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RESEARCH ARTICLE

Reconciling stakeholder interests in police complaints and discipline systems

Tim Prenzler*, Mateja Mihinjac and Louise E. Porter

This article summarizes surveys of three key stakeholder groups in the police complaints and discipline process: the public, complainants and police. In general, public and complainant surveys showed strong support for independent processing of complaints. Complainants were generally deeply dissatisfied with police-dominated and mixed (police/independent) systems. Police experiences and views regarding complaints systems were divergent, but with high levels of satisfaction where they experienced independent processing. Overall, it appears that a much greater role for an independent agency can be managed in a way that substantially satisfies all three groups, especially with the inclusion of informal resolution and mediation options.

Keywords: complaints against police; police oversight; complaint resolution

Background

The creation of oversight agencies has largely occurred in response to the abysmal record of police internal investigations. Numerous inquiries and reviews have stridently condemned police for protecting officers and deflecting or threatening complainants (Goldsmith, 1991; Hopkins, 2009). The trend toward greater independence has occurred largely within democratic contexts, with governments obliged to give ground to lobbyists on the issue. Nonetheless, the argument that only police have the expertise and understanding to manage complaints continues to dominate. Most oversight agencies engage in very limited reviews of police investigations and discipline. This is despite the ongoing record of failure, despite the generic nature of investigative skills, and despite indicators of high levels of stakeholder dissatisfaction (Hopkins, 2009).

Inquires and reviews have also frequently found that oversight agencies lacked the powers or resources to counteract the problem of bias. Consequently, there are ongoing moves for agencies to take a much greater role in directly processing complaints. Some agencies have prescribed degrees of involvement for different matters, focused on independent investigation of more serious cases. Others have discretion to independently investigate serious matters (Hopkins, 2009; Porter & Prenzler, 2012). At this stage, however, the system in Northern Ireland, established in 2000, appears to be the only one that embodies substantial independence – in terms of the institutional separation of the Police Ombudsman from the Police Service and the large scope of investigations by the Ombudsman (Criminal Justice Inspection Northern Ireland, 2011; Porter & Prenzler, 2012).

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Improved public confidence is a major goal of complaints handling bodies. Therefore, the general public, together with complainants and police, are viewed as key stakeholders in these systems. While agencies are not expected to serve a particular client base, participant satisfaction – particularly in relation to perceived impartiality and fairness – is one indicator of the effectiveness and legitimacy of a system. This article, therefore, reviews stakeholder surveys of different complaint handling systems, differentiated by the degree of independence from police. While individual views may be biased by personal perspectives or agendas, triangulation between sources minimizes these effects. Thus, if stakeholders with potentially different agendas can be satisfied by the same system, this goes some way to validating its effectiveness.

Method

A systematic review was undertaken to identify studies of the public, complainants, and police about the issue of who should process complaints; and of complainants and police about their experiences of different systems. Databases searched up to August 2012 included Criminal Justice Abstracts, CINCH, Google Scholar and Google Search. A large number of keyword combinations were employed; including ‘complaints against police,’ ‘complaint investigation,’ ‘public opinion,’ and ‘police oversight’. The reference lists of publications identified by this means were also searched, and initial sources were used to inform searches of agency websites.

A shortlist was developed of public opinion surveys that included questions about complaints against police. These surveys are generally conducted by telephone and often involve outsourcing to private survey firms. Most are careful to engage in proper sampling and report on the demographics of respondents. Surveys were included in the final list if they had a question that essentially asked, ‘who should investigate complaints against police?’ Surveys were excluded that asked questions about respondents’ views of the agency in their jurisdiction, because the questions were not sufficiently generic. A number of limitations apply to these surveys. Responses are likely to be affected by contextual factors, which may be hard to identify, such as the nature of police-community relations or particular policing scandals. The wording of questions can also restrict the range of views. For example, questionnaires tend to polarize responses between independent and internal investigations, excluding the option of mixed formats; and they usually do not ask for views about how different types of complaints should be handled.

