

Police Officers' attitudes to members of the public who complain

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The current study is derived from a survey of 3924 officers in the Police Service of Northern Ireland (PSNI) regarding their attitudes and opinion about the police complaints system operated by the Police Ombudsman for Northern Ireland (PONI), including attitudes towards members of the public who complain. Negative attitudes were hypothesised as situated within the theoretical context of a 'canteen' sub-culture. A logistic regression model predicted that those officers with negative attitudes towards the public who complain, are more likely to have been the subject of a complaint. This is in the context of oppressive and uncivil behaviour by officers.

Keywords: Policing; Police Complaints; Police sub-culture

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Introduction

Much of the existing research on police culture and police misconduct has been focused on the individual officers, with various forms of police misconduct being regarded as an individual level phenomenon, i.e. as a recruitment related problem, sometimes referred to as 'bad apple theory'. More recently, however, this approach has become the subject of an increasing amount of criticism. Thus, the research focus has now shifted to regarding the issue of police misconduct as an organisational one (Ekenvall, 2003). The subject of the research contained in this article is derived from a survey of police officers in the Police Service of Northern Ireland (PSNI). The survey was part of a series of exercises designed to obtain management and organisational data pertaining to the new police complaints system in Northern Ireland under the aegis of the Police Ombudsman for Northern Ireland (PONI). Specifically here, these measures included officers' opinions and attitudes towards the new complaints system, in 2003 - three years after its inception. The key purpose is to combine both information at the organisational level, yet identify variables that will predict whether an individual officer, by virtue of a facet of attitude will be more likely to be the subject of a complaint.

According to Seneviratne (2004) there are a number of models for police complaints systems, internationally. Many policing organisations continue to have complete self-regulation, with the police conducting investigations into complaints without any external oversight. Over the past few decades though, complaints against the police are being dealt with by bodies which are entirely independent of the police, where the body has complete responsibility for the investigation of all complaints

against the police. This is the case with PONI in Northern Ireland. This system is borne out of a long history involving political and religious conflict in this region. A conflict in which the police were entirely enmeshed, organisationally, operationally, and politically. The decision to implement a completely independent model for dealing with police complaints is promulgated from, inter alia, as Maguire and Corbett (1991) mention, that complaints bodies should have a role in gaining public confidence in policing.

Policing and Police Complaints in Northern Ireland

Policing is one of the most hotly contested and politicised issues in Northern Ireland. The complex web of identities, loyalties, and politics that is policing are not easy to disentangle. For a more in-depth tracing of the historical context see (O’Rawe & Moore 2000). We are concerned here with more recent developments.

Up to 2000, police complaints in Northern Ireland were overseen by the Independent Commission for Police Complaints, a system similar to the Police Complaints Authority in England and Wales that was in existence contemporaneously. Under that system, the Royal Ulster Constabulary investigated complaints against officers under the supervision of the Independent Commission for Police Complaints. Its replacement by the PONI followed the review of the system of police complaints (Hayes, 1997) and the more general review of policing in Northern Ireland (Patten, 1999). The Patten Commission was initiated under the terms of the 1998 Good Friday Agreement to investigate future policing structures and arrangements for Northern Ireland. Reform of the police service emerged as a central plank of the peace process. As a result, there were changes to the Royal Ulster Constabulary, renamed the Police Service of Northern Ireland, which included an

attempt, through legislation, to have equal recruitment across the sectarian divide. A Policing Board replaced the Police Authority for Northern Ireland, with responsibilities for strategic planning, allocating the budget, and monitoring performance (Ellison & Mulcahy, 2001). The Police Ombudsman for Northern Ireland became operational in November 2000.

Police organisational subculture

Research and theorising about policing has put forward the notion that police organisations possess a distinctive occupational sub-culture (Waddington, 1999). This sub-culture largely manifests in shared beliefs and values especially among the lower ranks who are most likely to encounter members of the public in public order or situations involving conflict and coercion. These beliefs and values are mostly regarded as being entirely malign in being responsible for many of the routine injustices involving coercion and restraint that are perpetrated against especially vulnerable people. However, as pointed out and elaborated upon by Waddington (1999), police sub-culture is neither monolithic or homogenous, and indeed is quite naturally adaptive in an ethnographic context in society. Nevertheless, this ‘canteen culture’ is particularly seen as promoting resistance to organisational progress and change, and as being deeply rooted in conservative and authoritarian precepts. Indeed, as Hillyard and Tomlinson (2000) point out with specific regard to the police in Northern Ireland during the zenith of the implementation of organisational change, and the introduction of oversight and accountability mechanisms: The universal police tendency to close ranks in the face of outside scrutiny is amplified among RUC/PSNI officers, who feel under fire, politically and physically. The complaints system is yet another vehicle through which civilians can ‘attack’ the police and its

