



# Police (Northern Ireland) Act 1998

## 1998 CHAPTER 32

### PART VII

#### POLICE COMPLAINTS AND DISCIPLINARY PROCEEDINGS

#### **56 Formal investigation by the Ombudsman.**

- (1) Where a complaint or matter is to be formally investigated by the Ombudsman under section 54(2) or (3)(a) or 55(3), (5) or (6), he shall appoint an officer of the Ombudsman to conduct the investigation.
- (2) The Secretary of State may by order provide that any provision of the <sup>M1</sup>Police and Criminal Evidence (Northern Ireland) Order 1989 which relates to investigation of offences conducted by police officers (within the meaning of that Order) shall apply, subject to such modifications as the order may specify, to investigations under this section conducted by persons who are not police officers (within the meaning of that Order).
- (3) A person employed by the Ombudsman under paragraph 3(1) of Schedule 3 shall for the purpose of conducting, or assisting in the conduct of, an investigation under this section have all the powers and privileges of a constable throughout Northern Ireland and the adjacent United Kingdom territorial waters; and subsection (3) of [<sup>F1</sup>section 32 of the Police (Northern Ireland) Act 2000] applies for the purposes of this subsection as it applies for the purposes of subsection (2) of that section.
- (4) Section 66 applies to a person to whom subsection (3) applies as it applies to a constable.
- (5) A person to whom subsection (3) applies shall not be regarded as in police service for the purposes of—
  - (a) Article 145 of the <sup>M2</sup>Trade Union and Labour Relations (Northern Ireland) Order 1995; or
  - (b) Article 243 of the <sup>M3</sup>Employment Rights (Northern Ireland) Order 1996.

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*Status: Point in time view as at 17/06/2002. This version of this provision has been superseded.*

**Changes to legislation:** Police (Northern Ireland) Act 1998, Section 56 is up to date with all changes known to be in force on or before 07 September 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. (See end of Document for details)

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- (6) At the end of an investigation under this section the person appointed to conduct the investigation shall submit a report on the investigation to the Ombudsman.

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**Textual Amendments**

- F1** Words in s. 56(3) substituted (4.11.2001) by 2000 c. 32, s. 78(1), **Sch. 6 para. 23(5)(d)**; S.R. 2001/396, art. 2, **Sch.**
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**Marginal Citations**

- M1** 1989 NI 12.  
**M2** 1995 NI 12.  
**M3** 1996 NI 16.

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