Two shortlists were developed for the surveys of complainants and police about their experiences with complaint systems. Surveys of complainants are mainly conducted by post, with reportage of response rates and demographics. Surveys of police are conducted by various means, including internal post. Questionnaires often ask numerous specific questions about diverse aspects of the complaints process. The results reported here are focused on investigations, and responses to questions about satisfaction regarding ‘process,’ ‘outcome,’ and ‘overall’ experience; and about preferred agencies for investigations. In some cases, these categories were applied to closely related terms, such as ‘aims achieved’.

Initially, an attempt was made to identify surveys in four types of systems, including purely internal ones. However, it was apparent that most systems described in survey reports included some oversight. Consequently, three categories were included. Surveys were categorized as being in (1) ‘police-dominated’ systems, where it appeared that external involvement was probably either non-existent or highly limited and detached. For example, Queensland was categorized this way because the large majority of complaints

were managed by police, while oversight agency investigations were carried out by seconded police. Surveys were included in (2) 'mixed' systems, where it seemed that there were significant degrees of both internal and external involvement in investigations. This included cases where it appeared that the external agency conducted investigations, but using former police officers from the jurisdiction (e.g., Israel). Surveys by Sviridoff and McElroy (1989a) and Bartels and Silverman (2005) involved complaints that appeared to have been investigated independently by the Civilian Complaint Review Board in New York City. However, these were included with mixed systems because the Board lacked an adjudicative function.

The final category was (3) 'independent' and was applied only to the Police Ombudsman for Northern Ireland. The Ombudsman's Office directly investigates almost every complaint made against police, and it has a direct role in adjudication. A recent review found that some investigations into legacy cases may have been partially compromised (Criminal Justice Inspection Northern Ireland, 2011). However, the review expressed confidence in the Ombudsman's independence in relation to contemporary matters. The review did note that 'there is a substantial proportion of investigative staff (around 41%) from a former police background' (p. 32), and there was an implication that this ratio was a little too high to ensure adequate perceptions of independence. At the same time, when selection standards and 'operational protocols' were considered, the review found that, 'in the main, the necessary safeguards are in place to protect the operational independence of the Police Ombudsman' (p. 32). Finally, surveys where it was entirely unclear which agency was most involved in the investigation were excluded from the sample.

As indicated, the issues addressed in these surveys are complex. The present study was only able to provide summary data on key topics. It should also be noted that results have been rounded wherever decimal points were included, and that results for categories such as 'undecided' or 'don't know' have not been included.

The public

A final list of 12 public opinion surveys was developed. Table 1 shows variation in the results, but a large number of surveys with extremely high levels of support for external investigations. In their report on the results in the British Social Attitudes Survey, Tarling and Dowds described the average response of 91% in favor of independent investigation of 'serious' complaints as 'unusual,' representing 'near-universal support' (1997, p. 206). Only two surveys asked about a combination of internal and external agencies, with 80% support for 'review boards with both police and civilian members' in one case. Overall, there were very low levels of support for purely internal police investigations.

Of note is the fact that five of the Queensland surveys included questions about different types of complaints: 'rudeness,' 'assault,' and 'bribery'. Respondents were asked about the best agency to deal with these complaints: the Police Service or the oversight body – the Criminal Justice Commission (CJC, later the Crime and Misconduct Commission (CMC)). Other alternatives were 'Ombudsman,' 'Local MP/councillor/mayor,' 'Solicitor/lawyer/barrister,' 'Media,' and 'Other'. Table 2 shows the results averaged across the five surveys from 1999 to 2010, with the final survey year included separately. The results show a consistent preference for the police to deal with lower level complaints of rudeness, but with majority support for an external body for assault and bribery allegations.

Table 1. Summary findings of public opinion surveys on who should investigate complaints against police.

