

The Norwegian Bureau for the Investigation of Police Affairs

Spesialenheten
for politisaker



Key issues

- History
- Mandate
- Organisation
- Handling of cases
- Skills and competences
- Independent, adequate, prompt, transparent ?

Mandate

- Criminal Procedure Act para 67: investigation of allegations against employees of the police or the prosecuting authority for committing a criminal offence in the course of their duty
- One national unit since 01.01.2005
- 1968-1988: appointed chief of police or dedicated prosecutors
- 1988-2005: regional investigation units with one judge, one lawyer and one police officer

Organisation



- 34 permanent employees of which 18 investigators
- In addition to permanent employees, 11 persons are engaged on assignment. 10 lawyers and 1 psychologist
- Approximately 14 000 employees in the Norwegian police force (including police prosecutors)
- Handles about 1000 reports every year

PROSECUTING POWERS

- When establishing the Bureau the question of prosecuting powers was a key issue.
- The Bureau is organised with two levels: The head of the regional investigation unit has prosecuting powers during investigation (to order use of coercive measures: search, seizure, arrest etc). The Director takes the final decision in all cases and has the same prosecuting competence as a public prosecutor

HANDLING OF CASES

- Mandatory investigation when someone is dead or severely injured when taken care of by the police or as a result of actions taken by a police officer
- In general within our mandate: low threshold to open investigation
- All investigation necessary to establish the facts and secure evidence

- The Director rules on all the Bureau's cases
- Written decision in every case: accounting for the facts of the case, the investigation and legal assessment
- The written decision is sent to the parties, chief of police concerned and sometimes the media/published on our website (www.spesialenheten.no)

ADMINISTRATIVE ASSESSMENT

- The report or the investigation unveils information which should be followed up administratively by the chief of police (National Police Directorate, leader of specialised unit etc.)
- Since 2005 – ca 20 % of the cases sent to administrative assessment concerns detention

COMPETENCE/SKILLS

- Challenge: small organisation
- Investigation: inhouse experienced investigators – generalists
- Need for assistance in specialised areas (ex securing and analysing data, forensic)
- Inhouse legally educated staff with a variety of professional backgrounds

DO THE NORWEGIAN BUREAU MEET THE OBLIGATIONS AND RECOMMENDATIONS SET FORTH IN INTERNATIONAL HUMAN RIGHTS DOCUMENTS?

- Independence
- Adequacy
- Promptness
- Public scrutiny
- Victim involvement