inspectors examined a complaints reduction initiative in 'A' District which had significantly decreased the numbers of complaints of oppressive behaviour. CJI published a report in early December 2013 into the relationship between the PSNI and the OPONI which highlighted good practice in information sharing.

The collection of section 75 details of complainants was not established as routine practice in any of the organisations in which fieldwork had been completed. The analysis of complaint data would be more comprehensive if such information was available. Benchmarking and comparisons with similar organisations outside the jurisdiction was not a feature of any of the complaints frameworks examined. Organisations would benefit from benchmarking and comparison with other similar organisations in the rest of the United Kingdom and the Republic of Ireland.

The only outstanding suggestion remaining from the original CJI inspection report published in 2007 related to the position of complaint oversight across the justice system. The 2007 report suggested in a postscript that;

*"...once responsibility for criminal justice is devolved the Criminal Justice Organisations should re-think their arrangements for handling complaints around the principle that the first stage should be internal investigation and the second stage, if required, should be independent investigation by the Assembly Ombudsman (AO). There would necessarily be implications for the workload of the AO and therefore for the resources required in that office, but that would seem the right structure to aim for, and overall the costs should be no greater than for a piecemeal approach."*

Responsibility for consideration of this suggestion rested with the Northern Ireland Office and latterly the Department of Justice. The Department undertook work during 2012 to consider the possibility of creating a Justice Ombudsman. However, it was established that there was insufficient support across the political spectrum for such an initiative at this time.



# Areas for Improvement


1

Apart from complaints against the police which are handled by the OPONI, data analysis of the inspected organisations in which fieldwork had been completed would be enhanced by the systematic recording of section 75 information on complainants.

2

All the inspected organisations in which fieldwork had been completed should undertake benchmarking activities regarding their performance on the handling of complaints by comparing with similar organisations in the rest of the United Kingdom and the Republic of Ireland.





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