routine operation may erode officer morale. As Reiner (1992) points out, the basic referents of police sub-culture include a sense of mission; a desire for action and excitement, and a certain glorification of violence. This is enveloped by an 'Us/Them' division of their social world, alongside a suspicion and cynicism towards the public, the law and legal procedures (Reiner 1992).

Police sub-culture is conceived here as attitudinal variables that seek to explain police behaviour. Waddington (1999) explains that such a concept seeks to bridge what officers say and do in one context, usually the privacy of the police station, with what they do on the street in encounters with members of the public, and that the bridge between thought and action is not straightforward, and involves complex contextual issues. However, the subject matter and data in this study can enable us to bridge this 'gap' by developing a predictive model that will provide a measure of relationship between officers' attitudes towards the public who make complaints against the police, and the likelihood of officers having received complaints against them. The contextual issues of relevance here can be elaborated upon in terms of the general profiles of complaints data from 2003.

It is the case that research on police subculture refers to the 'frontline' lower rank officers who deal, day to day, with the routine public misdemeanours on the streets. Figure 1 gives a broad profile of the nature of allegations made from police complaints during 2003/4.

Insert Figure 1 about here

Dealing with complaints against the police in Northern Ireland

The practical process of how PONI deals with incoming complaints against the police is represented in Figure 2.

Insert Figure 2 about here

All complaints against the police in Northern Ireland are dealt with by PONI. Whilst complaints are readily made directly to PONI, referrals of complaints may come through a variety of conduits such as a complaint made at a police station, or through a solicitor or member of parliament. A team of complaints officers processes the complaints as they are received by PONI. The complaints are either withdrawn or closed under a range of categories (see below), or referred for investigation by teams of investigators.

As can be seen from Table 1, there were 2799 complaints made against the police. Fifty-five percent of complaints were categorised as involving oppressive behaviour or incivility; 12% of these were in relation to the use of a baton or handcuffs. Forty-two percent of these complaints arose from incidents involving conflict either on the street, or in a police station. Overall, 21% of complaints were in relation to the arrest of an individual. Forty percent of all complaints related to incidents at the weekend, between 9 pm and 3 am. In terms of broad demographic profile of complainants, 41% were male, and the majority of these (57%) were unemployed.

Insert Table 1 about here

The complaints during this period were disposed of through the protocols and processes in the Police Ombudsman's office. Seventy-six percent of the complaints

received during the year were closed due to being withdrawn, closed after initial enquiries, found to be vexatious or ill-founded; or closed after a more substantial investigation. Six percent were referred to the Director of Public Prosecutions with a recommendation for no further action. Three percent were referred back to the Chief Constable recommending disciplinary action only, and only seven cases involving twelve officers were forwarded to the DPP recommending that charges be brought. Fourteen percent were informally resolved. There is a common view amongst officers that the profile of these data alone, in terms of the unsubstantiated nature of the vast majority of complaints, may precipitate and predispose the frontline officers towards a cynical view of the public who complain, and the complaints system. This study elaborates upon officers' attitudes to the complaints system, and enquires regarding their experience of it.

However, as Waddington (1999) states, police subculture, in terms of attitude as it is related to behaviour in terms of context is neither homogeneous nor monolithic. The data in this study can help us build the model thus (see Table 2 below): Only around a third of Constables in uniform received a complaint against them. Even among the Tactical Support Groups (TSG), whose main role is in public order policing, a third of these officers do not receive complaints. Overall, of officers whose duties involve over 75% of their time in contact with the public, only 40% were complained about by members of the public. Presumably the officers who do not receive complaints are involved in the same duties, encountering the same or similar incidents according to the complaints profile above. This draws the argument toward a simple causal model. The premise therefore being that officers who possess distinctly negative attitudes towards the public who make complaints (and perhaps by default, the general public) will be more likely to have been the subject of complaints

