
STATUTORY RULES OF NORTHERN IRELAND

2000 No. 315

The Royal Ulster Constabulary (Conduct) Regulations 2000

Part IV

Review

Request for a review

34.—(1) Where a sanction is imposed under regulation 31, the member concerned shall be entitled to request the Chief Constable to review the finding or the sanction imposed or both.

(2) A request for a review must be made to the Chief Constable in writing within 14 days of receipt of the written summary of reasons given in accordance with regulation 33, or within such longer period as the Chief Constable may, in his discretion, allow, having regard to the circumstances of the case.

(3) The request for a review shall state the grounds on which the review is requested and whether a meeting is requested.

Conduct of the review

35.—(1) The Chief Constable shall, subject to paragraph (2), hold a meeting with the member concerned if requested to do so.

(2) Where the Chief Constable has imposed a sanction following a directed hearing the review will be conducted by a chief constable of a police force of Great Britain who has agreed to act in that capacity.

(3) Where a meeting is held the member concerned may be accompanied by a member and in a case where regulation 16 applies, by a solicitor or Counsel.

Finding of the review

36.—(1) The member concerned shall be informed of the finding of the Chief Constable in writing within three days of completion of the review.

(2) The Chief Constable may confirm the decision of the hearing or he may impose a different sanction or, in the case of a sanction of a fine, may vary the degree of the sanction, but he may not impose a sanction greater than that imposed at the hearing.

(3) The decision of the Chief Constable shall take effect by way of substitution for the decision of the hearing and as from the date of that hearing.

(4) Where as a result of the decision of the review, the member concerned is dismissed, required to resign or reduced in rank he shall be notified in writing of his right of appeal to a Police Appeals Tribunal, established in accordance with regulation 8 of the Royal Ulster Constabulary (Appeals) Regulations 2000.

Hearing of review in absence of the Chief Constable

37.—(1) Subject to paragraph (2), where the Chief Constable is an interested party or the circumstances in Section 20(1)(a) or (b) of the Act of 1998 apply, the review shall be conducted by the senior officer designated under Section 20(1) of the Act of 1998.

(2) Where the designated senior officer is absent or an interested party, the review shall be conducted by the chief officer of a police force in Great Britain who has agreed to act in that capacity.

Record of conduct proceedings

38. The Chief Constable will cause a book of record to be kept in which shall be entered every case brought against a member of the police, together with the finding thereon and a record of the decision in any further proceedings in connection therewith.

Special cases

39.—(1) This regulation applies to any case in which a report, a complaint or an allegation is made which indicates that the conduct of a member did not meet the appropriate standard and in respect of which the conditions specified in Part I of Schedule 3 are satisfied and his appropriate officer has issued a certificate under regulation 11(3)(b)(i).

(2) In the application of these Regulations to a case to which this regulation applies, regulations 12 to 37 shall subject to paragraph (3), have effect subject to the modifications specified in Part II of Schedule 3.

(3) Where the case is one to which this regulation applies but has been returned to the supervising member in pursuance of any provision of these Regulations as modified by Part II of Schedule 3, the provisions referred to in paragraph (2) shall thereafter have effect in relation to the case without modification.

(4) In Part II of Schedule 3, any reference to a provision in these Regulations shall, unless the contrary intention appears, be construed as a reference to that provision as modified by that Part.