

International police complaints reform

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Overview

Purposes of complaints systems

International reform trend

Types of complaints mechanism

Observations on reform in Bahrain,
Brazil, N. Ireland, Jamaica and
England & Wales

Purposes of complaints systems

Accountability mechanism

Protect against impunity

Protect human rights

Address grievance of complainant

Facilitate and demonstrate responsiveness

Lesson learning

Regulatory mechanism

International reform trend

The U

Year	Jurisdiction	Institution
1958	Philadelphia, USA	Police Advisory Board
1966	New York, USA	Civilian Complaint Review Board
1977	England & Wales, UK	Police Complaints Board
1981	Ontario, Canada	Toronto Police Complaints Commissioner
1985	England & Wales, UK	Police Complaints Authority
1986	Victoria, Australia	Police Complaints Authority
	Hong Kong	Independent Police Complaints Council
1990	Ontario, Canada	Police Complaints Commissioner Special Investigations Unit
1993	Belgium	Standing Police Monitoring Committee
1993	New York, USA	Civilian Complaint Review Board
1996	Sao Paulo, Brazil	Police Ombudsman
1997	South Africa	Independent Complaints Directorate
2000	Northern Ireland, UK	Police Ombudsman
2004	England & Wales, UK	Independent Police Complaints Commission
	Victoria, Australia	Office of Police Integrity
2007	Ireland	Garda Síochána Ombudsman Commission
2008	Hungary	Independent Police Complaints Board
2009	Ontario, Canada	Office of the Independent Police Review Director
2010	Jamaica	Independent Commission of Investigations
2012	Denmark	Independent Police Complaints Authority
	South Africa	Independent Police Investigative Directorate
2013	Scotland, UK	Police Investigation and Review Commissioner
	Victoria, Australia	Independent Broad-based Anti-Corruption Commission

Common features

Scandal and reform cycle

Complainants principal reform catalyst

Police scepticism

Separation of complaints and misconduct proceedings

Historical cases problematic

Public prosecutor problematic

Progress is difficult and slow

Types of police complaints mechanism

Internal police

Ministry for police

Public prosecutor

Ombudsman

Citizen oversight

Observations

	Reform triggers	Complaints body (type: established)	Legislation	Powers of IPCB	Difficulties faced (achievements)
Bahrain	Public protests in February & March 2011 Bahrain Independent Commission of Inquiry (2011)	Secretary General of Grievances (ministry for police: 2011)	Decree to establish independent office for Secretary General of Grievances 2011	n/a	Continuing tensions between Sunni and Shia communities Reforms have failed to attract support across communities
Brazil	Military dictatorship ended 1985 Protests against police violence and 'resistance shootings' UN Special Rapporteur (2010b)	Various: Police Ombudsman introduced in 21 of 24 states by 2012 (IPCB)	Various: at discretion of State Governor	Various: not including investigation	Lack independence, powers and resources 1979 Amnesty Law (IACtHR ruled unlawful in <i>Lund v Brazil</i> , 2010) 2011 Truth Commission
England & Wales	Campaigns for justice Civil litigation against police Home Affairs Cttee (1998 & 2013) Council of Europe CPT (2000)	Independent Police Complaints Commission (IPCB: 2004)	Police Reform Act 2002	Investigation of small number of complaints and misconduct cases; review; regulatory	Reliance on former police officers Obstructive police Accused of lack of courage Further reform planned
Jamaica	Protests against police violence Jamaicans for Justice IACtHR (<i>Gayle v Jamaica</i> , 2005) Int. Am. Comm. on H. R. (2013)	Independent Commission of Investigations (IPCB: 2010)	The Independent Commission of Investigations Act, 2010	Investigation of police abuses of power	Disputes with police and public prosecutor re. powers (resolved in favour of Indecom) (fatal police shootings reduced)
Northern Ireland	Peace process ECTHR (eg <i>Jordan v UK</i> , 2001) Hayes review (1997) Irish, US & Canadian governments	Police Ombudsman (IPCB: 2000)	Police (Northern Ireland) Act 1998	Manage and investigate all public complaints	Police disengage with public Historical investigations Reliance on former police officers (Internationally acclaimed)

Conclusions

Independent Police Complaints Bodies part of wider police reform programmes

International trend moved from independent review to independent investigations

Signs that independent regulation of police may be introduced as part of agenda to professionalise policing