Location	Percent supporting type of investigation			Qualifier	Source (survey year where relevant)
	Independent	Mixed/ both	Police		
Britain	93			'Serious complaints'	Tarling and Dowds, 1997, p. 206, 1990 Ibid., 1994 Ibid., 1996
	92			'Serious complaints'	
	89			'Serious complaints'	
England and Wales	59	20	16		Electoral Reform Ballot Services, 1997, p. 7 IPCC, 2008, p. 8
	87			'Serious corruption'	
	47			'All complaints'	
	49			'Most serious'	
	77			'[Death] after contact with police'	
Queensland	89				CMC, 2009, p. 54, 1995 Ibid., 1999 Ibid., 2002 Ibid., 2005 Ibid., 2008 CMC, 2011, p. 34, 2010
	90				
	84				
	86				
	92				
	91				
United States	15	80	4		Law Enforcement News, 1992, p. 1

Table 2. Summary results, Five public opinion surveys, Queensland, 1999–2010, 'Agency perceived to be the best to deal with a complaint involving a police officer'.

Complaint/agency	Rudeness		Assault		Bribery	
	Average	2010	Average	2010	Average	2010
Queensland Police	70	63	46	26	33	15
CMC	20	39	37	65	53	80
All other	11	7	18	10	14	5
CMC + all other	31	46	54	75	67	85

Source: CMC, 2011, pp. 36, 37 and 39.

A number of other surveys asked questions that were relevant to the topic, including in relation to terms such as 'oversee' or 'review,' rather than 'investigate':

- A New York City survey found that 76% of respondents supported the proposition that 'An independent group should oversee the Department' (McGuire Research Services, 2000, p. 7).
- A survey of 'black and minority ethnic communities' about the independent Office of the Police Ombudsman for Northern Ireland found that 76% believed the Ombudsman was 'necessary' and 59% believed it 'can help change the police' (Radford, Betts & Ostermeyer, 2006, p. 102).

- A survey in Austin, Texas, found that 87% of respondents favored ‘the creation of a citizen’s review board’ to monitor police (Schott, 2001, p. 4.5).
- A focus group study in the US found that ‘a large majority of participants expressed deep cynicism about the [police-dominated] complaint process’ (Walker, 1997, pp. 219–220).
- In a focus group study in England and Wales, ‘the majority of participants – regardless of background – were in favor of an independent body being responsible for dealing with complaints against police’ (Wake et al., 2007, p. 27).
- The US nationwide survey, shown in Table 1, found that, ‘Overall, 60 percent of respondents felt that police officers would be too lenient in judging officers accused of misconduct’ (Law Enforcement News, 1992, p. 1).

The surveys reported in this section identified minor variations in responses between different demographic groups, but with few consistent patterns. Overall, there was some evidence of a more positive view of independent investigations and greater scepticism of police among minority respondents and those in the 18–24 age bracket.

Complainants

Table 3 shows the findings for surveys of complainants in 26 police-dominated complaints systems. In 24 of these, the large majority of complainants were dissatisfied with all aspects of the process. Only a Canadian survey of ‘street-involved individuals’ – who claimed to have made a complaint against police – found that a small majority reported some satisfaction with the way the complaint was handled (Strathcona Research Group, 2006, p. F-13). The results for nine mixed systems were little different, with only one survey – from the Philippines – showing majority satisfaction (Table 4).

Only the surveys for independent systems – all for the Police Ombudsman for Northern Ireland – produced consistent majority satisfaction in any category (Table 5). The Ombudsman obtained overall satisfaction levels averaging 59% over ten years, with peaks of 67% and 65%. This is despite minority satisfaction with outcomes – 41% over eight years – although a large majority was satisfied with the process – 69%. (The figure for ‘process’ is a compilation of seven specific questions about communication, timeliness, and staff attitudes.) On average (over 10 years), 71% believed they had received fair treatment, with a similar response regarding perceived impartiality of the Ombudsman’s staff – 72% over eight years, with a score of 78% in 2010/11 (PONI, 2011a, p. 19).

Reasons for dissatisfaction across all systems were complex. In some cases, respondents with unsubstantiated complaints were less satisfied than those with substantiated complaints. However, this was not a consistent finding, and respondents with substantiated complaints were also often dissatisfied. Numerous factors were cited that did not necessarily relate to which type of agency conducted the investigation – including lack of communication and lack of timeliness. However, a common theme was distrust of investigating police. Complainants frequently referred to officers appearing to take the side of their colleague under investigation. This was the case even with investigations where some oversight was involved, including external ‘supervision.’ In many cases, it was ‘who’ handled the complaint, more than ‘how’ it was handled, that was critical. In that regard, a common finding was reported by Brown (1987, p. 37): ‘Nearly, two-thirds of the sample was dissatisfied because they felt it was wrong in principle for the police to investigate complaints against their own number’. In jurisdictions with prominent oversight agencies, complainants also reported a sense of extreme disappointment and

Table 3. summary of complainant experiences in police-dominated systems.

