



# 09

annual report

Norwegian Bureau for the  
Investigation of Police Affairs



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## Contents

Foreword	3
Organisation and staffing	4-5
Detaining in custody – incidents involving persons in police custody	6-7
Corporate penalties	8-9
Processing time	10-11
The Swedish National Police-Related Crimes Unit	12-13
Can criminal offences in the police be prevented?	14
International cooperation	15
Statistics	16-19
Decisions to prosecute in 2009	20-21
Emergency turn-outs in 2009	22-23
Administrative assessments	24-25
Court cases in 2009	26-28
Meetings and lectures in 2009	29
The Norwegian Bureau for the Investigation of Police Affairs	30





## Foreword

**Due to the nature of their tasks, the police have a wide range of powers. Without adequate control over the use of these powers, this right could become a threat to law and order and to democracy. The main task of the Bureau for the Investigation of Police Affairs is to investigate cases where members of the police and the prosecuting authority have been reported for committing criminal offences in the course of their duty, to decide whether the offenders are to be prosecuted, and to bring the cases to trial.**



*Perhaps the greatest challenge facing the Bureau at the moment is our processing time.*

The cases on which the Bureau works are often serious and are clearly likely to weaken the public's confidence in the Norwegian police. It is important that those in leading positions in the force are fully aware of the possibility of crime among their own ranks and are able to react to such situations when necessary.

In March 2008 the Ministry of Justice and the Police appointed a committee (the Finstad Committee) composed of members from a wide range of areas whose task was to evaluate the mechanisms controlling the police. The committee submitted its report in May 2009, and the Bureau is described as competent in its field, committed and professional. However, the committee is also of the view that the size of the Bureau is inadequate and that it is organised in a way that makes it vulnerable.

The report gave the Bureau unbiased feedback: the work we are doing is up to standard. After examining every fourth case among those decided upon by the Bureau from May 2007 to May 2008, the committee concluded that the Bureau meets the requirement regarding adequacy in case processing. The committee also emphasises that in cases that are dropped the Bureau gives priority to providing information on the case. According to the committee, the challenge the Bureau faces is that of convincing society at large that cases are appropriately handled rather than convincing those reporting or those reported – who are always given the reasons for any decision.

In 2009 the Bureau has also received significant feedback from the Director General of Public Prosecutions concerning the Bureau's routines regarding dropping cases. The Director General reviewed cases from the second quarter of 2008 that were dropped because there were no reasonable grounds to initiate investigations, and cases that were dropped because it was considered that no punishable offence had been committed. The Director General reviewed a total of 156 cases and concluded that no cases were found that should have been investigated.

In its report the Finstad committee emphasised that the police do not have either satisfactory procedures or systems for learning from mistakes. One important task of the Bureau is to provide the police and the prosecuting authority with feedback. This is currently given, for example, through decisions or through cases being sent to the police for administrative assessment. The Bureau also holds lectures on the experience it has gained.

Perhaps the greatest challenge facing the Bureau at the moment is our processing time. On average the period from registering a report to making a decision is too long. At the beginning of 2010 we have made some adjustments to our work routines that will hopefully lead to improvement. Nonetheless there is reason to believe that achieving a stable shorter processing time will require more comprehensive measures.

# Organisation and staffing of the Norwegian Bureau for the Investigation of Police Affairs



The Bureau is organised on two levels – one for investigation and one for superior management and final decisions of all cases.

## THE BUREAU IS ORGANISED INTO THREE INVESTIGATION DIVISIONS:

- Investigation Division East Norway (located in Hamar and Oslo)
- Investigation Division West Norway (located in Bergen)
- Investigation Division Mid-Norway and North Norway (located in Trondheim)

The Director of the Bureau, who has the overall responsibility for the enterprise and who decides on prosecution in all cases, is located in Hamar.

The Bureau has 29 permanent employees, 14 of whom are investigators. There are 16 employees in Hamar, four in Trondheim, four in Bergen and five in Oslo. In addition to those permanently employed, 11 persons who are appointed to secondment posts take part in the processing of criminal cases

at the Bureau. These posts are held by ten lawyers in private practice and one psychologist. All of them have varied and extensive work experience from the private and public sectors. The appointments apply for four years from 1 January 2009. Those appointed to these posts work for the Bureau on a case-by-case basis. It is important for the Bureau that external competence is used actively in cases that involve the police's use of force and possible breaches of human rights. The scheme for appointing people on secondment is intended to emphasise the independence of the Bureau and to contribute to creating openness and trust.

Investigators in the Bureau must have a good knowledge of police organisation and working methods, and when necessary must act with authority and confidence. Although its investigators are largely recruited from police posts, the Bureau also has investigators with different specialisations and occupational backgrounds. The majority of the permanently-employed lawyers

in the Bureau have worked in the prosecuting authority in the police. However, the lawyers' collective experience is varied and also includes positions in government and municipal administration, in private enterprises and in private practice.

The Bureau gives priority to the professional development of its employees and in 2009 three specialist seminars were held. The topics were the fundamental conditions for the police's use of force and the limits of liability for punishment, the police in operative work, and the use of firearms and dogs. One of the seminars took up the Bureau's case processing – its processing time, an analysis of the Bureau's work, and the possibilities for improvement. In 2009 several employees at the Bureau have taken time off, on either a full- or part-time basis, to take part in continuing education or courses. This includes courses of education at the Norwegian School of Management (BI) and continuing education at the Norwegian Police University College. One of the Bureau's members has written a project assignment at BI that



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Director of the Bureau for the Investigation  
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**Johan Martin Welhaven**  
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**Liv Øyen**  
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**Advokat Einar Drægebø**  
Head of Investigation Division West Norway



**Advokat Terje Aas**  
Head of Investigation Division Mid-Norway  
and North Norway

# ional chart

analyses costs and efficiency at the Bureau based on the enterprise's activities in 2008.

The Bureau's goal is for absence due to illness to be less than 4 per cent. This was 3.1 per cent in 2009, somewhat higher than in 2008 when it was 2 per cent.

In 2009 the Bureau conducted a questionnaire survey among the employees on psychological and social factors in their work. The survey was carried out by HMS Innlandet. In general the Bureau's employees respond more positively to the questions that were asked than was the case for the reference group. The average for 2,015 respondents from different industries in the Nordic countries was used as a point of reference. The result of the survey was issued on 23 December 2009, and in 2010 it will be followed up by the Working Environment Committee and other relevant forums. The survey will also be a topic for discussion in the management dialogue with the Ministry of Justice and the Police.

# DETAINING IN CUSTODY

## – incidents involving persons in police custody

When maintaining law and order, and when working with criminal cases the police have the authority to detain people in custody. Holding a person in custody involves great responsibility. The right to freedom and safety is a basic human right, and an intervention into this right must be sanctioned by law. In addition to the fact that there must be legal grounds for detention, the state is responsible for the arrested person.

### SERIOUS INCIDENTS DURING DETENTION

In cases where a person dies or is severely injured while in police custody, the Bureau for the Investigation of Police Affairs must initiate investigations even if there are no grounds to suspect a criminal act. Since 2005 the Bureau has investigated five cases of death related to detention in police custody. Common to all the cases is the fact that those detained were under the influence of alcohol, other intoxicants or medication, and that the officers' assessment of the arrested persons' condition and need for health care were key elements of the investigations.

According to the European Convention on Human Rights (ECHR), the duty of the state to take care of those in custody also entails the duty to ensure that they are given the necessary medical treatment. Judicial precedent from the European Court of Human Rights shows that this not only involves the duty to ensure treatment at the request of the individual in custody, but also a duty to monitor the development of his/her general condition. The state is also under the obligation to ensure that the necessary treatment is provided reasonably quickly.

The duty laid down in the ECHR is implemented in Norwegian law – for example by regulations on the use of police custody. The regulations state that prisoners who are ill or under the influence of alcohol or other intoxicants must be inspected every half hour unless circumstances indicate

more frequent checks. The officer who makes the inspection must as a minimum reassure himself by personal observation about the situation of the arrested person.

The Bureau has investigated several cases that concern arrested persons with serious illnesses such as diabetes, heart attacks and strokes. Each year the Bureau also handles a number of cases that concern suicide attempts by persons in custody. These cases demonstrate that members of the police are often faced with extremely difficult assessments regarding persons who may be ill, mentally unstable or under the influence of intoxicants. In some case the situation of the arrested person may change quickly. Constant supervision is therefore necessary so that danger signals are perceived and the required measures implemented. The threshold for calling a doctor for the arrested person should not be too high.

The Bureau's experience shows that wider knowledge among custody officers of symptoms of illness or signs of poisoning could reduce the risk of serious incidents among those in police custody. National and international empirical learning will contribute to preventing deaths in the future.

The Norwegian Police Directorate sent a letter to the police districts and the Norwegian Police University College in April 2009 to ask them to review several cases from the Bureau's portfolio regarding the supervision of arrested persons who

were under the influence of intoxicants.

### KEEPING LOGS

The Bureau's investigation of cases concerning incidents while in police custody demonstrates to everyone the importance of the written word and of good log-keeping of measures that are taken vis-à-vis arrested persons. Descriptions of the arrested person's general condition on being brought in, of items confiscated from searches, of the content of inspections, of contact with doctors and lawyers, and of messages to the operative leader – all these represent information that enables custody officers to do a good job and that helps to prevent unwanted incidents. Moreover, good log-keeping is necessary for the daily management of those in leader positions and their overall control of the prison.

For the Bureau, log-keeping is important to enable us to assess officer performance retrospectively.

