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STATUTORY RULES OF NORTHERN IRELAND

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**2016 No. 41**

**The Police (Conduct) Regulations (Northern Ireland) 2016**

**PART 3**

**Investigations**

**Written notices - Ombudsman**

**17.**—(1) Where the investigator was appointed under regulation 14 the investigator shall as soon as is reasonably practicable after being appointed, and subject to paragraph (3), cause the member concerned to be given written notice—

- (a) describing the conduct that is the subject matter of the complaint, referred matter or matter being investigated by the Ombudsman of his own motion under section 55(6) of the 1998 Act;
- (b) that there is to be an investigation into the matter and the identity of the investigator;
- (c) informing him that he has the right to seek advice from his staff association and of the effect of regulation 6(1);
- (d) of the effect of regulations 7(1) to (3) and 18; and
- (e) informing him that whilst he does not have to say anything it may harm his case if he does not mention when interviewed or when providing any information under regulations 18(1) or 24(2) or (3) something which he later relies on in any misconduct proceedings or special case hearing or at an appeal meeting or appeal hearing.

(2) The requirement to give a written notice to the member concerned under paragraph (1) does not apply for so long as the investigator considers that giving such a notice might prejudice the investigation or any other investigation (including, in particular, a criminal investigation).

(3) Once a written notice has been given in accordance with paragraph (1), the investigator shall notify the member concerned of the progress of the investigation—

- (a) if there has been no previous notification following the supply of the written notice under paragraph (1), before the end of 20 working days beginning with the first working day after the start of the investigation; and
- (b) in any other case, if he reasonably believes that circumstances relevant to the investigation have changed.