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Strengthening Police Accountability in Ireland  
Farmleigh House  
20 June 2014

Good morning, Ladies and Gentlemen, I am very pleased to be here with you and to have the opportunity to contribute to this seminar. There has been extensive negative coverage over the past months in relation to policing matters in Ireland. The Minister has committed herself and the government to significant reforms to be made rapidly. Today we meet to consider how those reforms might best be effected and to contemplate the matters which must inform legislative drafting and thus secure real positive change.

International experience indicates that if policing is corrupt, inefficient, repressive, or does not comply with legal and basic human rights standards, then the people who are policed become alienated from policing, and in turn, policing becomes less effective. Resentment grows where, as happened here for example, there is evidence that speeding penalty points were removed from powerful people's records in circumstances which did not justify their removal. Resistance grows where young people, enjoying a night out encounter the use of excessive force, rather than creative managed policing designed to minimise trouble. Lawful and Human Rights compliant policing will encourage the mass of the community to co-operate with the police.

The principles which underpin the Northern Ireland policing solution

I was asked to talk about my experiences in police accountability. It all starts with the Patten Commission, which identified a set of core principles for a policing service which the people could trust. The new Police Service should:

- Be professional, effective and efficient;
- Be fair and impartial;
- Be free from partisan political control;

- Be accountable, both under the law for its actions and to the community it serves;
- Be representative of the society it polices;
- Operate within a coherent and co-operative criminal justice system.

Those I think are basic principles which should underpin the operation of policing globally.

In policing and security terms there must be clarity of roles between the key players and those who have oversight of them. The respective roles of the government, the parliament, the army the police, and any oversight agency must all be clear. There must be appropriate separation between them and there is work to be done to secure that separation. For the police, the delivery of professional policing services across the country must be the long term aim. It is profoundly important, because it is in the individual interactions of police officer and civilian that policing is either confirmed or discredited.

To facilitate effective policing there must be an adequate and effective intelligence process, and there must be accountability by the police for the extensive powers which they hold over people's lives and for the systems, policies, practices and manner of policing. Police officers have powers to arrest, detain, enter homes and offices and search them, and to take away material which may be relevant to a criminal investigation. They prepare the prosecution files which inform a court in its deliberations as to the innocence or guilt of a defendant. They also have limited power to use force which is proportionate and necessary when carrying out their duties. At the end of the day policing is most effective when it is done in cooperation with, and with the support of the community being policed.

Why do things go wrong?

When contemplating how to achieve the best possible policing and security there are a number of factors which must be taken into account, because they are the factors which will either prevent or contribute to policing and security which is consistent with the law or

with the international standards. The question I want to address first is why do things go wrong?

To the extent to which there is any political interference in policing, there will be corresponding damage to community confidence both in policing and in the wider criminal justice system. The style of leadership and the institutional culture of the police service are equally important factors. I have seen examples across the world of situations in which senior officers occupy very influential positions yet tend to spend their days contributing very little to core policing activities. That creates a management and leadership lacuna which those who are malevolently intentioned will exploit. Those who just don't care will also exploit such negligence, but in a different way. They will know that failures of duty and misconduct such as excessive use of force will not be picked up, and that junior officers seeking to do what is right in the face of institutional lethargy and a culture of turning a blind eye will be unsupported. Inevitably policing will be damaged. There will be enhanced resentment and lack of trust in the police.

Clarity of role and function is vital. The police need a clear strategy which is accepted and understood by the people.

Ethical leadership is critical for preventing policing abuses – zero tolerance approaches to wrongdoing together with apologies to members of the public by senior police commanders, and positive statements to police officers about the duty to uphold and protect the law have a significant impact on serving officers. They also serve to enhance public confidence in policing. Policing has traditionally, like many other institutions been bedevilled by a ‘never apologise, never explain’ ethos. That ethos cannot be part of modern service-led policing.

Where there is a culture of cover up, where officers are encouraged to protect one another from accountability for their wrong doing, there will be what is generally called a “blue wall”. I have seen it in every police service I have encountered. I was told that the blue

wall would make my work as Police Ombudsman impossible. This did not happen, though we did have many struggles on the way. From what I have read of the recent reports on Garda whistleblowers, I would be fairly sure AGS is no different from any other force. Indeed there has been strong evidence in the media and in your Oireachtas Justice and Defence Committee hearings of this kind of blue wall behaviour here recently. It is profoundly important that those who choose to act ethically and to report wrongdoing should be heard, supported, and treated with great respect, their courage recognised. The police officer who tries to report wrong, who is ignored or worse, and who subsequently goes on to blow the whistle, is the kind of person police services need.