### DEATH IN SANDVIKA POLICE CELLS IN 2007

On the night of 28 March 2007 an intoxicated person was arrested by the police. He died in the police cell the following day. The report from the post mortem examination showed that the cause of death was damage to the brain due to cirrhosis of the liver. The Bureau maintained that the arrested person was fatally ill before he came into contact with the police. The investigation gave no grounds to criticise the inspections or the assessments that were made of the arrested person's condition. However, the Bureau pointed out problems with the log-keeping of measures taken in prisons.

# CASES OF DEATH SINCE 2005

## DEATH IN DRAMMEN POLICE CELLS IN 2008

On 8 May 2008 an arrested person was found with cardiac arrest in a Drammen police cell. He died a few days later in hospital without regaining consciousness. The matter led to a corporate penalty against Søndre Buskerud police district.

From 14.30, when the person in custody was detained, and up to 22.18 he was inspected 16 times by various officers. Even though there was more than half an hour between some of the inspections, it was particularly the content of the inspection that was instrumental in the case ending with a corporate penalty. Nobody reacted to the fact that the arrested person sat in more or less the same position for approximately eight hours, stripped to the waist and leaning against the wall with his chin on his chest. Nobody went in to the arrested person or attempted to make contact with him, or in any other way reassured themselves about his condition. The inspections were all very short (between three and ten seconds) and were in general carried out to make sure that the arrested person was breathing. These inspections gave nobody the chance of detecting that the arrested person's breathing frequency was at times only three to four breaths per minute. When taken to the cell, the arrested person was presumed to be under the influence of methadone or heroin. The Bureau was of the view that the individual officer could not be held responsible for not understanding that the arrested person was in a condition that could lead to death.

However, the Bureau maintained that a police district that is responsible for police cells where there are often people who are under the influence of opiates must adapt training and local instructions to the daily situation in the cells.

## DEATH IN NARVIK POLICE CELLS IN 2007

On 10 February 2007 two people were brought in to Narvik police station. On their arrival two empty bottles of spirits were found in the police car. This led to the decision to intensify the supervision of the arrested persons, but a doctor was not called in to examine them. Supervision showed that the men snored/slept. From 02.20 to 03.30 there was no supervision of the prisoners apart from observations by camera surveillance. At the last inspection, one of the two arrested persons was found dead. Resuscitation efforts were unsuccessful.

The Bureau found nothing to warrant criminal liability for individuals or the police district as an enterprise. However, the decision pointed out the uncertainty about the amount of alcohol that had been consumed in the police car, and that the possibility of rising intoxication should have indicated that medical attention was required. During the inspections the officers had focused on breathing, while the expert stated that cursory inspections are insufficient to take care of those in danger of alcohol poisoning. Such people must be woken up for their condition to be assessed. The investigation revealed the officers' lack of knowledge about this.

The fact that no inspections were made from 02.20 to 03.30 was subjected to particular scrutiny. Only one employee was present at the police station during the period, and this officer had other tasks to do in addition to the inspections. The monitors from the cells were checked approximately three times during the period. The Bureau was critical of the fact that the other tasks were not stopped to enable the officer to make the inspection, but in the light of judicial precedent from the Supreme Court on similar cases, the case was not deemed punishable. Following an appeal, the Bureau's decision was sustained by the Director General of Public Prosecutions.

## DEATH IN KRISTIANSAND POLICE CELLS IN 2005

At 20.22 on 3 October 2005 a person was brought in to Kristiansand police cells. He was found dead at 07.24 the following morning. The cause of death was presumed to be methadone poisoning. When he was brought in he was assessed as being under the influence of intoxicants but not to an extent that justified medical attention. The police arrest log shows that inspections were carried out in line with the applicable special instructions. This was also confirmed by video surveillance cameras. The Bureau found nothing exceptional about the person's arrest or the search and examination.

With regard to the time the arrested person spent in the cell, it transpired that the decedent had lain in the same position on the floor from 21.30 until he was found dead at 07.24. He lay on the concrete floor just inside the cell door, wearing only boxer shorts. During the inspections, snoring and somewhat abnormal breathing were noted.

An expert statement from a doctor reveals that this is a recognisable danger sign that alerts those who have some knowledge of opiate poisoning. However, the Bureau concluded that inferring possible poisoning from the signs that were observed is deemed as requiring knowledge above and beyond that included in police training or in the training of custody officers.

Nonetheless, the Bureau was of the opinion that the incident gave grounds to assess whether there was a need for changes to the instructions or training, and referred the case to the Chief of Police in the county of Agder for administrative assessment.

## DEATH IN KRISTIANSAND POLICE CELLS IN 2009

A person who was under the influence of medicines died while in custody at Kristiansand police station. Before being put in the cell the person was examined by a doctor. The case is still being investigated.

In 2009 the Bureau for the Investigation of Police Affairs has issued fines in lieu of prosecution on five police districts.

The Bureau has utilised corporate penalties in a total of eight cases since its establishment in 2005.

#### RIGHTS AS A PARTY AND OBLIGATION TO GIVE EVIDENCE

Officers who are interviewed in a case where a corporate penalty against the police district may be examined as witnesses if suspicion cannot be regarded as being directed towards the individual's performance of duty. A person who makes a statement on behalf of the enterprise must have the status of a witness during the questioning.

However, an officer who is interviewed as a witness during an investigation of this type should be made aware of section 123 of the Criminal Procedure Act before the questioning starts, cf. section 235, second paragraph of the Criminal Procedure Act. According to the said section 123, a witness can refuse to answer questions when the answer may incriminate the witness.

#### VESTFOLD POLICE DISTRICT

**For gross lack of judgment in the course of their duty resulting in a person being left in a holding cell for 19 hours without supervision**

Four persons were transferred from central custody facilities in Tønsberg to Horten police station for questioning. Three of them were placed in a holding cell to await questioning. One of the persons was returned to the holding cell after questioning. It was around 12.00, and the person concerned was left sitting in the holding cell without supervision, food, water or access to the toilet until 07.30 the following morning. One significant reason for why this could happen was the inadequate use of the police's operative management tool (PO). In the period between arrival and release the steps that were taken vis-à-vis the arrested persons were not recorded in the system. It was thus not possible to use the management tool to monitor the arrested persons' status, which considerably undermined the police district's ability to carry out management and control.

The Bureau found that without doubt the treatment of the arrested persons represented an offence contrary to section 325 of the General Civil Penal Code concerning gross negligence in the performance of duty. When considering whether it was correct to react by imposing a corporate penalty, emphasis was placed on the seriousness of the offence. The treatment of the arrested person represented a gross breach of the obligations of the police towards persons in their custody, and their procedures for treating arrested persons were not followed. The offensive treatment of the person who was left in the cell for over 19 hours without supervision represented a gross dereliction of duty. The investigation also

showed that the police district could have prevented the incident – for example through training and guidance. The police district was criticised by the Bureau because a student from the Police University College had been given considerable responsibility without sufficient training.

***The police district has accepted the fine in lieu of prosecution of NOK 80,000 imposed by the Bureau.***

#### TELEMARK POLICE DISTRICT

**For breach of confidentiality and gross lack of judgment in the course of duty**

Information from a private person revealed that from 1967 until February 2009 Telemark police district had had an agreement with a pharmaceutical company on the release of personal data. The agreement involved the company being given information by telephone on request concerning whether relevant applicants to vacant positions had been penalised for infringements of drug legislation. The agreement entailed inter alia the rules relating to police certificates of good conduct being disregarded.

The Bureau found that there were grounds to react by imposing a corporate penalty since the practice of the police district breached the rules that are intended to safeguard the fundamental rights of personal privacy. The agreement with the pharmaceutical company could have had far-reaching consequences for individuals and involved a breach of confidentiality.

***The police district has accepted the fine in lieu of prosecution of NOK 50,000 imposed by the Bureau.***

#### VESTFINNMARK POLICE DISTRICT

**For gross lack of judgment in the course of duty for an inappropriately long case processing time in a rape case**

In December 2000 a mother reported the rape or attempted rape of her daughter, who was under age. An attempt was made to question the child by means of an interview in the presence of a judge in January 2001, but the child did not want to make a statement. In March 2001 the case was dropped on the grounds of insufficient evidence, and the police asked the family to revert to them if the child wanted to make a statement. In October 2003 the family's counsel for the victim asked the police to resume the investigation since the child wanted to make a statement. The police did not respond to the inquiry in spite of repeated reminders from the counsel in 2003, 2004, 2005 and 2006. It was not until April 2006 that the child was interviewed, and the case was dropped again in August 2007. An appeal was lodged against the dropping of the case. The public prosecutor ordered further investigation, and a report on the progress of the case was to be submitted by 15 January 2008. Following reminders from the public prosecutor, in June 2008 the prosecutor in charge suggested that the dropping of the case should be upheld. The public prosecutor ordered that another person should assume the prosecuting responsibility and that the case should be further investigated. Several witnesses and the charged person were interviewed in the period up to December 2008, but due to the death of the charged person the case was dropped once more in January 2009.

As the Bureau viewed the case, it had been subject to an inappropriately long processing time due to inadequate procedures for following up criminal

# CORPORATE PENALTIES

## – five police districts penalised in 2009

Corporate penalties can be imposed when a penal provision has been infringed by a person acting on behalf of an enterprise. A penalty can be imposed even though no individual can be punished for the offence. The requirement of guilt in the infringed penal provision must be fulfilled, but the enterprise can be penalised for anonymous and cumulative errors. This means that it can be punished even though it is not possible to identify who has committed the offence, and even when several persons are guilty of minor errors that in isolation do not amount to a punishable offence. Corporate penalties can be used along with individual criminal liability.

Even if the conditions for a corporate penalty have been fulfilled, the aspects that speak for and against such a penalty must be specifically assessed in each individual case. When the Bureau is to decide whether a corporate penalty is to be imposed on a police district, the seriousness of the offence is evaluated as well as whether the police district could have prevented the offence through guidelines, instructions, training, monitoring or other measures.