Location	Percent satisfied			Percent dissatisfied			% Supporting independence	Source (survey year where relevant)
	Process	Outcome	Overall	Process	Outcome	Overall		
Albuquerque					78			Luna and Walker, 1997, p. 28
Boston	4	7	14	82	82	71		McDevitt et al., 2005, pp. 60–61
British Columbia			54			42		Strathcona Research Group, 2006, p. F-14
Calgary	36	36		68	80			Calgary Police Commission, 1999, p. 92
Cincinnati	8		12	64	64			Ridgeway et al., 2009, p. 134)
Denver				86	86	75	68	De Angelis and Kupchick, 2006, pp. 23–24, 32
England & Wales			20			60		Brown, 1987, p. 37
		3	17		97	82	90	Maguire and Corbett, 1991, pp. 162, 164, 180
		20		71	71	67	67	Waters and Brown, 2000, p. 629, 631
			29			71		Grace and Bucke, 2009, p. 28, 2001/02
			36			64		Ibid., 2002/03
			20			80		Ibid., 2003/04
			24			76		Ibid., 2004/05
			19			81		Ibid., 2005/06
			20			80		Ibid., 2006/07
Oakland & Berkeley				44			77	Perez, 1994, p. 112
Pasadena				78				Bobb et al., 2006, p. 80
Queensland	40	28	48	60	72	52		CJC, 1994, pp. 60–62
			39			56		CJC, 1995, p. 9
				65				CJC, 2000, p. 7
				71				CMC, 2009, p. 47
				50				CMC, 2011, p. 29
Scotland	45	12			53			Fraser, 2009, p. 36
Toronto			16			84	73	Landau, 1994, pp. 63, 64
Victoria (Australia)	23	21		62	55			Ethical Standards Department, 1999, p. 32
	30	24		59	62		78	Prenzler et al., 2010, pp. 8, 11

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Table 4. Summary of complainant experiences in mixed systems.

Location	Percent satisfied			Percent dissatisfied			% supporting independence	Source
	Process	Outcome	Overall	Process	Outcome	Overall		
Denver	11	10	15	87	74	88	De Angelis, 2008, pp. 13, 16 Schatble, et al., 2012, p. 15	
England & Wales		4	26	96	74	82	Maguire and Corbett, 1991, pp. 162, 164, 180 IPCC, 2009b, p. 11	
Israel		10		77	89.2	97	Herzog, 2000, pp. 134, 136	
Kansas City	22	18	7	59	90	64	Perez, 1994, p. 180, 183	
New York City	43	32	36	75	64		Sviridoff and McElroy, 1989a, pp. 45 & 47 Bartels and Silverman, 2005, p. 627	
Philippines			69		32		Guzman, 2008, p. 131	

Table 5. Summary of Complainant Experiences in Independent Systems (Northern Ireland).

Process	Percent satisfied		Dissatisfied Overall	Source (survey year)
	Outcome	Overall		
		56		PONI, 2011a, p. 18–19, 2002/03
		67		Ibid., 2003/04
70	40	58		Ibid., 2004/05
67	38	58		Ibid., 2005/06
74	40	62		Ibid., 2006/07
70	37	57		Ibid., 2007/08
68	42	59		Ibid., 2008/09
73	47	65		Ibid., 2009/10
69	41	59	31	Ibid., 2010/11
61	39	52	37	PONI, 2012, p. 17, 2011/12

betrayal when their complaint was referred back to police (e.g. Landau, 1994). Indeed, Tables 3 and 4 show very high levels of support for both independent investigations of complaints and monitoring of police.

