
STATUTORY INSTRUMENTS

2015 No. 25

The Ministry of Defence Police (Conduct etc.) Regulations 2015

PART 5

Fast Track Procedure for Special Cases

Participation of Commission or the Ombudsman and investigator at special case hearing

54.—(1) In any case where the Commission has made a statement under regulation 45(1)(b) (view that special conditions satisfied), the Commission may attend the special case hearing to make representations.

(2) In any case where the Ombudsman has made a statement under regulation 45(1)(b) (view that special conditions satisfied), the Ombudsman may attend the special case hearing to make representations.

(3) Where the Commission or Ombudsman intends to attend the special case hearing—

(a) it must notify—

(i) the complainant or any interested person, and

(ii) the person conducting or chairing the hearing,

prior to the hearing; and

(b) the person conducting or chairing the hearing must notify the officer concerned prior to the hearing.

(4) Where the Commission or Ombudsman attends a misconduct hearing, it may instruct a relevant lawyer to represent it.

(5) The investigator or a nominated person must attend the special case hearing on the request of the person conducting or chairing the hearing to answer questions.

(6) In this regulation, a “nominated person” means a person who, in the opinion of—

(a) the relevant authority,

(b) in a case where the Commission has made a statement under regulation 45(1)(b), the Commission, or

(c) in a case where the Ombudsman has made a statement under regulation 45(1)(b), the Ombudsman investigated the case, the Ombudsman,

has sufficient knowledge of the investigation of the case to be able to assist the person or persons conducting the misconduct proceedings.