The argument for penalising a public enterprise is that in principle it would be wrong to make a distinction between public and private enterprises in this area. Moreover it is emphasised that a corporate penalty helps to place the responsibility in the unit that has actually infringed a penal provision, and that this unit must find the means to pay the fine from its own budget.

When imposing corporate penalties, the amount of the fine must be set considerably higher than that for individuals. When the Bureau imposes a fine on a police district, the fact that the police do not run profit-based enterprises is taken into account when determining the amount of the fine.

cases at the rural police office in charge, poor collaborative routines between the investigators at the rural office and the party responsible for prosecution, and failure in the overall management of criminal case work in the police district.

***The police district has accepted the fine in lieu of prosecution of NOK 80,000 imposed by the Bureau.***

### **MIDTRE HÅLOGALAND POLICE DISTRICT** **For gross lack of judgment in the course of duty related to searching the residence of a private person**

An individual felt exposed to an unlawfully conducted search by police officers in Midtre Hålogaland police district. The search of a private property was conducted with assistance from the military (Narko Nord) and the Norwegian Customs, and a total of nine persons and two dogs took part in the search. The Bureau's investigation showed that the decision to make the search had been taken by the police prosecuting authority on the basis of a police report that contained incorrect information about a previous complaint against the person who owned the residence. The decision to make a search should have been taken by the court since there were no grounds to apply the prosecuting authority's competence to order the search. Compared with the actual charge and the case itself, the search represented a disproportionate intervention. No reports were written after the search.

The Bureau was of the opinion that the preparatory work of the police, their conduct of the relevant search, and the follow-up work were the objects of so many errors that there were grounds to

react by imposing a corporate penalty. The work did not have the thoroughness that it should be possible to demand for the use of such a radical enforcement measure as a search. Emphasis was placed on the fact that the case involves the right to respect for private life and family life, and that no violation of this right must take place unless it is necessary.

***The police district has accepted the fine in lieu of prosecution of NOK 50,000 imposed by the Bureau.***

### **SØNDRE BUSKERUD POLICE DISTRICT** **For gross lack of judgment in the course of duty, as a result of a death following a period in police custody**

A person was taken to the cells at Drammen police station at approximately 14.30 and was driven to hospital with full cardiac arrest at 23.40. He died two days later in hospital without regaining consciousness. The post mortem showed that the person had died from lack of oxygen to the brain. Poisoning caused by suppressive substances, including methadone, was presumed to be the reason. When the arrested person was taken to the cell, the police assumed him to be under the influence of methadone or heroin. From approximately 13.22 until 22.18 he sat in the same position, stripped to the waist and leaning against the wall with his chin on his chest. During this period he was inspected up to 16 times by several officers without any of them going into the cell or attempting to make contact with him or in any other way reassure themselves about his condition. The inspections were all very short (between three and ten seconds) and were in general carried out to make sure that the arrested person

was breathing. Nobody reacted to the fact that the arrested person's breathing frequency was extremely low (in periods down to three to four times per minute) and that he had been sitting in the same position for more than eight hours. When the person was considered to need care because he was breathing poorly, was pale and did not react to any contact, no immediate attempt was made to clear his respiratory passage or to administer emergency first aid. Before the ambulance came he was left alone in the cell for two periods of seven and 21 minutes respectively.

The Bureau considered that, seen as a whole, the course of events indicated that a corporate penalty should be imposed. Emphasis was particularly placed on the fact that the death could have been prevented through instruction and training and that a penal sanction may hopefully be instrumental in avoiding similar incidents in the future. Even though the individual officer could not without training be expected to have acquired knowledge of the relatively complicated causality that contributed to the condition of the arrested person, the issue is not the same regarding the enterprise's responsibility. Responsibility for training rests with the leadership of the police district. The Bureau maintained that those working at the custody facilities in Drammen have relatively often responsibility for persons who are under the influence of opiates. To enable these officers to meet the requirements in the custody instructions that state that the person who conducts the inspections should be reassured about the arrested person's situation, the training and local instructions must be adapted to the daily situation in the cells.

***The police district has accepted the fine in lieu of prosecution of NOK 75,000 imposed by the Bureau.***



# PROCESSING TIME

**The Bureau for the Investigation of Police Affairs measures processing time as the period from the receipt/registration of a case to the final decision made by the Director. In 2009 the average processing time was 214 days compared with 153 days in 2008. The development in 2009 represents a considerable step in the wrong direction in light of the period fixed in the management dialogue with the Ministry of Justice and the Police and the Director General of Public Prosecutions, i.e. 150 days.**

A long processing time is a source of irritation for both the offended party and the offender. It is also unfortunate if cases that are to be handled in the court concern an incident that occurred far back in time.

The preparatory works for the establishment of the Bureau, the prosecuting directive and the guidelines from the Director General of Public Prosecutions stipulate the rules and procedures that apply for processing cases in the Bureau. The Bureau is organised on two levels, and all cases are processed on both levels before a decision is taken.

Investigations take place in regional and inde-

pendent Investigation Divisions, and the divisions present a written recommendation to the Director on how the prosecution matter should be decided for all cases. The Director goes through the recommendations and the case documents, after which he makes a decision on the case. All decisions in the Bureau are given a written justification.

The long processing time is due to both procedural and structural factors. The number of cases, the nature of the cases and the extent of the investigation efforts required will obviously also affect processing time. One important element is of course changes in staff. For a small enterprise, replacing staff may well have a greater influence on produc-

tion than it would have in larger and more robust enterprises. In 2009 the Bureau has experienced relatively comprehensive changes in its workforce in the Investigation Division East Norway, with four out of eight investigators as well as the head being newly appointed during the year.

The Bureau has devoted great attention to the increase in the length of processing time. All the units have analysed their work in an attempt to find out whether internal measures can reduce the period required. The work of the Bureau is to a large extent governed by incidents. When assessing processing time the employees have particularly pointed out that the order of priorities is



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*The long processing time is due to both procedural and structural factors.*

often changed so that planned activity must be put aside to make room for matters that require immediate intervention and follow-up.

Measures that are implemented are the use of deadlines when giving assignments, adjustments to the geographical areas of responsibility of the Investigation Divisions, and a change in the procedures for the Director's distribution of cases. Matters concerning the quality of the work that is carried out and assigning priorities among the various types of case have been taken up in the management dialogue with the Director General of Public Prosecutions and the Ministry of Justice and the Police. As the body that is technically in charge of

the Bureau, the Director General has not deemed it desirable for the Bureau to make changes in its method of working that may reduce the quality of the investigatory work or the grounds for decisions. The Bureau hopes that internal measures will reduce processing time. Even if the Bureau is successful in meeting the target set for an average processing time of 150 days – and preferably an even shorter period – it is still assumed that there is a need to strengthen the organisation. The public select committee that in 2009 submitted a report on the work of the Bureau (Norwegian Official Report NOU 2009:12) has in its summary (page 12) stated that the unit is not adequately sized for the handling of both emergency turn-outs and

“everyday cases”. Although the committee could see that processing time had steadily declined (2005–2008), it maintained that the problem of the length of the processing period had not been permanently solved. The committee also emphasised the importance of competence-enhancing programmes and organisational development, and recommended strengthening the duty scheme and establishing more posts in the Bureau.

The committee's report was put out for review consultation in December 2009 with the deadline of 31 March 2010.





Björn Ericson, Chief of the Swedish National Police-Related Crimes

# The Swedish National Police-Related Crimes Unit

## “The Scandinavian Model” for handling suspected criminal offences in the police and the prosecution authority

**Having their own prosecution competence makes the Swedish National Police-Related Crimes Unit and the Norwegian Bureau for the Investigation of Police Affairs stand out in a European context. But there are differences nonetheless. The Bureau is organised outside the police and the ordinary prosecution authority, whereas the Unit is part of the ordinary prosecution authority.**

The National Police-Related Crimes Unit is the Swedish organisation for dealing with the question of whether police employees have committed crimes during the course of duty. Although there are fundamental differences in the organisational structure, there are clear similarities between the Swedish and the Norwegian systems. Given their prosecution competence, both the Unit and the Bureau stand apart from other countries' organisations with the same mandate. Among their counterparts in Europe and in the European Council, the systems in Sweden and Norway are referred to as the “Scandinavian Model”. Both are considered independent and effective. Like the Bureau, the Unit was established with effect from January 2005.

### ORGANISATION

The National Police-Related Crimes Unit is part of the national prosecution authority in Sweden. Organisationally, the Unit reports directly to the Chief Public Prosecutor. The Unit's head office is in Malmö. The chief of the Unit is Björn Ericson,

Director of the Public Prosecution Authority. In addition to the chief, ten experienced prosecutors (public prosecutors) work in the Unit. Under Swedish law, only “vice chief prosecutors” may handle cases involving accusations against the police.

In addition to handling cases concerning the question of whether police employees have committed criminal offences during the course of duty, the Unit also handles cases where there is a suspicion that public prosecutors or certain judges have committed criminal offences. The Unit is also charged with handling cases where there is a suspicion of criminal offences having been committed outside working hours. In addition, unless special rules apply, the National Police-Related Crimes Unit also handles formal reports against members of the Swedish Parliament and cases concerning suspected crimes committed by ministers.

As in Norway, Sweden is also concerned that formal reports aimed at police employees are handled in an independent and confidence-inspiring manner in accordance with the standards established by a number of decisions made by the European Court of Human Rights (ECHR).

The Norwegian Bureau for the Investigation of Police Affairs is an operative organisation with its own investigators. The Swedish Unit does not have its own investigators: investigations are

carried out by a total of 40 investigators organised in separate divisions in the police. When recruiting investigators, particular emphasis is placed on long and comprehensive experience in the police.