Two surveys of appellants were also identified. In England and Wales, 80% of respondents were dissatisfied with the way the Independent Police Complaints Commission (IPCC) dealt with their case (May, Warburton & Hearnden, 2008, p. 20). A follow-up study found 85% were dissatisfied (IPCC, 2009a, p. 10). Although it appeared that these cases involved a capacity by the Commission to ‘uphold’ an appeal against a police finding, it was not clear – in fact it appeared unlikely – that there was any capacity to overturn a decision.

Eight surveys were also identified regarding complainants’ experience with some form of informal resolution or mediation, normally involving lower level complaints. The results were very mixed. In a Calgary survey: ‘The majority of complainants offered mediation refused it and cited ... a lack of faith that mediation would result in a positive outcome for them’ (Calgary Police Commission, 1999, p. 93). In England and Wales, under a police-managed ‘local resolution’ program, 41% of complainants were satisfied compared with 51% who were dissatisfied (May et al., 2007, p. 23). In Victoria, Australia, 72% of complainants who had their matter dealt with under a ‘Management Intervention Model’ ‘rated the process as unsatisfactory’ (Office of Police Integrity, 2008, p. 47).

In Queensland, ‘informal resolution’ – using police officers trained by civilian Alternative Dispute Resolution specialists – produced more positive results: 76% of complainants who experienced informal resolution were satisfied with the process, compared with 40% of those who experienced a ‘formal investigation’; and 60% who experienced informal resolution were satisfied with the outcome compared to 28% of the formal investigation group (CJC, 1994, pp. 60–62). In Northern Ireland, an evaluation of ‘police-led informal resolution’ found that 52% of complainants were satisfied that their complaint was ‘successfully resolved’ (PONI, 2005, p. 29).

Three studies involving mediation were also identified, all with positive outcomes. In New York City, Bartels and Silverman (2005) surveyed persons whose complaint was either investigated or mediated by the Civilian Complaint Review Board: ‘Eighty-one percent of the complainants felt that the real issues of their complaint were discussed in their mediation session, compared with 32 percent of those who participated in regular full investigation’ (2005, p. 627). A study in England and Wales compared ‘informal

resolution' cases with 'restorative' cases involving 'a face-to-face meeting between complainant(s) and police officers(s) in the presence of a trained facilitator' (Young et al., 2005, p. 285). The face-to-face encounters were described as 'restorative meetings,' while the informal resolution process, conducted by police, was described as 'a weak form of conciliation' (pp. 292 and 287). In most cases, the facilitator was a police officer, although an external person was used in a few cases where complainants objected to a police facilitator (p. 291). The main finding was that, overall, 61% of the restorative group were satisfied and 28% were dissatisfied, while only 33% of the conciliation group were satisfied and 45% were dissatisfied (p. 303). In Denver, 79% of complainants who experienced mediation – conducted through 'an independent mediation vendor' – were satisfied with the process, compared with 11% in the 'non-mediation' sample; and 63% were satisfied with the outcome in mediated cases compared with 7% in non-mediated cases (Schaible et al., 2012, pp. 8 and 15).

Dissatisfaction with informal resolution generally related to lack of information and non-receipt of an apology. There was often a feeling that officers subject to complaint did not take the process seriously and were unwilling to take responsibility for their actions. Efforts at resolution were often considered tokenistic, providing a convenient 'bureaucratic suppression of a dispute' (Young et al., 2005, p. 300). Criticisms were also directed at alleged unsupportive or biased attitudes on the part of police conducting the resolution. In Northern Ireland, 58% of complainants wanted to meet with the officer who was the subject of their complaint, and 73% of complainants thought that informal resolution 'should be handled by people who are independent of the police' (2005, pp. 27 and 29). Complainants also supported external management of informal resolution in Queensland (CJC, 1994, p. 65) and Victoria (Office of Police Integrity, 2008, p. 47).

Police

Tables 6–8 provide summaries of the available results for police experiences of the three types of complaints systems. The seven sets of findings for police-dominated systems were highly variable (Table 6). Some police were very satisfied with the experience, but most were divided – with less than a majority satisfied or dissatisfied. For the six sets of results for mixed systems, there was also considerable variance (Table 7). The Philippines system produced very high levels of satisfaction. The Israeli system, reliant on ex-police, produced very high levels of dissatisfaction. Of some note is the improvement in experiences with the complaint process by Denver Police before and after the introduction of the Office of the Independent Monitor (Tables 6 and 7).

