# Hosting Proforma

Office of the Police Ombudsman for Northern Ireland

Name of Host

Organisation

**1. Interchange Manager’s details**

Marie Mullan

Name

Organisation/

Human Resources, Corporate Services

Department

New Cathedral Buildings

11 Church Street

Belfast

BT1 1PG

Address

Telephone Fax number

02890 828622

Number

Marie.mullan@policeombudsman.org

E-mail

Type of Opportunity

**Secondment** – for a period of 2 years (with possibility of short extension subject to the agreement of all parties).

**2. Details of hosting opportunity**

Description of opportunity

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| **Legal Officer**  The Police Ombudsman for Northern Ireland is appointed under Royal Warrant and is a corporation sole. Her statutory duty is to exercise her powers in such manner and to such extent as appears to her best calculated to secure the efficiency, effectiveness and independence of the police complaints system, and the confidence of the public and members of the police force in that system. She has responsibility for the Police Service of Northern Ireland (PSNI), ‘designated civilians’ working with the PSNI, Belfast Harbour Police, Belfast International Airport Police and the Ministry of Defence Police.  The Police Ombudsman receives and investigates complaints about the police made by members of the public, and also matters of public interest involving the PSNI. Where appropriate she makes recommendations regarding criminal and misconduct matters, in respect of which she may also publish statements and make policy recommendations. In addition to this, she has a power to investigate current police policy and practice, and to publish the results of any such investigation. She provides extensive statistical and management information to the Department of Justice, Chief Constable and Northern Ireland Policing Board. In undertaking her statutory duties, the Police Ombudsman employs approximately 150 staff in a number of specialist and support roles. The budget for the Office is around £9m.  The RUC (Complaints etc.) Regulations 2001 enables the Police Ombudsman to investigate serious legacy matters. |

Main objectives of the opportunity

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| 1. To deal with coronial inquests, including attending at inquest hearings, responding to disclosure requests and dealing with disclosure issues in line with Data Protection legislation and Articles 8 and 2 of the European Convention on Human Rights, and assisting with coronial case preparation. 2. To provide legal advice to the Police Ombudsman, Chief Executive and staff across the organisation on all relevant legal matters, in particular, issues relating to human rights and a range of civil litigation work to include judicial review and disclosure. 3. To assist with casework within litigation and provide operational legal advice to the Police Ombudsman, Chief Executive and staff, where appropriate. 4. To represent the Police Ombudsman at court, at all court levels and in other fora and to instruct counsel as appropriate. 5. To deal with a range of court applications on behalf of OPONI. 6. To undertake own case work ensuring appropriate timescales for responses are met and protocols are adhered to. 7. To undertake line management of staff. 8. To have responsibility for all records held, created or used as part of the business, including corporate and administrative records whether paper-based or electronic and also including emails, in line with General Data Protection Regulations (GDPR) and the Data Protection Act 2018. 9. To have due regard to the need to promote equality of opportunity between:  * Persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation; * Men and women in general; * Persons with a disability and persons without; * Persons with dependants and persons without.  1. Any other relevant duties appropriate to the grade as may be required including the participation in the interchange of duties within the Directorate. |

**3. Skills requirements**

What qualities, skills and experience is required from the individual

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| 1. Be a qualified solicitor or barrister licensed to practice in Northern Ireland 2. Have at least 1 year’s post qualification experience, which must include:    * Managing a range of civil litigation cases within the Northern Ireland court system    * The provision of comprehensive legal advice relating to legislation and legal practices in Northern Ireland with an emphasis on human rights law    * Appearing and presenting legal cases at court 3. Present no conflict of interest by virtue of previous employment history, which could impact on the Police Ombudsman’s ability to comply with Article 2 of the European Convention on Human Rights (see above and enclosed policy - **see Annex A**). 4. Hold a valid driving licence that satisfies road traffic legislation in Northern Ireland and have access to a car which is available for official business OR, \*have access to a means of transport that will enable the full range of duties of the post to be met.   \*This relates only to any person who has declared that they have a disability which debars them from driving  **Desirable Criteria:**   1. Experience of applying human rights principles to requests for disclosure of information. |

**4. Personnel: Please state below**

Who will the individual report to?

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| Legal Advisor/Director of Legal Services |

Who will be the individual’s line manager and/or reporting officer?

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| Legal Advisor/Director of Legal Services |

**5. Transfer of learning**

Please give details of how the Opportunity will benefit your organisation, the

individual and their organisation.

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| **Benefit to the Individual**  This is an excellent opportunity for an individual to gain experience in a unique police complaints environment.  **Benefits to the Police Ombudsman’s Office**  The Office will benefit from having new skills and experience brought into the office.  **Benefits to their Organisation**  The returning candidate will gain an insight into the work of the Police Ombudsman’s Office. They will develop their knowledge of legislation especially in relation to criminal and human rights law. The skills and experienced gained will be readily transferable to the individual’s organisation. |

**6. Logistics**

Please provide details of the likely start date, duration, location, form of transport required, resources (i.e.; desk, PC, etc.) and funding arrangements for the opportunity.