Lack of training and equipment will be a very important factor. Training and regular re-training is vital to maintain professional standards in the use of equipment, as are clear police policies articulating what is permissible and lawful in the context of each piece of equipment. Officers need to understand the consequences of the use of the equipment with which they are issued. Firearms officers need to know about mis-fire, ricochet, about the dangers of firing into civilian areas and of firing at car tyres in order to stop a vehicle (despite all that you see in the movies it generally does not work and can lead to an explosion if the petrol tank is hit). At all times the aim must be to reduce the level of all forms of force used to the minimum, so as to avoid both injury, and the alienation of the civilian population. Where officers believe that there is a culture of impunity, that combined with an institutional culture which approves the use of force, often results in police wrongdoing. Where they know that there will be a reckoning this will impact down the line – even a few prosecutions and convictions can have a marked halo effect on the behaviour of colleagues. The excessive use of batons, CS Spray and tasers can lead to retaliation by people which can, in the end, result in higher levels of civilian and police injury with the consequential cost of legal actions.

Lack of a clear code of ethics stating clearly what is expected of each police officer in the execution of their duty may also result in police wrongdoing. The UN Code of Conduct for

Law Enforcement Officers and the UN Code of Conduct for the Use of Firearms are both based on international law and international policing instruments. In Northern Ireland the conduct of police officers is judged firstly in terms of whether there has been a breach of the criminal law, and then whether there has been a breach of the Police Code of Ethics which derives from law, and all the international policing instruments together with the provisions of the European Convention on Human Rights. There is an obligation on supervisors to supervise, failure so to do is a disciplinary offence. There is an obligation to report wrongdoing by a colleague. Failure to do so is a disciplinary offence. What this creates is a positive statement of what it is to be a police officer and how important ethics are.

I have read the Garda Declaration and the Garda Charter. They seem to be aspirational. I have studied the page on the website on Internal Affairs. It is possible that both people and police would benefit from a clearer statement of what the public can reasonably and legally expect of a Gardai, and of the circumstances in which a Gardai will be regarded as having done wrong. I know that policing is complex but I think there is scope for clearer more accessible information.

It is, of course, essential that in the exercise of police powers there is constant and complete adherence to the Rule of Law.

The Rule of Law is an expression widely used but not necessarily widely understood, so I want to say a word about some of the features of the rule of law in the context of criminal law. There was failure to ensure observance of some of these in Northern Ireland during the Troubles.

- Everyone, regardless of their position in society, is subject to the law;
- The rights of individuals are determined by legal rules and not the arbitrary behaviour of authorities.

- Justice must be seen to be done –there must, where possible, be openness and transparency;
- The state should comply with its obligations under international law, whether in Treaty or the custom and practice governing the conduct of nations;
- The state should comply with all its obligations in respect of fundamental human rights;
- Judges must be independent and impartial and must make their decisions on the basis of the facts before them;
- A defendant should know what he is charged with;
- A defendant is innocent unless he is proved guilty and convicted in a court;
- A defendant should have an opportunity to defend himself, and should where necessary receive legal aid to conduct that defence;
- The prosecution should disclose to the defence, all material which might assist the defence or undermine the prosecution;
- There can be no punishment unless a court decides there has been a breach of the law;
- Any punishment must be administered in accordance with the law.

In addition to these principles there are the protections articulated in the Universal Declaration of Human Rights: the right to life, to freedom from torture and inhuman or degrading treatment, the right to freedom of expression, privacy etc.<sup>1</sup> and in the European Convention on Human Rights.

Where suspicions emerge that those entrusted with the administration of policing and security are not compliant with the Rule of Law it will have a significant and damaging effect on all forms of stability, including economic investment. There is a very real need to understand that corruption takes many forms. It is not just the giving and receiving of

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<sup>1</sup> See also Article 3, 4,5 etc. of the Universal Declaration of Human Rights 1948 [www.un.org/en/documents/udhr/](http://www.un.org/en/documents/udhr/)

bribes. There is a need, too, to know how it can develop and how destructive it is. Redressing such instability will be a long process.

### The NI Solution

Three major acts of parliament created a new order:

The Northern Ireland Act 1998 which created new institutions of Government

The Police (NI) Act 1998 which created a new police service and new police accountability and the Human Rights Act 1998 which created the Human Rights Commission.

Police accountability developed through:

Accountability to parliament through parliamentary questions, inquiries etc.