There were six results for independent systems, all from the Police Ombudsman for Northern Ireland. Overall satisfaction averaged 71%, trending upwards slightly. Police officer satisfaction with outcomes was higher, averaging 83%. The scores for satisfaction with process were averaged from six specific criteria, and averaged 69% (2011a, p. 28; 2012, p. 18). This combined result for process was reduced by lower scores for 'Frequency of updates' and 'Time taken to investigate the complaint' – around 53% on average. Much higher scores were obtained for 'Manner of staff during interview' and 'Manner in which police officer was received' – around 83%. A separate question on fairness of treatment received an average positive score of 84%.

Six surveys of officers included general views on internal and external investigations, with highly divergent results (Table 9). For internal systems, support was reported in three studies at 'just over half,' 'a majority' and 45%. Support for mixed systems varied between 70% and 20%. Support levels for independent systems were between one-third

Table 6. summary of police experiences in police-dominated complaints systems.

Location	Percent satisfied			Percent dissatisfied			Source
	Process	Outcome	Overall	Process	Outcome	Overall	
Boston	46	27	36	45	46	64	McDevitt, et al., 2005, p. 69
Denver	46	49	12	30	35	64	De Angelis and Kupchik, 2006, p. 19
Pasadena			75			18	Bobb et al., 2006, p. 50
Queensland	76	68	70	24	32	30	CJC, 1994, p. 76 CJC, 1995, p. A-2*
Victoria (Australia)	39	38		42	41		Ethical Standards Department, 1999, pp. 22 and 23
	36	26		40	36		CAPPE, 2008, p. 17

*Officers with complaints ‘investigated by Queensland Police Service’.

Table 7. Summary of police experiences in mixed complaints systems.

Location	Percent satisfied			Percent dissatisfied			Source
	Process	Outcome	Overall	Process	Outcome	Overall	
Denver		56	37		25	43	De Angelis, 2008, p. 15
	12	49					Schaible et al., 2012, p. 16
England & Wales		55	39		23	31	IPCC, 2009b, pp. 15–16
Israel					79	90	Herzog, 2000, P. 134
Philippines	82	81	80	17	20	20	de Guzman, 2004, PP. 372–373
Queensland			79			22	CJC, 1995, P. a-2*

*Officers with complaints ‘investigated by Criminal Justice Commission’.

Table 8. Summary of police experiences in independent complaints systems (Northern Ireland).

Process	Percent satisfied		Percent dissatisfied		Source (survey year)
	Outcome	Overall	Overall		
71	84	70			PONI, 2011b, p. 28, 2006/07
72	86	70			Ibid., 2007/08
65	81	68			Ibid., 2008/09
66	80	68			Ibid., 2009/10
70	86	74	14		Ibid., PONI, 2011b, p. 18, 2010/11
70	82	73	17		PONI, 2012, pp 17 & 18, 2011/12

and just under half. Some police also supported the view that independent investigations were necessary for public confidence. This was the view of 85% of police in the survey in England and Wales by the Electoral Reform Ballot Service (1997, p. 12). Lower levels of support for this view – typically around one-third – were expressed in other surveys (e.g. Kang & Nalla, 2011; Maguire & Corbett, 1991; Perez, 1994; Reiner, 1991; Wells & Schafer, 2007).

Table 9. Police views on internal and external investigations of complaints.

