

## STATUTORY INSTRUMENTS

# 1995 No. 2993

## The Police (Amendment) (Northern Ireland) Order 1995

### PART IV

#### POLICE COMPLAINTS

##### **Investigation of complaints against officers, other than senior officers**

<sup>F1</sup>18.—(1) If the chief Constable determines that he is the appropriate authority in relation to a member of the police force about whose conduct a complaint has been made and who is not a senior officer, he shall—

- (a) record the complaint; and
- (b) refer the complaint to the Commission not later than the end of such period as may be prescribed.

(2) After recording the complaint under paragraph (1)(a) the Chief Constable shall consider whether the complaint is suitable for informal resolution and may appoint a member of the police force to assist him.

(3) If it appears to the Chief Constable that the complaint is not suitable for informal resolution, he shall appoint a member of the police force or a member of another United Kingdom police force to investigate it formally.

(4) If it appears to him that it is suitable for informal resolution, he shall seek to resolve it informally and may appoint a member of the police force to do so on his behalf.

(5) If it appears to the Chief Constable, after attempts have been made to resolve a complaint informally—

- (a) that informal resolution of the complaint is impossible; or
- (b) that the complaint is for any other reason not suitable for informal resolution,

he shall appoint a member of the police force or a member of another United Kingdom police force to investigate it formally.

(6) A member of the police force may not be appointed to investigate a complaint formally if he has previously been appointed to act in relation to it under paragraph (4).

(7) Unless an investigation under this Article is supervised by the Commission under Article 21, the person appointed under paragraph (3) or (5) shall submit his report on the investigation to the Chief Constable.

(8) A complaint is not suitable for informal resolution unless—

- (a) the complainant gives his consent; and
- (b) the Chief Constable is satisfied that the conduct complained of, even if proved, would not justify criminal or disciplinary proceedings.

**Status:**

Point in time view as at 01/01/2006.

**Changes to legislation:**

The Police (Amendment) (Northern Ireland) Order 1995, Section 18 is up to date with all changes known to be in force on or before 08 October 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.