
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 41

The Police (Conduct) Regulations (Northern Ireland) 2016

PART 4

Misconduct Proceedings

Notification of outcome

37.—(1) The member concerned shall be informed of—

- (a) the finding of the person or persons conducting the misconduct proceedings; and
- (b) any disciplinary action imposed,

as soon as practicable and in any event shall be provided with written notice of these matters and a summary of the reasons before the end of 5 working days beginning with the first working day after the conclusion of the misconduct proceedings in accordance with the requirements of regulation 36.

(2) Where there was a finding of misconduct or gross misconduct a written notice under this regulation shall provide—

- (a) where the member concerned is not a senior officer—
 - (i) if the case was decided at a misconduct meeting, that he has a right of appeal under regulation 39 and he shall be given written notice of that right; or
 - (ii) if the case was decided at a misconduct hearing, that he has a right of appeal to a police appeals tribunal and he shall be given written notice of that right;
- (b) where the member concerned is a senior officer, that he has a right of appeal to a police appeals tribunal and he shall be given written notice of that right.

(3) In all cases referred to in paragraph (2) a written notice under this regulation shall include the name of the person to whom an appeal should be sent.

(4) The appropriate authority shall send a copy of any written notice under this regulation to the Ombudsman, in any case in which the Ombudsman was entitled to attend as an observer under regulation 31.

(5) In the case of directed proceedings—

- (a) the member concerned shall be informed orally of the finding by the chair at the conclusion of the hearing;
- (b) where the panel determine that there was misconduct or gross misconduct the chair shall send a report to the Chief Constable of the panel's finding and may, after consulting with other members of the panel, make recommendations to the Chief Constable as to any disciplinary action it considers appropriate;
- (c) the panel conducting the misconduct proceedings shall send a copy of any report to the Ombudsman;
- (d) the Chief Constable may impose any of the disciplinary action in regulation 36(2)(b) or (6)(b) as appropriate;

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- (e) any disciplinary action imposed by the Chief Constable will, if so requested by the member concerned, be given in person by the Chief Constable to that member, and in every case the member concerned will be notified in writing of any sanction imposed together with a copy of the report of the hearing, as provided by the chair; and
 - (f) the member concerned shall have a right of appeal to a police appeals tribunal and be given written notice of that right.
- (6) A copy of the report of the panel submitted under regulation 36(9), together with the decision of the Board, shall be sent by the Board to the Department of Justice and copied to the Ombudsman and the Chief Constable.