
STATUTORY INSTRUMENTS

1987 No. 938

Police (Northern Ireland) Order 1987

PART II

POLICE COMPLAINTS

Handling of complaints, etc.

Powers of Commission to direct reference of reports, etc. to Director of Public Prosecutions

12.—(1) When the Chief Constable has performed all duties imposed on him by Articles 10 and 11 in relation to the report of an investigation concerning the conduct of a member of the police force who is not a senior officer, it shall be the duty of the Commission—

- (a) to determine whether the report indicates that a criminal offence may have been committed by that member; and
- (b) if so, to consider whether the offence is such that the member ought to be charged with it.

(2) If the Commission considers that the member of the police force ought to be charged, it shall be its duty to direct the Chief Constable to send the Director of Public Prosecutions for Northern Ireland a copy of the report.

(3) When the Commission gives a direction under paragraph (2) it may also direct the Chief Constable to send the Director the information contained in the memorandum under Article 10.

(4) If the investigation was an investigation of a complaint, the Commission shall direct the Chief Constable to send the Director a copy of the complaint or of the record of the complaint.

(5) It shall be the duty of the Chief Constable to comply with any direction under this Article.

(6) Articles 10 and 11 shall apply where a copy of a report is sent to the Director under this Article as they apply where a copy is sent to him under Article 10(4).