Work is currently going on to co-locate investigators and prosecutors in the Unit. Swedish justice authorities are also studying the question of whether investigators may in future be organised in a separate unit under the National Swedish Police Board.

### PROCESSING OF FORMAL REPORTS AND COMPLAINTS

If a formal report is submitted against an employee for committing a criminal offence in the course of duty, or for acted erroneously in other ways (complaint), the case must immediately be transferred to the Unit. The same applies if someone has died or been seriously injured as a result of police intervention. The Unit will make the required decisions in relation to the future handling of the case and to whether it is to be regarded as a complaint or the report of a criminal offence. If the case is considered to be a criminal offence, the Unit will decide whether the offence is to be subjected to an investigation or be decided without an investigation. If the case is considered to be a complaint, it will be transferred to the police for further processing.



## COMPARISON OF THE UNIT IN SWEDEN AND THE BUREAU IN NORWAY

The geography, population structure, culture and political issues in Sweden and Norway are relatively similar. This is also reflected in the case portfolio of the Unit and the Bureau. The Unit faces the same challenges as the Bureau as far as building the trust of the public, capacity to undertake investigations, and the requirement for high quality of the work carried out.

### 1. The number of cases being investigated

Both in Norway and Sweden a large proportion of the cases are dropped without investigation. During the period 2005–2008, in each year the Unit initiated investigations in between 20 and 30 per cent of all cases. Also included in the calculation basis are the complaints that are not given special statistical treatment. Traffic offences are not included in the Swedish statistics. During the same period, the Bureau has investigated between 40 and 60 per cent of all concluded

cases, including traffic cases. The calculation basis of the Norwegian statistics consists of formal reports of criminal offences. The Bureau does not handle complaints against the police.

### 2. Cases against employees in the police or the prosecution authority ending in a positive decision (waiver of prosecution, fine in lieu of prosecution, charge or indictment)

In cases where the Unit initiated investigation in 2005–2008, the proportion of positive decisions averaged 6.6 per cent. For the same period, positive decisions in Norway averaged 7 per cent. If we make only investigated cases our starting point, the proportion in Norway becomes 12 per cent for the same period. If the Norwegian statistics, as in Sweden, exclude traffic cases and calculate on the basis of investigated cases, the proportion of positive decisions is 10 per cent.

### 3. Experience in the courts of the Unit and the Bureau relating to indicted cases are also comparable

Of the indictments brought by the Unit during the period from 2005 to 2008 against employees of the police and the prosecution authority, the average proportion of acquittals by the courts is 43 per cent. A further analysis of the numbers made by the Unit indicates that claims involving the illegal abuse of power amount to 65 per cent. For other service-related cases the proportion of acquittals is 35 per cent. In cases of criminal offences committed outside working hours the percentage of acquittals is 19.

It is the Unit's experience that it is difficult to succeed in the courts with cases relating to errors in the course of duty. Most difficult are cases concerning the illegal abuse of power. From 2005 to 2008 the Unit observed that the number of indictments is falling, while the number of convictions is rising. The Unit considers this a natural consequence of gathering experience and competence in one place. The Bureau has experienced the same development. During the same period the average percentage of acquittals in the Bureau's cases is 24. The percentage of acquitted cases involving claims for the illegal abuse of power is 33. The acquittal percentage of other service-related cases is 25. In cases relating to what is known as ordinary crime (theft, embezzlement, improper conduct etc.) committed in the course of duty, the percentage of acquittals is 0.



*The Swedish National Police-Related Crimes faces the same challenges as the Norwegian Bureau for the Investigation of Police Affairs as far as building the trust of the public, capacity to undertake investigations, and the requirement for high quality of the work carried out."*

# Can criminal offences in the police be prevented?

The causes of employees in the police committing criminal offences in connection with their work are often the same as those for most other offenders. For example, the offence may be caused by greed, desire, problems with drugs/alcohol or carelessness.

Several police employees who have been investigated by the Norwegian Bureau for the Investigation of Police Affairs following serious accusations have had problems in their private life or their work situation that were known to their colleagues and employer and that perhaps should have been followed up more closely by the employer.

#### **This concerns issues relating to:**

- a difficult private economy
- a difficult home situation
- problems with drugs/alcohol
- bitterness towards their working environment/ employer
- previous convictions or warnings
- associating with criminals

It is important that employees in the danger zone are recognised and monitored and are not given too much leeway in terms of managing their own workday. Someone needs to show care and to keep an eye on them.

There are several examples in the Bureau's portfolio of leaders in the police perceiving matters that should clearly have given grounds for concern and intervention, but where no one took action. These may for instance be abuse of authorisations, crimes relating to drugs, or sexually humiliating conduct. The leader in question may have considered the information, found it difficult to follow up or improbable, and nothing happened. All information of this nature must be followed up. Failure to do so may constitute a betrayal of the victims, the working environment, the police's reputation, the person whom the information concerns and his/her nearest family.

In all the most serious criminal cases handled by the Bureau since 2005 the situation has been that leaders and colleagues have over time seen signs that have given grounds for concern. The fact that the signs were there has clearly come to light during witness statements made to the Bureau during the investigation. While being surprised and disappointed at what was uncovered, several people regret not communicating what they knew at an earlier stage or not intervening on the basis of the knowledge they had at the time.

Leaders and employees in the police should be aware of and prepared for the fact that criminal offences may be committed by colleagues. It is therefore sensible to develop a system of regular monitoring of employees' attitudes, life situation, circle of friends etc., assessed on the basis of work-related requirements and risks. This should be established in addition to the scheme for performance assessment interviews, where particular focus is placed on the employee's development and goal achievement.

The Norwegian Bureau for the Investigation of Police Affairs has recommended that the Norwegian police should consider whether they can learn from other countries' routines for continuous assessment of suitability. An evaluation of required qualifications when recruiting to the police and through national security clearance does not provide sufficient guarantee for reliability and integrity in the course of a police career spanning 20-30 years. The use of computer technology and interdisciplinary cooperation and the greater extent of specialist assistance and entering into contracts increase the risk of breach of trust.

Through international cooperation the Bureau is aware that the police in Great Britain have introduced routines for Force Vetting. The scheme entails systematic work to ensure that employees are suitable for the work involved and that they meet the desired standards of security and trust.

The scheme comprises all employees in the police, including civil employees. Relevant topics are their attitudes to police work, their circle of friends and their approach to intoxicants, as well as their personal economy, partners and family matters.

British police are also working on developing "Professional standards". National standards for the police's professional conduct will contribute to maintaining trust in the police, to improving security for the general public, and to ensuring more efficient and predictable control and investigation of the police's professional conduct. In Norway a similar scheme could be based on the standards laid down in the police instructions.



#### **EXTRACT FROM ENGLISH POLICE DOCUMENTS**

In order to maintain high professional standards and to provide a consistent approach it is necessary to conduct appropriate vetting checks on all our staff, including volunteers, which are proportionate to the role that they carry out". [www.merseyside.police.uk](http://www.merseyside.police.uk)

"Internal Force Vetting is a snapshot in time, it does not provide a guarantee of future reliability. It is only through effective supervision and well defined and robust "aftercare" regime, that Internal Force Vetting remains valid".

[www.hertfordshire.constabulary.uk](http://www.hertfordshire.constabulary.uk)



# The Norwegian Bureau for the Investigation of Police Affairs' involvement in international cooperation



## Cooperation with the Nordic countries

In May 2009 the Director of the Bureau attended a meeting in Sweden for employees of the National Police-Related Crimes Unit and their police investigators. In the meeting, an account was given of our activities and future challenges. The manager of the Unit attended a seminar at the Bureau in December 2009. The Bureau wishes to continue cooperating with the Swedish Unit.

## EUROPEAN PARTNERS AGAINST CORRUPTION EU's National Police Oversight Bodies and Anti-Corruption Authorities

Since 2006 the Bureau has participated in European Partners Against Corruption (EPAC). In 2009 the Bureau participated in a task group for the preparation of routines for cooperation and the exchange of personnel. In addition, we have participated in the task group that has prepared a draft constitution for the EPAC cooperation and a task group that is developing

a proposal for a European standard for "police oversight principles". EPAC is a driving force for the further development of EMD's standards for independent investigation.

The Bureau participated in this year's EPAC conference, which was held in Slovenia in November 2009. The constitution for the EPAC network was adopted by the conference. Under the new constitution, organisations in countries that are members of either the EU or the European Council, with national responsibility for processing police cases and combating corruption, may become members of the network. As a consequence of this, the Norwegian Bureau for the Investigation of Police Affairs was admitted as a full member of EPAC. The Bureau has previously attended as an observer only.

## International interest in the work of the Bureau

On request, the Bureau informed the Russian

Ministry of Internal Affairs about our scheme in 2009. The Bureau has also provided information to the UNDP (United Nations Development Programme) in connection with their work in Turkey to develop the "internal security sector".

In November 2009 the Bureau attended an international Live Web-Conference arranged by Coginta - Justice and Police Reform Forum. The topic of the conference was "Complaints against the Police and Human Rights" and the Council of Europe's Human Rights Commissioner's 2008 report on "Police complaints mechanisms". Particular interest was shown during the conference in the Norwegian scheme, especially due to the Bureau's independence and in-house prosecution competence.