Accountability to the law through the courts and three new structures:

### The Northern Ireland Policing Board

- This is an independent public body made up of 19 civilian political and independent members established to secure an effective, efficient and impartial police service which has the confidence of the whole community. It was established by Parliament in the Police(NI) Act 2000. Its function is to call the Chief Officer to account for the way in which he exercises his powers. It cannot interfere with operational policing. It meets ten times a year, and has sub-committees which look at matters such as how the resources are used, at issues of human rights. It appoints the most senior officers, and is the disciplinary authority for those officers. This model involves both politicians who are appointed by their parties, and independent members who apply for their position on the Board and who cannot be politicians, and such boards can play an important role in calling police chiefs to account for the general exercise of their powers.<sup>2</sup> The Chairman is an independent member. As you contemplate the creation of your own Police Authority I would counsel one thing, from my own experience as a former member of the Northern Ireland Police Authority. There

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<sup>2</sup> [www.nipolicingboard.org.uk](http://www.nipolicingboard.org.uk)

may be police officers who want to keep you remote, who will overload you with paper, talk in police jargon and answer the questions they would prefer that you asked, if you do not have a comprehensive understanding of the issues. You will need a degree of courage and the ability to challenge the uniformed ranks! The hardest challenge is working out what the right question in any specific area is.

### Community and Police Safety Partnerships

Community and Police Safety Partnerships were created to enable citizens to call their local (District) police commander to account for the way in which policing is delivered in the district. Depending on the size of the area 12 – 19 people are appointed to the Partnership, which is managed by the Policing Board. They are unpaid and meet up to ten times a year. It has seemed to me that this is very important arrangement.<sup>3</sup>

At the meetings the people can engage with the police to identify what they think are the most important priorities for the police in the area. There are never enough police resources, but if the local district commander and the people can agree that there will be a focus on, for example, domestic and gender based violence, on theft and on gang intimidation during a period of, for example, a year, then the District Commander is mandated not just by the President or Parliament, but also by the ordinary people in the area.

This can be a very important confidence building measure for people in areas where there have been high levels of police brutality, neglect of duty etc.

The role of the Policing Board nationally, and of Community Police Safety Partnerships locally, is to address how and why policing is delivered in the way in which it is and to talk

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<sup>3</sup> [www.nidirect.gov.uk](http://www.nidirect.gov.uk)

about when things go wrong, with a view to ensuring that there is no repetition of what has occurred.

However on occasion it is the conduct of police officers themselves which can lead to problems, and a system is needed to investigate allegations of criminality and of breaches of police rules by police officers. I established and ran such a police complaints system in Northern Ireland.

#### The Office of the Police Ombudsman for Northern Ireland<sup>4</sup>

The Office of the Police Ombudsman for Northern Ireland, which has now been in existence since 2000.

The Office which had some 140 staff operated 24 hours a day, seven days a week, to provide an independent, impartial investigation service for police complaints, which would secure the confidence of the people and of the police.

Like GSOC we investigated criminal, disciplinary and human rights allegations against police officers. Unlike GSOC police had no investigative function in any cases which came to us. We did not send cases back to the police for investigation. In cost terms it is cheaper to have civilians doing criminal investigation of police officers. They are not generally paid as much and the overheads are lower. Money can be taken from the police budget because they will no longer have to conduct all these inquiries. So there is no argument for referring matters back to the police for investigation. Indeed to do so undermines attempts to establish the independence and the perception of the independence of the accountability organisation.

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<sup>4</sup> [www.policeombudsman.org](http://www.policeombudsman.org)

HMI, which corresponds, I think, to your Garda inspectorate, really has a function of ensuring that police policy and practice is consistent across the country and that its policies are reflective of global best practice.

### Making independent police accountability effective – the basics

- Compliance with the Rule of Law
- Independence and Impartiality
- Adequate powers and proper funding
- Adequate and constant training
- Awareness of the risk of infiltration
- Robust systems and processes
- Professionalism,
- Proper security vetting
- Capability of immediate response to incidents
- Pro-active as well as reactive
- Open and professional working relationships with all levels of community groups and civil society
- Easy access for people and police
- Open and professional working relationships with police, army, intelligence services etc.

I will refer to these issues in greater detail later.

We also investigated police policy and practice, statistically analysed the data which we gathered on police conduct and systems issues, and reported to Parliament, to the people and to the police. Our focus was on individual officer action and context within which problems and complaints arose.