Location	Percent support			Source
	Internal	External	Mixed/both	
England & Wales	‘Just over half’	‘Almost half’		Maguire and Corbett, 1991, p. 70
	‘A majority’	‘About one-third’		Ibid., p. 71**
	45	30	70	Reiner, 1991, p. 215*
		33	20	Electoral Reform Ballot Services, 1997, p. 9
Israel			62	Herzog, 2001, p. 451
South Korea			36	Kang and Nalla, 2011, p. 184

*Chief Constables. **Investigating Officers

A number of studies asked about officers’ experiences of informal resolution of complaints. Satisfaction levels varied enormously. In Queensland, 76% of officers who experienced ‘informal resolution’ were satisfied with the outcome, compared to 68% who experienced a formal investigation; and 83% were satisfied with the process, compared to 76% subject to formal investigation (CJC, 1994, p. 76). However, in one study in England and Wales, only 25% of police were satisfied with informal resolution (Warburton, May, & Hough, 2003, p. 22). In another, 27% were satisfied and 54% dissatisfied with ‘local resolution’ (May et al., 2007, p. 20). A Cincinnati study found officers fairly evenly divided over their experiences with a complaint resolution procedure. A small majority were positive: 57% believed the outcome was fair, while 43% disagreed; and 42% were satisfied with the process, while 48% were dissatisfied (Ridgeway et al., 2009, p. 134). Across the studies, reasons for dissatisfaction were largely related to perceptions of bias in favor of the complainant, alleged triviality of complaints, delays, and lack of information.

Police, however, were much more positive about mediation. In the British study of ‘restorative’ and ‘conciliation’ cases, described earlier in the complainant section, 85% of police in the restorative group were satisfied and 5% were dissatisfied, while 69% of the conciliation groups were satisfied and 15% were dissatisfied (Young et al., 2005, p. 306). In the Denver mediation study, 81% of police participants were satisfied with the process, compared to 12% in the non-mediation sample; and 73% were satisfied with the outcome compared to 49% with non-mediated cases (Schaible et al., 2012, p. 16). In Calgary, 78% of officers accepted the offer of mediation and, of these, 83% were satisfied with the outcome (Calgary Police Commission, 1999, p. 92). A police focus group study in New York City found that ‘the overwhelming majority of officers claimed that they would prefer some procedure which would permit face-to-face interaction between officers and complainants’ (Sviridoff & McElroy, 1989b, p. 36). Reasons included the ability to counter ‘unfounded’ allegations.

Discussion and conclusions

This review of the available literature on stakeholder views of police complaints and discipline systems was limited by several factors. It was difficult or impossible to identify specific contextual factors that may have influenced responses. At times, the wording of questions or forced responses limited the expression of a full range of views. Furthermore,

of necessity, the review adopted a highly summary approach. Nonetheless, valuable findings were obtained. The most obvious is that there were very high levels of support for independent processing of complaints amongst the public and complainants, particularly for more 'serious' matters. The study also found expressions of support for external 'monitoring' or 'review'. Overall, the general direction of opinion was clearly in favor of wide-ranging independence. Complainant dissatisfaction with police-dominated systems and weak mixed models aligned with public expectations about the lack of legitimacy and potential for bias in internal investigations. Police views were much more diverse, but tending to oppose independent processes. At the same time, a sizeable proportion of police recognized that internal processing is intrinsically suspect and does not satisfy the criterion of public confidence.

Is it possible to produce a 'win-win' arrangement from the results of this research? The positive experiences of police in Northern Ireland, while only a single jurisdiction, support the view that police concerns about biased investigations can be assuaged by an external agency, while also generating majority satisfaction amongst complainants – achieved through a combination of independence and adequate attention to process criteria (communication, timelessness, fairness, thoroughness, etc.). Evidence was also found that the interests of complainants and police can be more effectively addressed through carefully managed forms of informal resolution and, especially, mediation. More generally, the evidence supports a much greater role for complainant input into how a matter is managed. Some complainants will be happy with a senior police officer quickly resolving their matter on an informal basis. Others will strongly desire a face-to-face meeting, probably facilitated by an external mediator. Others again will desire a fully independent formal investigation. These preferences may be partially dependent on the type of complaint. An approach that involves a negotiated response, including with subject officers, is certainly feasible, subject to some controls for consistency and for the seriousness of allegations. Adequate resourcing of this approach is also feasible within a general public sector integrity agency – a system that would also be fairer for police by including other public servants in its jurisdiction (Prenzler and Faulkner, 2010). Efficiency and outreach would be enhanced through the creation of regional offices, easily accessible to the public. Close monitoring of stakeholder experiences would allow for fine-tuning to optimize the system.

Notes on contributors

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