by the tenor of their behaviour. This may be in the over zealous use of restraint, or unnecessary and disproportionate application of coercive and oppressive tactics, rather than applying conflict resolution methods. An additional variable to be included in the model, that may be pertinent in the context of the organisational change, new accountability mechanisms, and the transition from the RUC to the PSNI is length of service. Newer recruits to the PSNI (less than 2 years service), have gone through a robust new, high quality selection process. Their initial training is viewed as a progression towards obtaining a degree level qualification in policing, and it places policing in a more academic framework as well as viewing police work through the prism of human rights. Therefore, it is proposed that they will have a more enlightened and broader view of their role as police officers, and a more positive attitude towards the public and complainants, in that they will have an in-depth understanding of the context of accountability and oversight mechanisms, processes, and systems.

Method

As part of the process of consultation in order to improve the quality and effectiveness of the police complaints system, PONI was eager to gain management data in order to improve the service it offers to its users, both public and police. It was also keen to gauge the extent of knowledge surrounding its powers of independent investigation and in gaining the confidence of the police in the new police complaints system. It was determined that a survey methodology should be used to gather data from as wide a range of serving members of the PSNI as possible.

Participants

It was decided at an early stage of the project that all serving members of the PSNI (as well as Student officers) should be asked to participate in the survey. This would facilitate analyses by such variables as officers' length of service and rank. Of the 9900 questionnaires distributed, 3877 were returned. This is a response rate of 39.2%. As can be seen from Table 2, the sample represents adequately, according to the make-up of the PSNI (see Chief Constable's Annual Report (2003)), the range of officers in the PSNI across rank. All major functions in the organisation are also represented fully, as well as length of service. The survey afforded complete anonymity for all respondents.

Insert Table 2 about here

Questionnaire

The questionnaire consisted of twenty-two questions and included both closed and open-ended questions to allow for a full breadth of answers.

The content areas of the questionnaire sought to provide information on:

- Police officers' perceptions of the impartiality of Investigation of complaints by the Ombudsman
- Their perceptions of fairness and equality of treatment of public and police by the Ombudsman
- Their attitudes to complaints and complainants
- Their perceptions of the conduct of the PSNI
- Their knowledge of the Police Ombudsman's Office and the complaints system
- Their ratings of the skills and professionalism of the Police Ombudsman's Investigators
- Their ratings of the performance of the Police Ombudsman's Office
- Their thoughts on the independent investigation of complaints and whether the work of the Police Ombudsman would improve policing in Northern Ireland
- For those officers who had been the subject of investigation by the Office, their perceptions of the way in which they had been treated.

In the questionnaire that was sent to all serving PSNI officers, there were 18 scaled items. These statements were designed to obtain an attitudinal response on three areas:

- (1) Police officers' attitudes on the professionalism and impartiality of OPONI during investigations;
- (2) Police officers' attitudes towards those members of the public who make complaints against the police;
- (3) General attitudes towards the concept of both independent oversight and investigation of complaints against the police making improvements in policing and therefore increasing public confidence in the police.

Confirmatory Factor Analysis (CFA) was performed using AMOS version 16. This revealed three robust factors. These were as above, and are briefly described as: PONI Professionalism; Public Confidence; and Attitudes to Public. The evaluation of the factor model was carried out using the Root Mean Square Error of Approximation (RMSEA). RMSEA=0.064 (90% Confidence Intervals: 0.061 to 0.067) which indicates a fairly good model fit.

Distribution/collection/analysis

The survey fieldwork was carried out in January, February and March 2003.

Envelopes containing a copy of the questionnaire and a reply-paid envelope for its

return were packed by the printers and delivered to a central distribution point at a PSNI location. The reply-paid envelopes were addressed to the Northern Ireland Statistics and Research Agency (NISRA) main office, where they were opened and the enclosed questionnaires forwarded to a location in England for data preparation.

Results

A logistic regression was performed using the dichotomous dependent variable indicating whether each individual officer had been the subject of a complaint or not. The classification 'been the subject of a complaint' is coded as Yes=1 and No=0. Table 3 shows the descriptive statistics for each of the potential predictors. The association of each with the likelihood of having received a complaint is elucidated by odds-ratios. The Hosmer-Lemeshow, goodness-of-fit was $\chi^2=7.393$, $df=3$, $p=0.495$, and the model classified 70.6% of cases correctly. This indicates that the model was a good overall fit for the data.

