
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 41

The Police (Conduct) Regulations (Northern Ireland) 2016

PART 4

Misconduct Proceedings

Attendance of Ombudsman and investigator at misconduct hearing

31.—(1) Where a misconduct hearing is being conducted in accordance with a recommendation under section 59(2) of the 1998 Act that disciplinary proceedings should be brought, the Ombudsman may attend the hearing as an observer.

(2) In the case of directed proceedings the Ombudsman shall present the case.

(3) Where paragraph (1) applies, the person chairing the misconduct hearing may require the Ombudsman to withdraw while any submission is made in mitigation on the member's behalf.

(4) The investigator or a nominated person shall attend the misconduct hearing on the request of the person chairing that hearing to answer questions.

(5) For the purposes of this regulation, a "nominated person" is a person who, in the opinion of—

(a) the appropriate authority; or

(b) where the matter was formally investigated by him, the Ombudsman,

has sufficient knowledge of the investigation of the case to be able to assist the person chairing the misconduct hearing.