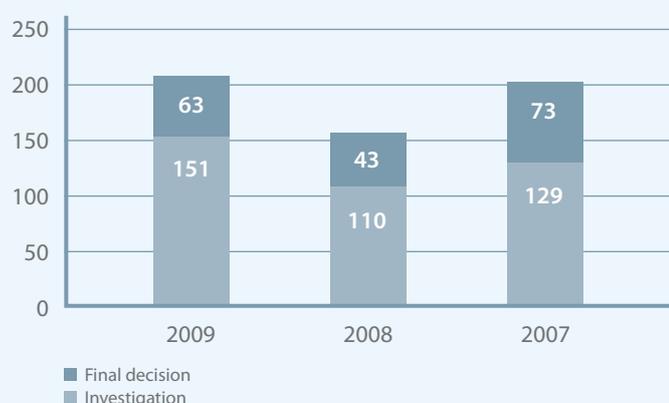
# Statistics

## Case processing time and received reports

The average time spent by the Norwegian Bureau for the Investigation of Police Affairs on processing cases that were decided upon in 2009 was 214 days. This is an increase from 2008 when the case-processing time was 153 days. The Bureau's target is for the average time spent processing cases not to exceed 150 days.

In 2009 the Bureau has registered 1,095 new reports. During the same period 1,377 reports were concluded (923 cases). The fact that concluded reports exceed the number of received reports is due to several cases being duplicated while being processed. A case is duplicated if the criminal offence falls under several penal provisions. Some cases are not duplicated until they are being prosecuted. This leads to the number of cases that were decided with regard to prosecution increasing in the year when the decision is made. This will affect the number of received cases during the year when the original case was registered, i.e. in some cases during the previous year.

AVERAGE PROCESSING TIME



RECEIVED REPORTS



TOPIC	2009	2008	2007
Time from receipt of case to final decision	214 days	153 days	202 days
Cases received	829 cases	799 cases	787 cases
Reports received	1095 reports	1017 reports	978 reports
Concluded cases	923 cases	805 cases	846 cases
Concluded reports	1377 reports	1367 reports	1373 reports
Decisions to prosecute (charge, indictment, fine in lieu of prosecution)	71 reports	91 reports	84 reports
Complaints to the Director of Public Prosecution	120 cases	126 cases	136 cases
Total interviews	1323 interviews	1392 interviews	1382 interviews

## 32 per cent of cases dropped without investigation

The purpose of investigating a case is to obtain all the information necessary to enable a decision to be made on whether or not to press charges. The investigation also serves as a preparation for a possible prosecution of the case in the courts. The question of whether or not to investigate a case is of a discretionary nature. In assessing whether or not a case should be investigated, emphasis is placed inter alia on factors such as probability and objectivity. The practice of the Bureau is such that the threshold for initiating an investigation is set low. For several reasons, the content of many reports is deemed to indicate that there are no reasonable grounds for initiating an investigation. There are several reasons for this. Some people believe that an action made by the police is unlawful even if it is permitted by law.

The Bureau also receives a few reports where the motive of the person reporting is clearly to prevent the police's work in an ongoing investigation. Some of the reports are obviously not objective or are completely groundless. It appears from the statistics from 2009 that 32 per cent of the reports are dropped because there are no reasonable grounds for investigating them. In 2008, the percentage was 39. The fact that a report is dropped on these grounds does not mean that it has not been thoroughly assessed. In the majority of these cases, documents relating to the police's prosecution of the complainant ("the mirror case") are retrieved and studied.

In many cases, and in addition to examining the report, an in-depth statement is obtained from the person who submitted the report. Written reasons are also given for the decision not to investigate a case.



*The Bureau for the Investigation of Police Affairs must decide each case in accordance with the principles for good prosecuting practice.*

## Percentage of cases resulting in fines or indictment

Criticism has been aimed at the Bureau for the Investigation of Police Affairs because too few cases have resulted in penal sanctions. In this context it is important to point out that the Bureau's task is to investigate cases and decide on whether or not to prosecute in accordance with the framework set out by legislation and judicial precedent. Through legislation, the police have wide powers, and in many areas legislators have set a relatively high threshold in terms of being able to conclude with criminal liability. Judicial precedence has also determined that the police shall be granted latitude when being assessed retrospectively as to whether a criminal act has been committed during the course of duty. Emphasis is placed inter alia on the fact that the police often have a duty to tackle confusing and difficult situations. The Bureau for the Investigation of Police Affairs must assess each case individually and in accordance with the principles for good prosecuting practice. This means inter alia that any reasonable doubt about actual circumstances of significance for liability to punishment – in the Bureau's cases as in other criminal cases – shall benefit the suspect.

No indictment shall be brought unless the prosecuting authority is convinced of culpability and is of the opinion that this can be proved in court. Of the 1,377 reports processed in 2009, 71 resulted in positive decisions to prosecute in the form of fines, charges, indictments or waiver of prosecution. A total of 27 individuals or enterprises were imposed fines, charged, indicted or granted waiver of prosecution in 2009. A further description of cases with positive decisions to prosecute is provided on pages 20-21.

# Statistics

## Case processing and methodology

The preparatory works for the establishment of the Bureau for the Investigation of Police Affairs presuppose that the processing of the cases in the unit shall take place at two levels and that the Bureau Chief shall not participate in or provide detailed guidance for the work carried out by the departments for investigation. When a case is regarded as being adequately investigated, the departments for investigation provide a written recommendation or proposal. The recommendation is written by a permanently-employed legal practitioner or by one of the lawyers on secondment. All recommendations and decisions for the Bureau for the Investigation of Police Affairs are substantiated by valid argumentation. Substantiating recommendations is time-consuming but is considered to provide valuable information to both the complainant and the accused. In some instances, the Bureau's grounds could also act as a guideline for the police in areas where there may be need for a review of routines/practice.

In a number of cases, the Bureau has criticised the police's or the prosecuting authority's performance in the course of duty even though criminal liability is not concluded. An open and transparent investigative and decision-making process is important in order to fulfil Norway's obligations in accordance

with the European Convention on Human Rights. The Council of Europe Commissioner for Human Rights has promoted the Bureau's reasoned prosecution decision-making process as an example of good practice.

The Bureau is entitled to apply all legal methods of investigation. Evidence in the Bureau's cases is first and foremost obtained by means of interviewing the person reporting the case, witnesses and the suspect. In the majority of cases reported to the Bureau the complainant is usually already under investigation by the police. "Mirror case" is a term used in police case documents in criminal proceedings against the complainant, and is usually obtained if such "mirror case" exists. The Director General of Public Prosecutions is organisationally superior to the Bureau and may issue orders to initiate, execute and stop investigations. The Director General is also the appellate authority for appeals against decisions made by the Bureau.

The overview below details measures and methods in connection with examination/ investigation of cases where members of the police and the prosecuting authority are reported /suspected of committing a criminal act in the course of duty.

MEASURES/ METHODOLOGY	2009	2008	2007
No. of police interviews	1323	1392	1382
Assistance from Kripos	13	13	27
Assistance from Økokrim	1	3	3
Post mortem examinations	4	4	5
Remands in custody		1	2
Arrests	3	3	6
Judicial examinations	2	2	1
Reports from the Institute for Forensic Medicine	4	1	7
Obtained medical reports	33	32	32
Searches conducted	3	6	7
Communications control		1	

In addition to the methods quantified above, other measures include the retrieval of documents, duty logs and audio logs from the police, telecom data from telecom operators, bank account details etc.

## Who reported cases in 2009?

The following overview shows who submitted reports in cases decided in 2009. The overview also includes cases where the Bureau has initiated investigations (involving serious injury or death). In cases where decisions to investigate have been made, the police district is counted as reporter. Among the cases decided in 2009, there are 15 reports where the Bureau

found cause to initiate investigations without a prior complaint from the aggrieved party or a report from the police district. The majority of the reports were made by the aggrieved party. Eighty per cent of the reporters in concluded cases are men, 20 per cent are women.

WHO REPORTED?	NO. OF CASES IN 2009	%	NO. OF CASES IN 2008	%	NO. OF CASES IN 2007	%
The Bureau's own initiative	15	2	9	1	14	2
The police district	136	14	79	9	127	15
The aggrieved party	655	70	617	75	587	68
The aggrieved party's lawyer	100	11	90	11	107	12
Others	30	3	30	4	28	3
<b>Total</b>	<b>936</b>		<b>825</b>		<b>863</b>	

## Who was reported in 2009?

The overview shows the category of employment and (partially) office of employment for persons in cases decided by the Bureau in 2009. Eighty-one

per cent of the cases involve policemen/ policewomen, 17 per cent concern prosecution authority employees and 1 per cent civilians in the police force.

WHO WAS REPORTED?	TOTAL REPORTED IN 2009	%	TOTAL REPORTED IN 2008	%	TOTAL REPORTED IN 2007	%
Police officers (male and female)	980	72	1013	77	1049	80
Police lawyers	128	9	116	9	133	10
Public prosecutors	14	1	23	2	21	2
The Director General of Public Prosecution	5	0	5	0	3	0
Civilians working with the police	18	1	15	1	9	1
Others (incl. enterprises and Chief of Police)	216	16	143	11	94	7
<b>Total</b>	<b>1361</b>		<b>1315</b>		<b>1309</b>	

## Summary of cases registered in 2009

It is important to emphasise that the nature of the allegations given in the table below are based on the complainant's interpretation of what type of punish-

able offence has taken place. When the investigation is complete, the code for type of offence could be changed in connection with the final decision made.

NATURE OF ALLEGATIONS	NO. IN 2009	NO. IN 2008	COMMENTS
Illegal abuse of power	60	80	
Unlawful detention	24	13	
Illegal search	19	14	
Breach of confidentiality	57	81	
Dishonesty in course of duty	32	43	For example false reporting false statements, false complaint
Drug violations	6	6	
Sexual offences	19	3	
Crime of gain	18	29	
Gross lack of judgment in the course of duty	310	287	Several cases here will also concern the abuse of power
Improper behaviour	10	10	
Dereliction of duty	56	26	
Traffic offences	25	52	

# Decisions to prosecute in 2009

Below is an overview of cases on which the Norwegian Bureau for the Investigation of Police Affairs decided to impose penal sanctions in 2009. The overview details indictments and fines. A few of the cases are also described in the overview on pages 26-28 of the court cases that were heard in 2009.