Insert Table 3 about here

As already mentioned in the development of the model, only around a third of Constables in uniform received a complaint against them. Constables were, however, significantly more likely to have been complained against, compared to higher ranked officers. Even among the Tactical Support Groups (TSG), whose main role is in public order policing, a third of these officers did not receive complaints. Overall, of officers whose duties involve over 75% of their time in contact with the public, only 40% were complained about by members of the public. In terms of contact with members of the public, the general dose-response pattern of percentages of officers who had been complained about and the odds-ratios, demonstrates a certain validity for the data and model. Officers with over 2 years service are much more likely to have been the subject of a complaint than those with less service. Only 15.4% of the newer officers had received a complaint against them, in comparison with officers who had 3 to 10 years in the job (45.1%).

The last three variables included in the model are the attitudinal variables across the three factors: Professionalism of PONI; Increasing public confidence; and attitudes towards members of the public who complain. As can be seen, having controlled for rank, length of service, function, amount of contact with the public, and gender, those officers who have more negative attitudes towards the public who complain, are significantly more likely to have been the subject of a complaint than those officers with more ambivalent or positive attitudes.

Discussion

The survey produced a wealth of data about the attitudes of serving officers of the PSNI towards the Police Ombudsman's Office, and what police officers felt about people who make complaints against the police and the effect of the new system for the independent investigation of these complaints upon police performance and public confidence in the police.

The usefulness of employing the 100% sample survey has been confirmed, in that the final sample obtained mirrored the composition of the PSNI as noted in the Chief Constable's Annual Report. This facilitated the analysis of the data by a number of categorical variables that served to illustrate the variation in respondents' opinions, in particular in relation to officer rank and current duty type.

It can be asserted from the model presented above, that those officers who have particularly negative attitudes towards the public who complain, are, in themselves, those officers who are more likely to have been the subject of a complaint. It can be tentatively implied from this finding, that these officers are therefore those who are more likely to have used perhaps oppressive and coercive, or uncivil behaviour towards members of the public. Of course, this can only be tentative at this stage, as there is no temporal aspect to the variable, and it cannot be claimed with any certainty that poor attitudes towards members of the public were present prior to any incident that lead to a complaint being made. However, given the profile of the prominent types of allegations made; oppressive behaviour, on the street or in a police station, during the weekend, late at night, involving young men, many of whom are unemployed, it can be surmised that the majority of lower rank, frontline officers on the street, who have had a complaint made against them, have been involved in conflict situations that have been the subject of the complaint. What

makes the model viable in its implications is the fact that there are large proportions of frontline officers who have not been the subject of complaints. It is further assumed that these officers have been involved in the same conflict type situations. It can be surmised only, that these officers have dealt with such situations in a different, perhaps more proportionate manner, that has not been regarded by the individual members of the public as having been oppressive or uncivil.

These negative attitudes are clearly apparent only among a certain proportion of officers. This is indicative of the fact that negative or cynical attitudes are not pervasive, homogenous, or monolithic in the PSNI, and confirms Waddington's (1999) assertion in this respect. This is further confirmed by the set of outcomes that indicate that almost two-thirds of officers in the PSNI generally, accord the new complaints system with attitudes that tend to be more positive than not in terms of PONI's professionalism and impartiality, and that such an independent system will engender confidence in policing among the public.

The implications of these findings point towards recommendations in two respects: Firstly, that attitudinal measures such as the one used here can be deployed in order to identify officers who may be predisposed towards harbouring particularly negative attitudes towards members of the public. Secondly, in perhaps identifying these more cynical or negative attitudes, training in awareness regarding the circumstances that surround the patterns and extent of complaints made should be developed that would precipitate attitudinal change.

