
STATUTORY INSTRUMENTS

2007 No. 912

**The Policing (Miscellaneous Provisions)
(Northern Ireland) Order 2007**

Police Ombudsman: investigation following acquittal

Investigation by Police Ombudsman following acquittal

11.—(1) After section 86 of the Criminal Justice Act 2003 (c. 44) insert—

“86A Application of sections 85 and 86 to investigations by the Police Ombudsman

(1) Sections 85 and 86 apply in relation to an investigation by an officer of the Police Ombudsman for Northern Ireland with the following modifications.

(2) References in sections 85(2) and (3) and 86(1) to an officer shall be read as references to an officer of the Ombudsman.

(3) Section 85(4) has effect as if for the words from “an officer who” to the end there were substituted “ the Ombudsman ”.

(4) Section 85(5) has effect as if for “An officer” there were substituted “ The Ombudsman ”.

(4) Section 85(7) does not apply.

(6) Section 86(3) has effect as if for “An officer of the rank of superintendent or above” there were substituted “ A senior officer of the Ombudsman ”.

(7) Section 86(6) has effect as if for “an officer of the rank of superintendent or above” there were substituted “ a senior officer of the Ombudsman ”.

(8) References to a senior officer of the Ombudsman are to an officer of the rank of senior investigating officer or above.”.

(2) In section 56 of the Police (Northern Ireland) Act 1998 (c. 32) after subsection (1) insert—

“(1A) Where an investigation is authorised by virtue of section 85 (read with section 86A) of the Criminal Justice Act 2003 (investigation of the commission of certain offences by persons acquitted), the Ombudsman shall appoint an officer of the Ombudsman to conduct the investigation.”.

Changes to legislation:

There are currently no known outstanding effects for the The Policing (Miscellaneous Provisions) (Northern Ireland) Order 2007, Section 11.