## INDICTMENTS

- A police officer was indicted on charges of acquiring drugs, violence against a civil servant, theft of drugs, possession of pictures sexualising children, and offences contrary to the legislation relating to firearms. The police officer was convicted in the District Court. Both the police officer and the Bureau have appealed the judgment handed down by the District Court. As of February 2010, the Court of Appeal has yet to make a decision on the appeal.
- A woman who was formerly a civil police employee in charge of accounting was indicted on charges of the embezzlement of approximately NOK 1.1 million from a police district. The main hearing was held in the District Court in 2010. The woman was given an immediate term of imprisonment of one year. The judgment is not yet final and legally enforceable.
- A police officer was indicted on charges of several cases of rape and several cases of professional misconduct or attempted professional misconduct aimed at obtaining sexual intercourse. The indictment also comprises humiliating and unseemly conduct and gross lack of judgment in the course of duty. During some of the time when the events in question were to have taken place, the police officer served as acting chief of rural police with responsibility for dealing with cases involving sexual offences. The main hearing in the District Court is scheduled for March 2010.

## FINES IN LIEU OF PROSECUTION

*Breaches of confidentiality, cf. section 121 of the Norwegian General Civil Penal Code*

- A police prosecutor was fined NOK 6,000 for breach of confidentiality. In connection with a criminal case concerning driving while under the influence of intoxicants, the police prosecutor informed the grandfather of the charged person that, on the relevant occasion, his grandchild had

been under the influence of hashish. The fine was not accepted and the police prosecutor was acquitted after the case had been heard in the District Court. The Bureau for the Investigation of Police Affairs has appealed the acquittal, and an appeal is listed for hearing in the Court of Appeal in 2010.

### *Assault, Section 228 of the Norwegian General Civil Penal Code*

- A police officer was fined NOK 12,000 for assault and improper conduct. A camera recording proved that the police officer forced a foreign person who was about to be transported from Norway down to the floor by grasping him around the neck. The foreigner stated in an interview with the Bureau that the police officer had also made improper statements – for example by telling him that he had no brain. During the investigation, the police officer refused to make a statement to the Bureau for the Investigation of Police Affairs. The fine was not accepted. The District Court acquitted the police officer of unlawful wounding. In its assessment of the case, the court referred to the fact that foreigners about to be forcefully removed from Norway will in some cases injure themselves in order to prevent their removal from the country. It was assumed that prior to the use of force the foreigner had attempted to break loose from the police officer, and that the police officer had acted to protect himself and his colleagues by forcing the foreigner down to the floor. During the main hearing, the prosecutor waived the part of the indictment that concerned improper statements. The judgment is final and legally enforceable.

### *Chapter 33 of the Norwegian General Civil Penal Code. Misdemeanours in public service*

- A police officer was fined NOK 10,000 for gross lack of judgment in the course of duty. While questioning a young man charged with drug-related offences, the police officer is accused of making comments on the man's body and asking questions relating to his sex life, stroking his

cheek and hand and giving him several hugs. The police officer had on several previous occasions been instructed by his employer to refrain from touching people while interviewing them. The fine was accepted.

- A police inspector was fined NOK 10,000 for failure to perform his duty. During the period from October 2003 to June 2008 he was in charge of the prosecution of a criminal case concerning the rape of an underage child. Despite numerous reminders from the counsel for the victim and the public prosecutor, he failed to accept responsibility for the progress of the case and allowed an excessive period to elapse before the case was brought to trial. The fine was accepted.
- A police officer was fined NOK 10,000 for failure to perform his duty and gross lack of judgment in the course of duty. During an operative course he appeared under the influence of intoxicants at the firing range and fired shots. The grounds for the fine in lieu of prosecution made a reference to Section 23 of the Norwegian Police Act relating to the prohibition against alcoholic beverages. The fine is accepted.
- A police inspector was fined NOK 10,000 for failure to perform his duty. From the autumn of 2003 to the autumn of 2008 the police inspector failed to send six appeal cases for consideration by the public prosecutor. He had previously been warned by the Chief of Police for inadequate follow-up of criminal cases in his portfolio. As the police inspection was a senior civil servant, the decision concerning a penal sanction was made by the King-in-Council. The fine was accepted.

- A police officer was fined NOK 8,000 for gross lack of judgment in the course of duty. Along with a colleague the police officer answered an emergency call-out concerning dangerous driving. He assumed that the call might concern his cohabitant and drove home to their joint



address. When they arrived at the address, as the most senior officer he decided that he alone should enter the house and check whether his cohabitant was under the influence of intoxicants. After he had spoken to his cohabitant, he concluded that she was sober. The police officer was aware that his cohabitant had problems with drugs and that he was not competent to take part in the investigation of his own cohabitant. The fine was accepted.

- A police officer was fined NOK 5,000 for gross lack of judgment in the course of duty and for careless driving. On observing a light motorcycle being driven out of a property the police had under observation, he gave chase. When the driver reduced his speed on approaching a bend, the

police officer drove into the rear wheel, causing the motorcycle to overturn and sustain damage. No signal was given by the use of blue lights. No reasoned suspicion could be directed at the motorcyclist for any offence other than speeding. The fine was not accepted, and after the case had been heard by the District Court and the Court of Appeal the police officer was acquitted. The acquittal is final and legally enforceable.

#### **CARELESS HANDLING OF A FIREARM**

- A police officer was fined NOK 5,000 for careless handling of a firearm. During an armed operation he let his loaded and unsecured machine pistol hang by a strap from his shoulder. When he threw a stone, a shot was released that hit a colleague in the leg. The fine was accepted.

#### **CORPORATE PENALTY**

- In 2009 the Bureau for the Investigation of Police Affairs has reacted by imposing a corporate penalty in five cases. A further description of these cases can be found on pages 8-9.

#### **CASES WHERE THE ROAD TRAFFIC LEGISLATION HAVE BEEN CONTRAVENED**

- In 2009 the Bureau for the Investigation of Police Affairs has issued seven fines for offences where the road traffic legislation have been contravened. An overview of these cases can be found at the Bureau's website:

**[www.spesialenheten.no](http://www.spesialenheten.no)**



# Emergency turn-outs in 2009

A number of the cases received by the Norwegian Bureau for the Investigation of Police Affairs require an immediate response. This applies to situations where someone has been seriously injured or killed as a result of actions taken by the police and the prosecution authority in the course of their duty. In cases where serious crime is suspected, an immediate response may also be essential in order to secure evidence.

The Bureau has a nationwide responsibility and thus it is not always possible to attend a crime scene and implement measures as quickly as one would like. This means that immediate measures to secure evidence often must be carried out with assistance from the police. Police officers who take part in armed operations often need to be isolated for some time before the Bureau's team arrives to conduct the necessary interviews. The public committee

that presented its report in 2009 on the work of the Bureau (Norwegian Official Report 2009:12) emphasises that the Bureau needs a duty scheme that ensures adequate emergency preparedness. In 2009, the Bureau turned out and initiated immediate investigative measures in 13 cases. Pre-planned actions involving arrest and searches are not included in this number.



**3 January 2009**

#### **Oslo police district**

In Oslo city centre, the police fired shots against a person who was aiming a firearm at a policeman and threatening to kill him. The person was injured by a shot fired by the police.

**23 January 2009**

#### **Troms police district**

A policeman used the police weapon of a colleague to shoot his former cohabitant and himself. The Bureau for the Investigation of Police Affairs investigated inter alia matters concerning how he acquired the weapon.

**24 February 2009**

#### **Oslo police district**

In Oslo city centre, the police fired shots against a person who, at a distance of 20m, aimed a firearm against the police and refused to comply with orders to drop the weapon. The person was injured by shots fired by the police.

**19 May 2009**

#### **Hordaland police district**

A notification from the Chief of Police that an employee in the police district could be suspected of dealing in anabolic steroids was immediately followed up by the Bureau.

**29 May 2009**

#### **Sogn og Fjordane police district**

A marked police car transporting prisoners collided head-on with a private car.

**9 July 2009**

#### **Nord-Trøndelag police district**

A police patrol made the driver of a car who was suspected of driving while under the influence of intoxicants drive onto the verge of the road and stop. When the patrol officers left their car, the driver suddenly drove off and shortly afterwards collided with a lorry. The driver was killed.



*19 July 2009*

**Hordaland police district**

A young woman reported two police officers for having raped her in a police car. During the investigation of the case it became clear that the police employees had neither committed sexual offences nor in any other way treated the woman in a manner that could lead to criminal liability.

*13 August 2009*

**Telemark police district**

The driver of a car pursued by the police drove into a tunnel in the wrong lane. Inside the tunnel he collided with several vehicles. A motorcyclist died.

*4 September 2009*

**Rogaland police district**

During an emergency turn-out, a police officer lost control of his vehicle and collided with street lights.

*29 September 2009*

**Oslo police district**

The police went to arrest a person who was wanted by the police and had barricaded himself in a flat. When the police entered the flat, the person jumped out of the window and fell about 8 meters to the ground.

*30 October 2009*

**Østfinnmark police district**

A person whom the police had called on and who was to be taken to the police station for questioning fired a shot at himself.

*19 November 2009*

**Sør-Trøndelag politidistrikt**

A person who appeared in court in police custody for an extension of his remand fell to the floor in the courtroom. The person had been alone in a toilet and was assumed to have swallowed a foreign body.

*29 December 2009*

**Agder politidistrikt**

A person died in a police cell at Kristiansand police station. Prior to being placed in the cell, the person in question was examined by a doctor.

