

# The Role of Ombuds Institutions in Security Sector Governance



## **INDEPENDENT OVERSIGHT OF THE POLICE GOOD PRACTICES**

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# Presentation Overview



## Key Features of Effective Oversight:

- Independence
- Mandate
- Powers – Handling Complaints

# INDEPENDENCE



- **Hierarchical independence: Reporting lines**
- Good practices: Belgium Committee P, N. Ireland Police Ombudsman
- **Financial independence: Minimum budget guarantees**
- Good practice: New Zealand IPCA
- **Operational Independence: Investigative powers**
- Irish Garda Ombudsman, N. Ireland Police Ombudsman

# MANDATE



## Independent Oversight Bodies



### General Mandate

#### National Ombuds Institutions

- Austria
- Netherlands
- Brazil



### Special Mandate



#### Broad

- N. Ireland Police Ombudsman
- Denmark IPCA



#### Narrow

- Eng& Wales IPCC
- N. Zealand IPCA

# POWERS : HANDLING COMPLAINTS



- **Receive and record**
  - Good practice: Brazilian Ombudsman
- **Compel police cooperation**
  - ✓ Obligation to notify oversight body
  - Good practice: New Zealand IPCA
- ✓ Obligation to provide all necessary documents
  - Good practice: South Africa ICD

# POWERS : HANDLING COMPLAINTS



- **Investigate : N. Ireland Police Ombudsman ‘Gold Standard’**
- Identify and interview witnesses,
- Conduct or arrange any required forensic and medical examinations
- House to house enquires, securing CCTV footage
- Search police premises and filing systems,
- Seize documentation and other police material

**Guidelines for investigation: European Partners Against Corruption (2012)**

# HANDLING COMPLAINTS – REFERRAL AND RECOMMENDATIONS



- **Refer to public prosecutor**
    - Good Practice: Denmark IPCA – Power to appeal
  - **Disciplinary offences**
    - Good practice: N. Ireland Police Ombudsman – Oblige disciplinary tribunal
  - **Issue recommendations**
    - Good practice: England and Wales – Authorities obliged to respond and justify
- IPCC Publishes the response of authorities

# USEFUL LINKS



- Garda Ombudsman (Ireland), <http://www.gardaombudsman.ie/about/about.html>
- Northern Ireland Police Ombudsman <https://www.policeombudsman.org>
- Independent Police Complaints Commission (England and Wales)  
<https://www.ipcc.gov.uk>
- Independent Police Complaints Authority (Denmark)  
<http://www.politiklagemyndigheden.dk/english>
- Independent Police Conduct Authority (New Zealand) <http://www.ipca.govt.nz>
- Independent Police Investigative Directorate (SA) [www.icd.gov.za/](http://www.icd.gov.za/)
- Ombudsman's Office, (Brazil) <https://www.embrapa.br/en/ouvidoria>
- Committee P (Belgium), <http://www.comitep.be/EN/index.asp>
- Office of the Commissioner for Fundamental Rights (Hungary),  
<https://www.ajbh.hu/en/web/ajbh-en/about-the-office>
  
- European Partners Against Corruption (EPAC) 2012, Police Oversight Principles:  
[http://www.epac.at/download/EPAC\\_Handbook\\_Online.pdf](http://www.epac.at/download/EPAC_Handbook_Online.pdf)





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