Independent accountability may be perceived as a threat by police officers and there probably will be attempts to undermine it. It may be said that it will undermine policing itself. However, having had some experience of policing and the existing accountability arrangements in many countries across the world, I see no reason why such independent impartial accountability arrangements should not exist anywhere. Anything which police officers do, can be done by independent investigators with proper powers and training. You have such arrangements here, but GSOC is not properly empowered or resourced, nor is it properly independent

The powers and controls under which we operated were contained in an extensive range of legislation, all of which can be found on the Police Ombudsman's web-site - [www.policeombudsman.org](http://www.policeombudsman.org)

Our process was simple:

- To receive complaints
- To decide how they should be dealt with
- To deal with the complainant and the police
- To deal with any other relevant agency
- To reach a conclusion
- To keep the parties informed throughout
- To take necessary action

The Police Ombudsman receives work from many avenues

- Citizen complaints
- Police Ombudsman initiated crime or conduct investigation – such as Omagh
- Chief Constable referral -Road Traffic Deaths, shooting deaths, any death where the conduct of the officer may have led to the death, deaths in custody, any firearms discharges including Tasers, AEP or baton gun discharges, Other serious issues

- Northern Ireland Policing Board referral - of complaints received, especially against Chief Officers
- Public Prosecutor referral where the Prosecutor identifies a suspicion of police wrongdoing
- Criminal Cases Review Commission referral - case of a young man convicted of murder in a case in which police officers were alleged to have fabricated the confession evidence. We investigated this and found evidence of fabrication of evidence. His conviction was set aside. The Government has now decided to give him damages for his wrongful conviction and the years he spent in prison.
- Judicial referral – Omagh case
- Coroner's Referral
- Investigation of police policy and practice

The number of occasions on which firearms have been used has dropped significantly following the introduction of this process.

My view is that if any independent system to investigate the police is to be successful it must:

- Be compliant with the Rule of Law;
- be independent of the organisations for which it has responsibility, and I have said publicly that I do not think that it is appropriate that serving AGS officers are present in the office of AGS. I do not know of any other independent police accountability organisation across the world where that is the case from Jamaica to Hungary to Ontario, that is recognised as a non starter;
- Be impartial – making decisions based only on the evidence which emerges from rigorous investigation, decisions which must be made by the Commissioners, not Commission staff. It would be desirable that any staff are employed by GSOC or the Police Authority so that there can be no conflicts of interest. be properly empowered (which must include a right of access to information, intelligence, materials and all other sources).

- Be properly empowered. I would say that in the case of GSOC it would mean above all that there should be a capacity to deal with any officer of any rank from Commissioner to Garda. There needs to be an express duty on the Garda Commissioner to preserve evidence, incident scenes. There should be a right of access to police premises for the purposes of investigation without notice or police or ministerial consent. Witness officers must have a duty to assist investigations of their colleagues;
- It must have the capacity to deal with complaints effectively. Informal processes should be available for less serious complaints, to lead to rapid, appropriate resolution of the matter and institutional learning. There should be no officer veto on such processes, as there is currently. Ireland resolves only 1% of complaints informally as opposed to 27% in England and Wales. The IPCC have recently produced a report on the working of informal processes<sup>5</sup>
- be properly funded and managed with adequate time for people to bring a complaint. I do not think 6 months is enough. Moreover there should be no possibility of criminal sanction where a complaint is not founded. It is not easy to complain against those in authority, especially the police, and the current penalties are very high and would deter people who have a genuine complaint but who fear that it may not be founded;
- invest in the best possible training with a high level of on-going training;
- be aware of the risk of infiltration by organised criminals and terrorists; it will need good security policies, will have to carry out regular security sweeps about which it will tell no-one. This is normal good housekeeping when you are in this business.
- have really robust systems and processes for the protection of sensitive intelligence material;
- be professional, properly vetted and capable of undertaking the work to be done;

It must

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<sup>5</sup> IPCC Oversight and confidence Casework and Customer Service pilot projects 2013

- be capable of conducting investigations at the earliest possible opportunity;
- be pro-active as well as re-active;
- engage in close and real working relationships with community groups at all levels but most particularly at the most basic level;
- be accessible to both people and police;
- engage in co-operative and open professional working relationships with all the security forces – especially the police, the army and the intelligence services.
- Have the right to access and seize documentation or property such as police computers, guns, vehicles, phones, batons powers to secure any incident scene.
- Have powers to access police intelligence and data systems. This is currently the subject of legal action in the North, and has been the subject of major problems between AGS and GSOC. That is not surprising, but any democracy which seeks the security of a fully accountable police service must allow complete access. It is accorded to independent police accountability organisations across the world from England to Jamaica to Brazil.
- Have powers to use all necessary ancillary support e.g. Forensic Science, photography, medical evidence etc., where they are available.