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| **Start Date**: As soon as possible, subject to satisfactory security clearance.  **Duration**: The secondment is for a period of 2 years with the possibility of an extension subject to agreement of all parties.  **Location**: The post will be based in The Police Ombudsman’s Office, 11 Church Street, Belfast, BT1 1PG  **Resources**: Office based with relevant facilities – hybrid working available  **Security Clerance**: The successful applicant should hold or be willing to obtain, security clearance to SC level.  **Funding**: The salary scale is: £32,880-£34,011  The Police Ombudsman’s Office will pay the total salary costs to the home department/organisation on a full recovery basis.  **Further information**: A paper sift will be used to determine the most suitable applicant(s) for the post. An informal discussion will be held with the Legal Advisor and the Head of Legal Services, to discuss the skills and experience the applicants would bring to the post. It is important that all applicants indicate how, and to what extent they meet the experience and skills detailed above.  **Closing Date:** Applications must be submitted by **Noon** on **Friday 22nd December 2023** to**:**  **For NI Civil Service departmental staff only:** [**secondments@hrconnect.nigov.net**](mailto:secondments@hrconnect.nigov.net)  **For staff from all other Partner organisations:** [**interchangesecretariat@finance-ni.gov.uk**](mailto:interchangesecretariat@finance-ni.gov.uk) |

**7. Endorsement**

**Interchange Manager**

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| ***Marie Mullan*** |

**Signed:**

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| **4th December 2023** |

**Date:**

**ANNEX A**

**POLICE OMBUDSMAN FOR NORTHERN IRELAND**

## ARTICLE 2 POLICY

**INVESTIGATION OF STATE RELATED DEATHS BY THE OFFICE OF THE POLICE OMBUDSMAN**

POLICY OWNER: Chief Executive

POLICY APPROVED BY: SMT

IMPLEMENTATION DATE: 1 December 2016

VERSION: 2

NEXT REVIEW: 1 December 2019

## ARTICLE 2 POLICY

## INVESTIGATION OF STATE RELATED DEATHS BY THE OFFICE OF THE POLICE OMBUDSMAN

## Policy

1. The Office of the Police Ombudsman deals with all complaints against the PSNI and is set up legally to ensure that there is independence, impartial and effective investigation for all such matters.
2. The Police Ombudsman is empowered to exercise her powers under the Act in such a manner and to such extent as appears to her to be best calculated to secure:
3. the efficiency, effectiveness and independence of police complaints; and
4. the confidence of the public and members of the police in that system.
5. The Police Ombudsman may employ such persons as she thinks fit to enable her to carry out her functions and there is no limit or restrictions set on this power. The operation of this Policy will be subject at all times to this provision.
6. The Police Ombudsman must also act in such manner, which is consistent with other relevant legislation within the jurisdiction such as employment law, the European Convention of Human Rights as well as Regulations, Guidance or good practice set down by Parliament.
7. The Police Ombudsman requires every member of staff to declare any conflict of interest in relation to any matter which would be perceived to impair or influence the independence of the Office in dealing with a complaint. Managers of the Police Ombudsman will have the right to take appropriate action to safeguard the Office from any conflict of interest in any such matters.
8. The investigation of serious matters, but in particular, the death of any member of the public while in the custody of the PSNI or as a consequence of actions or operations taken to maintain the rule of law or to prevent a crime must be independent of the PSNI or other associated parties.
9. The Historic Investigations Directorate has been established in the Office in order to deal with matters where death as a consequence of State action during the period defined as the Troubles (between 1968 and the signing of the Good Friday Agreement on 10 April 1998) requires to be reviewed or investigated.
10. Investigators of such matters will be required to be Article 2 compliant; that investigators have no connection in terms of previous working experience with the organisation or organisations involved in the death, (specifically previous working experience in the RUC or in a military regiment in support of the RUC at the time of death).
11. Unless in exceptional circumstances the Police Ombudsman will not deploy or delegate any member of staff in the investigation of a death during the period of the Troubles if that person was employed as a member of the RUC or served in a regiment in support of the RUC during the period of the Troubles.
12. In the investigation of any death after 1998 to this date, the Police Ombudsman will ensure all investigators or those directing or managing investigations are fit to carry out those investigations and present no conflict of interest in terms of independence by virtue of previous working experience or connections to the matter through the Conflict of Interest Policy.
13. In the investigation of any death as a consequence of State action from this date forward, the Police Ombudsman will ensure that the deployment of investigators either to the scene, the immediate management of the scene and the following investigation is open to all staff employed by the Office since its conception unless a member of staff raises a concern as to a conflict of interest on their part.
14. In the operation of this Policy any member of staff affected, or impacted, by the Policy has a right to ask for their circumstances to be reviewed by the Chief Executive of the Office and the final decision on the deployment of any person fit to carry out the function of the Office is for the Police Ombudsman, with no other internal appeal process.
15. The family of a deceased person subject of this Policy has the right to ask if investigators or managers connected with their case are Article 2 compliant and has a right to raise an objection. The objection will be considered by the Chief Executive who will advise the Ombudsman and the final decision on the deployment of the staff to the case is for the Police Ombudsman.
16. Outside the provisions of this Policy, the Police Ombudsman is committed to a staff recruitment, development and promotion policy for all jobs and positions in the Office which is based on merit alone.

**December 2016**