

THE POLICE (NI) ORDER 1987  
SI 1987/938 (NI 10)

to send a copy of the report to the Director of Public Prosecutions for Northern Ireland unless the report satisfies the Authority that no criminal offence has been committed.

(2) Nothing in the following provisions of this Article or in Articles 11 to 14 has effect in relation to senior officers.

(3) On receiving—

(a) a report concerning the conduct of an officer who is not a senior officer which is submitted to him under Article 5(8);  
or

(b) a copy of a report concerning the conduct of such an officer which is sent to him under Article 9(7),

shall be the duty of the Chief Constable—

(i) to determine whether the report indicates that a criminal offence may have been committed by a member of the police force; and

(ii) if he determines that it does, to consider whether the offence indicated is such that the member of the police force ought to be charged with it.

(4) If the Chief Constable—

(a) determines that the report does indicate that a criminal offence may have been committed by a member of the police force; and

(b) considers that the offence indicated is such that the officer ought to be charged with it,

he shall send a copy of the report to the Director of Public Prosecutions for Northern Ireland.

(5) Subject to Article 11(1), after the Director has dealt with the question of criminal proceedings, the Chief Constable shall send the Commission a memorandum, signed by him and stating whether he has preferred disciplinary charges in respect of the conduct which was the subject of the investigation and, if not, his reasons for not doing so.

(6) If the Chief Constable—

(a) determines that the report does indicate that a criminal offence may have been committed by a member of the police force; and

(b) considers that the offence indicated is not such that the officer ought to be charged with it,

he shall send the Commission a memorandum to that effect, signed by him and stating whether he proposes to prefer disciplinary charges in respect of the conduct which was the subject of the investigation and, if not, his reasons for not proposing to do so.

(7) Subject to Article 11(1), if the Chief Constable considers that the report does not indicate that a criminal offence may have been