Growing community confidence in policing through independent investigation

There are certain minimum things which can be done to grow confidence both in policing and the accountability organisation:

- Direct interaction with complainants
- Proper complaint handling processes
- Regular provision of information to complainants and police officers
- Acknowledgement of operational context of policing
- Action taken against police managers if justified, not just officers on the ground
- Evidence based reporting
- Recommendations to improve policing

- Openness and transparency throughout – no closed doors!

During my seven years we dealt with some 21,000 investigations and 35,000 allegations. When I started there were over 13000 RUC officers plus civilian staff. Very comparable to AGS.

It was important in devising the system to identify community and police needs of the new independent police complaints system. Police officers had been accustomed to being investigated by other police officers, and they had difficulty with being investigated by civilians who had full police powers. Civilians had very often thought that there was no point in complaining about the police because they investigated themselves. We worked to establish what it was that complainants wanted when they made complaints.

We worked with the police to see what they needed of an independent investigative system.

The nature of the cases to be investigated was very varied and although the investigation had to be conducted firstly with a view to identifying police criminality, often there would be allegations of misconduct. Cases in any similar independent investigative system would involve matters such as:

- Allegations of murder and manslaughter resulting from deaths following police use of guns, police car chases, road traffic accidents involving police cars, and police failure to prevent the death of someone in police custody.
- Allegations of assaults, Intimidation and harassment etc;
- Wrongful arrest and detention;
- Perverting the course of justice e.g. through concealing evidence, through fabricating evidence and through giving perjured evidence in court;
- Theft of property by police officers;

- Abuse of power- through wrongful arrest and detention, searches of property etc.;
- Failure to respond to a call for assistance or to investigate following a crime;
- Failure to provide a fair investigation and trial process – e.g. by not cautioning an individual, depriving him or her of a lawyer during interview, failing to ensure the continuity of evidence, not disclosing relevant evidence to a court etc.;
- Incivility, poor attitude and failure of communication

The key minimum characteristics of an impartial, independent system for the investigation of alleged police wrong doing were identified by us as:

- Professionalism
- Accessibility and Confidentiality
- Clarity and Transparency where possible
- Responsiveness and Effectiveness
- Speed and Simplicity
- Accountability

Often our investigation indicated that there was no wrongdoing by police – for example, the complaint of failure to respond to a call for police assistance may have been explained by the fact that all the available officers were dealing with a very serious road traffic accident. Equally, investigation of an allegation of failure to investigate may have indicated that there had been an investigation, but there had been a failure to communicate appropriately with the victim of the alleged crime. However in many cases it was clear that there were failings.

When examining an officer's conduct criminal law issues would be investigated, together with any associated disciplinary matters. For example, any force used must be only that which is absolutely necessary – someone who is unarmed and running away should not be shot if they do not represent a threat to the life of another person - other methods should be used to restrain them if detention or restraint is necessary. Similarly if a police

officer has to use force to arrest or detain someone it should be only necessary force which is proportionate to the situation.

## IMPROVING POLICING THROUGH INDEPENDENT INVESTIGATION

- Identification of training needs
- Identification of systemic failings
- Identification of equipment needs
- Provision of management information
- Consequential recommendations for improvement
- Identification of policy and practice changes required

We made evidence based recommendations for the prosecution of police officers when they had to be made, and we ensured that officers were disciplined where necessary. When policing had been properly conducted we said so. When officers had acted bravely, we said so. When training was required we recommended it.

One of the good by-products of independent investigation is that properly done it can grow community confidence in policing. Where what has gone wrong was not the fault of a junior officer but rather a failure of management or supervision we dealt with that failure. Above all it was about trying to achieve maximum openness and transparency in the police complaints system whilst simultaneously protecting the necessary procedures and practices of good policing, such as proper intelligence and informant handling and investigative techniques.

A very important part of an independent investigation system is to bring to the attention of the police systemic failings which may be leading to breaches of human rights, or other failures of professional policing, so that the systems can be changed for the better.

Training can be expensive to organise and it takes officers away from duty, but without training they will not be competent to do the job and this will damage police/people relationships. Equipment can be essential to an officer's ability to police in accordance with international standards.