References

- Ekenvall, B. (2002) Police attitudes towards fellow officers' misconduct: The Swedish case and a comparison with the USA and Croatia. *Journal of Scandinavian Studies in Criminology and Crime Prevention*, Vol 3(2), 2002. pp. 210-232
- Hayes, M. (1997), A Police Ombudsman for Northern Ireland? HMSO, Belfast
- Hillyard, Paddy & Mike Tomlinson, 'Patterns of Policing and Policing Patten', *Journal of Law and Society*, September 2000, Vol. 27 No. 3
- Maguire, M., & C. Corbett, A. (1991) *Study of the Police Complaints System*, HMSO: London, Crown Copyright
- Mulcahy, Aogán, and Graham Ellison (2001) 'The Language of Policing and the Struggle for Legitimacy in Northern Ireland'. *Policing and Society*, 11 (3-4):383-404.
- O'Rawe, M., & Moore, L. (2000) 'Accountability and Police Complaints in Northern Ireland: Leaving the Past Behind?' in Goldsmith, A.J. and Colleen Lewis (Eds), *Civilian Oversight of Policing, Governance, Democracy and Human Rights*, Lewis Hart Publishing: Oxford-Portland Oregon
- Patten, C. (1999) A new beginning, Policing in Northern Ireland: The report of the independent commission on policing in Northern Ireland. Crown Copyright
- Reiner, R. (1992) *The Politics of the Police 2nd Edition*, Harvester Wheatsheaf: Hertfordshire, 1992
- Seneviratne, Mary (2004) Policing the Police in the United Kingdom. *Policing & Society*, Vol 14(4), Dec 2004. pp. 329-347.
- Waddington, P.A.J. (1999) Police (Canteen) sub-culture. *British Journal of Criminology*, Vol 39, 2

Table 1 Complaints against the police – closure and outcome 2003/4

Disposal	N	%
Closed - incapable of investigation	21	1
Closed - following inquiries	1214	43
Closed - withdrawn by complainant	184	7
Closed - ill-founded	269	10
Closed - vexatious, anonymous, repetitive, abuse of procedure	66	2
Closed following investigation - not substantiated	360	13
Informally Resolved	400	14
Referred to DPP, no further action recommended	174	6
Referred to DPP, criminal charges recommended	10	0
Referred to Chief Constable with disciplinary/other recommendations	76	3
Sections 55 (Regulation 20) Reports on referred matters	25	1
Total	2799	

Table 2 Police officers by Rank within the PSNI

<i>RANK</i>	<i>Frequency</i>	<i>Percent</i>
Student Officer	47	1.2
Reserve Constable (Part-time)	189	4.8
Reserve Constable (Full-time)	519	13.2
Constable	2,093	53.3
Sergeant	625	15.9
Inspector or Chief Inspector	309	7.9
Superintendent or Chief Super	61	1.6
Chief Officer	6	0.2
TOTAL	3,924	100.0

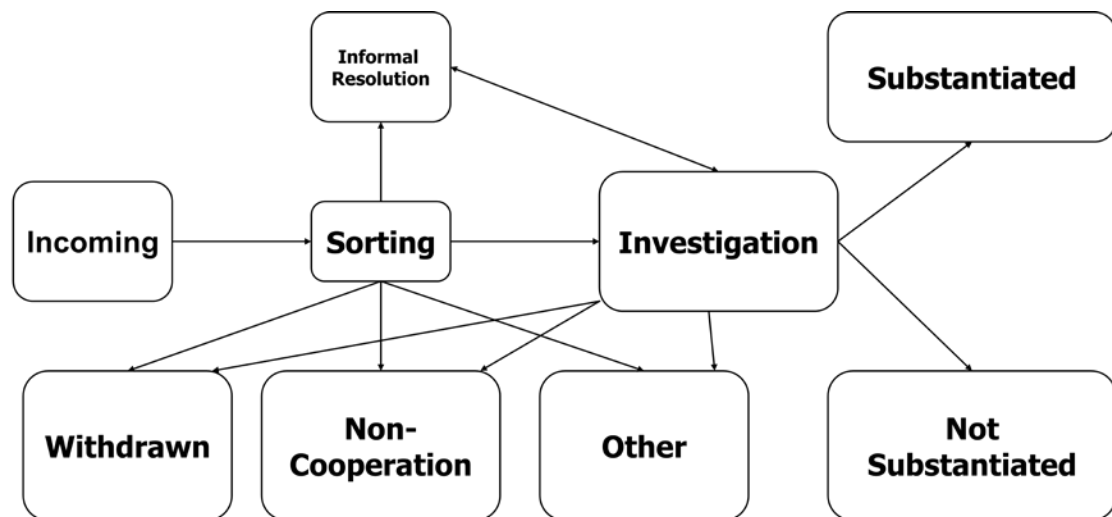


Figure 2 Diagrammatic representation of the processes for dealing with incoming complaints to PONI