# Administrative assessments

## Empirical learning – referring cases to Chiefs of Police for administrative assessment

### Examples of cases referred for administrative assessment in 2009:

● A woman submitted a complaint against the police because she had been stopped and searched while out walking in the vicinity of her own home. She felt that in the situation in question the police did not have the right to search her, and emphasised that she had not been made aware of the purpose of the search. The officers that had stopped her referred in the hearing to the fact that she had been walking unsteadily, that they recognised her from previous cases, and that they knew she had dealt in drugs. They perceived her as somewhat lethargic, and therefore decided to make an examination known as "signs and symptoms" to gain a better indication of whether she could be under the influence of intoxicants. Using a torch they checked the reactions of her pupils. They also examined her hands and asked her to blow on them. The officers were of the opinion that the examinations indicated there were grounds to suspect the woman of using drugs, and they therefore decided to search her. No drugs were found, and the woman was released immediately. No report was written about the search. In its assessment of the case, the Bureau referred to the fact that the Director General of Public Prosecutions has stated that searches that require active cooperation or that involve tolerance from the person being searched can only

be conducted when there is just cause for suspicion beforehand and when the other conditions for searching are met. Consequently the officers should have decided whether there was just cause for suspicion before they made a closer check of the woman's eyes and hands. In the opinion of the Bureau, an unsteady way of walking and knowledge of a previous drug record could not in these circumstances form the basis for suspecting the woman of drug abuse. The Bureau did not find reason to impose a penal sanction on the officers. Emphasis was placed on the fact that in connection with the explanation of examining for signs and symptoms, the officers appeared to have been given unclear instructions concerning the basis for legal authority. The police district was asked to review the case administratively, and particularly to assess whether there was a need to inform its staff in more detail about the basis of legal authority for checking for signs and symptoms. The police district was also asked to intensify its practice for writing reports following a search.

● A leader in a police district was reported for not ensuring that an investigation was initiated in connection with information that had emerged about an employee using violence against his spouse, who was also employed in the police.

More cases from 2005–2009 that were referred for administrative assessment can be found on the website of the Bureau for the Investigation of Police Affairs:  
[www.spesialenheten.no](http://www.spesialenheten.no)

Some information also indicated threats of the use of a firearm. The leadership group wanted to follow up the case as a matter of staff policy, but gave priority to the fact that the injured party did not want to report the matter. A year and five months therefore elapsed from when the police district found out about the matter in question to when the case was referred to the public prosecutor for the appointment of a substitute Chief of Police. The Bureau criticised the police district and referred to section 219 of the General Civil Penal Code and to central guidelines on violence in close relationships. It was pointed out that to maintain confidence in the police it is crucial that no criticism can be raised about discrimination in favour of police employees. Reference was also made to the fact that the issues related to threats with a weapon and the possession of a weapon were not followed up by the establishment of a weapon case. The Bureau found no grounds to impose a penalty on the employee in the police district or on the police district as an enterprise. In this assessment considerable consideration was given to the fact that the police district raised the question of criminal follow-up in a telephone call to the public prosecutor, and that the public prosecutor did not then provide clear guidelines as to whether the case should be treated as a criminal

**In 2009 the Bureau for the Investigation of Police Affairs has referred 47 cases to chiefs of police or the heads of special bodies for administrative assessment. In 2008 the number of cases referred was 32.**

When the Bureau sends cases for administrative assessment it means that information has emerged during the investigation of the case that should be followed up by the police or the prosecuting authority. This can, for example, concern cases where a penalty has not been imposed but where the police should nonetheless learn from their experience with the case and, for instance, amend their routines. Cases will also be referred

for administrative assessment if the Bureau is of the view that the case may provide grounds for disciplinary penalties for members of the police. Cases where a penalty has been imposed may also be suitable for administrative review and empirical learning.

In Circular no. 3/2006 the Director General of Public Prosecutions stated that criticism from the Bureau should generally be restricted to the incident that was the object of investigation and should form part of the judicial assessments. General criticism of police activities, organisation, routines etc. should be taken up separately and directly with the Chief of Police involved or with the Director General. If

the criticism is levelled at the Norwegian Police Directorate's area of responsibility, the Directorate should also be notified.

The committee that evaluated the Bureau, and that in May 2009 submitted its report (Official Norwegian Report NOU 2009:12 – A responsible police force), addresses issues that concern knowledge-based empirical learning. The committee is of the view that the Bureau's role as a resource body should be highlighted, and that the Norwegian Police Directorate's responsibility for empirical learning should be intensified.

offence. The police district was asked to review the case administratively.

- At 17.00 one evening a police district received notification that a young woman was missing. The alert was given by the woman's father. At 19.57 on the same day, the operations centre received a telephone call from a man who said that a woman was sitting at the entrance to a tunnel near a town centre and that she appeared to be intoxicated and in need of help. The police recorded the telephone call in the task log as an assignment, but did not go to the scene. Neither did they give any information to the health service via the emergency medical communications centre. Seven days later a young woman was found dead at the tunnel entrance in question. The operator who took the message about the woman said that he had not felt he had been alerted about a person who was in need of immediate help, but that it was a question of an intoxicated person who could take care of herself. He made no connection between the telephone call and the information on the missing person that had been received earlier the same day. The Bureau's assessment

of the conversation between the person who rang in and the operator was that the operator was not particularly welcoming. In connection with the case, focus was placed on routines or handbooks regarding the questions that people who ring in to report intoxicated persons should be asked in cases where it may be unclear as to whether the person concerned needs medical help. Attention was also directed towards the routines for transferring calls to the emergency centre. When inquiries were made at three other police districts, it transpired that they had no routines for questions to people who rang in or for transferring calls to the emergency centre either. The Bureau did not find grounds to impose a penalty on the employees in the police district or on the police district as an enterprise. It was pointed out that there were reasons for the police district to apologise for the fact that the information on the woman in the tunnel entrance had not resulted in a turn-out from the police or the emergency centre. When assessing the criminal liability of the enterprise, emphasis was placed on the fact that the police district had already strengthened its routines for transferring calls to the emergency centre, and that lists of

questions had been compiled to be used for communications of this nature. The case was regarded as suitable for national empirical learning.

- The police computing and equipment service gave notification of a member of the police who had an unusually high activity in working hours on blocked Internet sites. The sites mainly had links to pornographic material. When the acquisition, import and possession of the material in question were not assessed as forbidden, the Bureau found that the matter was not liable for a penalty. The fact that an employee uses his working hours for something other than what he is employed to do, or that he misuses the police's computer equipment for viewing or sending pornographic material, was not assessed as an act carried out in the performance of his work that can be regarded as a gross lack of judgment in the course of duty. However, the employee's use of the Internet represented a clear breach of police guidelines and was assessed as possibly entailing a security risk. The Bureau dropped the case, but recommended that it should be assessed administratively.

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*In cases where the Bureau for the Investigation of Police Affairs takes out an indictment, one of the Bureau's lawyers appears for the prosecution. In 2009 the Bureau has served as prosecutor in nine criminal cases.*

# Court cases in 2009

## **Øvre Romerike District Court**

### **Breach of confidentiality**

A police inspector in Hedmark police district was indicted for breach of confidentiality and gross lack of judgment in the course of duty. On three occasions he had leaked confidential personal data and/or confidential information to the media concerning investigations into ongoing criminal cases in other police districts. He had acquired the information from police records, without needing it for his work and contrary to the purpose of the records. The decision of 2 March 2009 made by the District Court in Øvre Romerike ordered him to serve 90 days in prison, 60 days of which were suspended, and two years' probation. He was also barred from holding a police post. The judgment is final and legally enforceable.

## **Kristiansand District Court**

### **Illegal abuse of power**

On the orders of the Director General of Public Prosecutions, a fine in lieu of prosecution was served on a police sergeant from Agder police district for assault, gross lack of judgment in the course of duty and careless driving of a motorised vehicle. In a police car he had followed a person riding a bicycle, who was suspected of having sold drugs. The police sergeant stopped the cyclist by driving into the bicycle and overturning it. The police sergeant did not accept the fine, and by a judgment handed down by Kristiansand District Court on 13 January 2009 he was ordered to pay a fine of NOK 10,000. In its assessment of the case the Court emphasised the potential danger of the act. An appeal against the District Court's judgment was lodged by the police sergeant. Both Agder Court of Appeal and the Supreme Court dismissed the appeal. The judgment is final and legally enforceable.

## **Tønsberg District Court**

### **Gross lack of judgment in the course of duty**

On the orders of the Director General of Public Prosecutions, a fine in lieu of prosecution was served on a police sergeant from Vestfold police district for gross lack of judgment in the course of duty involving the use of handcuffs on a 13-year-old girl. The act took place in connection with

the police action on the place of residence of a person charged with a drug offence. The 13-year old daughter of the accused was in the house. She sat in the living room with handcuffs on for approximately 30 minutes while the police searched the house. The fine was not accepted. The police sergeant was acquitted by a judgment handed down by Tønsberg District Court on 21 January 2009. In its assessment of the case, the District Court emphasised that the police's need to maintain an overview and control of the premises was of considerable importance, even though it was not appropriate to use handcuffs on such a young person. The Director General of Public Prosecutions appealed the judgment, but the police sergeant was again acquitted on 17 June 2009 in Agder Court of Appeal. The judgment is final and legally enforceable.

## **Øvre Romerike District Court**

### **Illegal abuse of power and improper conduct**

A fine in lieu of prosecution was served on a police officer in the police immigration unit for assault and improper conduct. A camera recording proved that the police officer forced a foreign person who was about to be transported from Norway down to the floor by grasping him around the neck. The foreigner stated in an interview with the Bureau that the police officer had also uttered improper statements – for example by telling him that he had no brain. During the investigation, the police officer refused to make a statement to the Bureau. The fine was not accepted. The District Court acquitted the police officer of unlawful wounding. In its assessment of the case, the court referred to the fact that foreigners about to be forcefully removed from Norway will in some cases injure themselves in order to prevent their removal from the country. It was assumed that prior to the use of force the foreigner had attempted to break loose from the police officer, and that the police officer had acted to protect himself and his colleagues by forcing the foreigner down to the floor. During the main hearing, the prosecutor waived the part of the indictment that concerned improper statements. The judgment passed by Øvre Romerike District Court on 20 April 2009 is final and legally enforceable.

