

**EXPLANATORY MEMORANDUM TO
THE POLICE (CONDUCT) REGULATIONS (NORTHERN IRELAND) 2016**

2016 No. 41

1. Introduction

This Explanatory Memorandum has been prepared by the Department of Justice to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

The Statutory Rule is made under powers conferred by sections 25, 26 and 59(8) of the Police (Northern Ireland) Act 1998, and is subject to the negative resolution procedure.

2. Purpose

This Statutory Rule makes provision for the maintenance of discipline procedures for members of the Police Service of Northern Ireland ("PSNI"). It establishes procedures for cases where a member's conduct may amount to misconduct or gross misconduct and may be dealt with by way of the sanctions available.

Regulation 2 revokes the Royal Ulster Constabulary (Conduct) Regulations 2000 and the Royal Ulster Constabulary (Conduct) (Senior Officer) Regulations 2000 (S.R. 2000 No. 315 and S.R. 2000 No. 320).

The Regulations come into operation on 1st June 2016.

3. Background

Following agreement to reform the police discipline and unsatisfactory performance procedures in Northern Ireland, three sets of Regulations governing police conduct; performance and attendance; and appeals procedures will replace existing legislation.

The reforms are intended to support key cultural changes to promote an ethos of learning and development to contribute to improved service delivery. They aim to strengthen the role of supervisors and management in dealing with conduct issues and allow them to deal with quality of service issues in a timely and responsive manner.

4. Consultation

In accordance with sections 25(8) and 26(6) of the enabling legislation, the Department has consulted with policing stakeholders.

5. Equality Impact

Internal discipline and unsatisfactory performance procedures for PSNI officers apply equally to all officers, regardless of grouping. There is no significant adverse impact on those listed under section 75 of the Northern Ireland Act 1998.

6. Regulatory Impact

A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

7. Financial Implications

It is likely that there will be costs associated with implementation for the PSNI relating to the provision of training, publication and IT systems costs, and costs associated with ongoing support to managers in the post-implementation phase.

8. Section 24 of the Northern Ireland Act 1998

The proposed instrument is considered compatible with section 24 of the Northern Ireland Act 1998.

9. EU Implications

Not applicable.

10. Parity or Replicatory Measure

This instrument introduces legislation governing discipline procedures for police officers in Northern Ireland.

11. Additional Information

Not applicable.