An independent investigation system can also be used to provide management information to the police about the extent to which equipment such as handcuffs, batons, vehicles etc are alleged to be used in abuse of force cases, and about locations of incidents, which officers are involved in alleged wrong doing, which officers attract multiple complaints etc – all of which can be used by the police, using management interventions to ensure professional policing practices.

Concern about police use of force led us to make a number of recommendations to the police about necessary action. For example, investigation demonstrated inappropriate use of police firearms leading to serious risk that someone would be killed: Some officers were not taking account of the possibilities of mis-fire, ricochet or injury to an innocent third party. Police officers were not being regularly and properly trained in the use of their guns, and particularly in the occasions on which it was lawful, necessary and proportionate to use the gun. Once proper, regular training was introduced the number of occasions on which firearms were used dropped significantly.

There were many complaints about police use of batons. Police officers in Northern Ireland were forty times more likely to be accused of abuse of force than their English colleagues. They were six times as likely to be injured. What we found on investigation was that many officers were trained in the use of force only once in their career. As a consequence bad habits could become engrained. Many officers did not have quick cuffs (the handcuffs which snap on) because they had not been trained to use them; they did not have Pepper or CS spray. They did not have Tasers. They were armed and had to prevent people from taking their guns from them. They did not receive conflict resolution training.

When all officers had received human rights training on the necessity for the use of force to be lawful, necessary, and proportionate, and also on the use of conflict resolution techniques, and were properly equipped, the number of occasions of use of force, and the number of complaints about abuse of force dropped very significantly. Equally significantly the amounts which the police had to pay out in compensation for abuse of force dropped. In addition to this the level of police injuries dropped – police are at risk of injury when they use force, because people may retaliate; if the number of occasions on which they use force can be reduced so, in all probability, will the number of occasions on which officers are injured.

It is said by others that independent Police Ombudsman investigations have proved to be vital in securing the confidence of the people in policing. One of the keys to effective policing is belief among the people that the police themselves keep the law, and the confidence that if the police do break the law they will be dealt with like anyone else.

Sometimes the beginning of these activities is faltering, and there is concern. On occasion I was asked to go into a community so that they could explore what co-operation with the police might look like; how they could engage; what the risks might be, and how they could be assured that the police would not abuse them or harass them. These can be sensitive and difficult conversations. Sometimes we went again into the group, with their agreement, with the police, for further meetings. These were important encounters. They might be one small factor in enabling communities to move from disconnection with the law and those charged to enforce it, into co-operation with policing dramatically.

What did our people think of us? 86% believed that we were independent. 78% of the people believed that we were impartial. 84% thought we were fair. And even police officers who had been investigated and were anonymously surveyed reported high levels of confidence – 90% of police officers, who had been investigated, believed the independent

investigator was impartial, 84% believed they were fair and 92% believe they were professional.

## CONCLUSION

Independent investigation of police and security sector wrongdoing is one tool which, used in conjunction with proper leadership, management, training, equipment, resources, policies and practices can bring about much better policing and security. Positive leadership, not just warm words are necessary, on the part of all the leaders of institutions throughout the criminal justice system to accommodate the new order. It can engender confidence both in the independent investigative system and in policing itself. It can be a challenge for police. In Northern Ireland the police commanders recognised the benefits of the system and the people had confidence in it.

Independent investigation can

- Identify wrong doing and present a case for prosecution or disciplinary action
- Identify cases where the evidence does not support the allegations and explain this clearly on an evidence based approach to the people;
- Grow confidence first in the fact that there is purpose to registering the allegation of wrongdoing and that it will be dealt with;
- Grow confidence in the community that the police, security or military are there to protect them

Introducing independent investigation of allegations against police officers is not easy, but the benefits clearly outweigh the costs. You have a moment of opportunity now. It will be challenging and difficult. If you follow through and seize the moment Ireland will have better structures of governance overall.

Thank you

Baroness Nuala O'Loan DBE MRIA

20 June 2014

## The Mitchell Principles

All involved in negotiations had to affirm their commitment to:

\*To democratic and exclusively peaceful means of resolving political issues;

\*To the total disarmament of all paramilitary organisations;

\*To agree that such disarmament must be verifiable to the satisfaction of an independent commission;

\*To renounce for themselves, and to oppose any effort by others, to use force, or threaten to use force, to influence the course or the outcome of all-party negotiations;

\*To agree to abide by the terms of any agreement reached in all-party negotiations and to resort to democratic and exclusively peaceful methods in trying to alter any aspect of that outcome with which they may disagree; and,

\*To urge that "punishment" killings and beatings stop and to take effective steps to prevent such actions.