## **Alstadhaug District Court**

### **Sexually-insulting behaviour**

A police sergeant in Helgeland police district was indicted for sexually-insulting behaviour, professional misconduct, gross lack of judgment in the course of duty, and improper conduct. By virtue of his position as the person responsible for preventive work and the investigation of young people, he sent sex-related messages or pictures to two young women, partly to gain sexual contact with them. The judgment passed by Alstadhaug District Court on 10 October 2008 sentenced him to a 45-day suspended sentence and a two-year probationary period, and a fine of NOK 10,000. He was also barred from his post in the police and from the right to hold a police post. The appeal lodged by the police officer was withdrawn on 24 April 2009, and the judgment is final and legally enforceable.

## **Oslo District Court**

### **Corruption and other offences**

Two police inspectors in Oslo police district and a businessperson in Oslo were indicted for gross corruption, professional misconduct, and gross lack of judgment in the course of duty. One of the police inspectors was also charged with breach of confidentiality as he had given information from police records to the businessperson. The other police officer was in addition charged with social security fraud and customs fraud, the theft of electric power and an infringement of the Act relating to firearms, ammunition etc. The police officer's spouse was also charged with complicity in the Customs deception and the theft of electric power. The police officers were charged with corruption because they had taken the businessperson out of prison on the excuse of needing him to help them in their work, which was not the case. The main hearing took place in Oslo District Court and lasted three weeks. On 25 August 2009 Oslo District Court sentenced the police inspectors to immediate prison sentences of two years and one year and six months respectively.

One of the police officers was acquitted of the breach of confidentiality. They were also barred from their police posts and from the right to hold

# Court cases in 2009 (cont.)

a police post in the future, and ordered to tolerate confiscation. The businessperson was given an immediate prison sentence of one year and three months. The indicted spouse was acquitted. The sentenced persons lodged an appeal against the judgment passed by the District Court, to which the Bureau submitted a cross-appeal. The hearing of the appeal at Borgarting Court of Appeal has been scheduled for June 2010. The acquittal of the spouse is final and legally enforceable.

## **Follo District Court**

### **Drug violations, embezzlement, possession of sexualised pictures of children, infringement of the Act relating to firearms, ammunition etc. and other offences**

A police superintendent in Follo police district was indicted on charges of the acquisition and possession of amphetamine, violence against a civil servant when being arrested by the Bureau, theft of amphetamine confiscated by the police, editing and possession of sexualised pictures of children, illegal possession of a high-calibre pistol and ammunition, and the use of drugs. On 30 September 2009 Follo District Court sentenced the police superintendent 120 days' imprisonment, 60 days of which were suspended, with a probationary period of two years. He was also barred from his post in the police and from the right to hold a police post in the future, and ordered to tolerate confiscation. Both the police superintendent and the Bureau have appealed the judgment. As of February 2010 Borgarting

Court of Appeal had not decided on whether to allow the appeal.

## **Haugaland District Court**

### **Breach of confidentiality**

On the basis of an unaccepted fine in lieu of prosecution served by the Bureau, a police prosecutor in Haugaland and Sunnhordaland police district was indicted on charges of breach of confidentiality. In connection with a criminal case concerning the suspicion of driving under the influence of intoxicants, the police prosecutor informed the charged person's grandfather that his grandchild had used hashish. The Court's assessment included a reference to the fact that the grandfather was a resource person for the grandchild and wanted to help him. The police prosecutor was acquitted by the decision of 27 October 2009 passed by Haugaland District Court. The Bureau has appealed against the acquittal, and the appeal hearing is set for June 2010 in the Court of Appeal.

## **Aust-Agder District Court**

### **Illegal abuse of power**

On the basis of an unaccepted fine in lieu of prosecution issued by the Bureau, a police sergeant in Haugaland and Sunnhordaland police district was indicted on charges of gross lack of judgment in the course of duty and careless driving of a motorised vehicle. On observing a light motorcycle being driven out of a property the police had under observation, the officer gave chase. When the motorcycle slowed down

on approaching a bend, the police officer drove into the rear wheel causing the motorcycle to overturn and sustain damage. No signal was given by means of blue lights. The Bureau's opinion was that under the circumstances the collision was not a necessary, justifiable or appropriate action. The police sergeant was acquitted by a judgment passed on 1 August 2009 by Aust-Agder District Court. The Bureau appealed the decision. The acquittal was upheld by a judgment passed by Agder Court of Appeal on 11 November 2009. The judgment is final and legally enforceable.



## **Stjør- og Verdal District Court**

### **Illegal second job**

On the basis of an unaccepted fine in lieu of prosecution served by the Bureau, a police sergeant in Nord-Trøndelag police district was indicted on charges of committing an act that was forbidden by virtue of his position. In the period from summer 2007 to autumn 2008 he worked on a commission basis, marketing health and well-being products, in spite of the fact that his application to take on a second job had been rejected by both the Chief of Police and the Norwegian Police Directorate. In autumn 2008 he conducted marketing activities of such products during working hours to a person who had come to the rural police office to obtain a certificate of good conduct. By a judgment handed down by Stjør- og Verdal District Court the police sergeant was ordered to pay a fine of NOK 10,000. He appealed the order. On 30 September 2009 Frostating Court of Appeal upheld the judgment, but reduced the fine to NOK 5,000. The Supreme Court has rejected an appeal from the police sergeant. The judgment is therefore final and legally enforceable.



# Meetings and lectures in 2009



**The Bureau for the Investigation of Police Affairs wants to contribute to empirical learning in the police and to provide information about its activities. Circular no. 3/2006 of 6 September 2006 from the Director General of Public Prosecutions also states:**

“The Bureau for the Investigation of Police Affairs must assign high priority to its relationship with the general public and the media, for example by providing appropriate and objective information about the enterprise and by being generally available. The Bureau must also establish a good and open dialogue with the police districts. It is important that representatives for the Bureau attend meetings and gatherings in the police districts in order to brief others about its tasks and activities.”

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*The Bureau for the Investigation of Police Affairs must assign high priority to its relationship with the general public and the media, for example by providing good and objective information about the enterprise and by being generally available.”*

The committee that submitted its report on the Bureau in May 2009 (Norwegian Official Report NOU 2009:12 – relating to a responsible police force, openness, control and learning) writes that the Bureau is regarded as a body that identifies

problems, and that its competence and knowledge are sought after in the police districts. The Bureau’s decisions represent a useful point of departure for empirical learning.

“As the committee sees it, the case portfolio and the activities of the Bureau for the Investigation of Police Affairs provide a good source of knowledge for the assessment of systems, routines, training and occupational culture in the police force.”

In 2009 the Investigation Divisions have given lectures to several of the police districts in their regions – to leadership groups and operative crews. The Investigation Division for West Norway in Bergen has lectured to journalists and to the Coast Guard resource centre.

The Director of the Bureau has held lectures for three police districts in 2009, as well as talks at the meeting of chiefs of police and on the research days at the Police University College. He has also held lectures for students at the Norwegian School of Management BI in Oslo and Bergen, at teacher training sessions at the Police University College, for the Civil Department of the Ministry of Justice and the Police, for the section for police emergency preparedness and crisis management in the Norwegian Police Directorate, and for employees at the National Police-Related Crimes Unit in Sweden.

# The Norwegian Bureau for the Investigation of Police Affairs



By the Act of 5 March 2004, no. 13, the Storting (the Norwegian Parliament) resolved to establish a new central nationwide unit with responsibility for investigating cases involving the question of whether employees in the police or the prosecuting authority have committed a criminal offence in the course of their duty. The Bureau started its activities on 1 January 2005.

The Bureau does not form part of the police or the ordinary prosecuting authority. It is an independent organisation that administratively falls under the Ministry of Justice and the Police (Civil Department) and that professionally reports to the Director General of Public Prosecutions. The Director General of Public Prosecutions can issue orders to the Bureau concerning the initiating, conducting and halting of investigations.

The Director General of Public Prosecutions also handles appeals against decisions made by the Bureau. The Bureau is headed by its Director, and investigations are conducted at three regional Investigation Divisions that submit recommendations (proposals) to the Director on how the question of prosecution should be decided. The work of the Bureau is carried out by permanently-employed staff and individuals on

secondment.

## OPEN AND POSITIVE COMMUNICATION

*“One of the objectives of creating the Norwegian Bureau for the Investigation of Police Affairs was to strengthen the general public’s confidence in the community’s ability and willingness to investigate and prosecute crimes committed by members of the police and prosecuting authority.*

*An important condition for achieving this objective is that the general public is given information about the system, how the Bureau is organised, how it functions and what decisions it makes. It is essential that the Bureau for the Investigation of Police Affairs establishes, as far as possible, an open and positive channel of communication with the media, about the Bureau’s work in general and the individual cases it pursues. By providing information that is both correct and impartial, the Bureau’s standpoint and decisions will be more easily understood and accepted. Issuing statements about individual cases requires a thought-through strategy and awareness about what information may be or should be provided in a given situation.”*

(Director of Public Prosecutions – Circular no. 3/2006)



*The Norwegian Bureau for the Investigation of Police Affairs is a nationwide investigatory and prosecution unit for cases involving the question of whether employees in the police or the prosecuting authority have committed a criminal offence in the course of their duty.”*



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Norwegian Bureau for the  
Investigation of Police Affairs

