

complaint. Some thing that came through the front door of the commission would always have to be referred through the back door to the police. The legislation in force was the Police (Northern Ireland) Act 1987. There were also two other circumstances where the police could refer it their own accord. The Chief Constable could refer a matter to the commission by Article 8(1). The Secretary of State could also refer a complaint by invoking Art 8 (2).

5. I did not have a case load and I did not personally supervise cases that came to the ICPC. The organisation has to be looked at in terms of the members individually rather than as a collective. I would liken the organisation to barrister's chambers. Therefore, each member would quite jealously safeguard their territory. They were individually appointed practitioners. The defence of that position was independence. In addition, because of the quirks of disciplinary tribunals, if the case was to go to a disciplinary tribunal two supervising members had to sit with the Chief Constable. By not discussing cases they could preserve their integrity. From recollection I think that there were nine members. I did occasionally have access to papers and I was able to influence or advise on the conduct of a particular case.
6. I have no recollection of a complaint or allegation being referred by the Secretary of State, although we did sometimes have direct referrals from the Chief Constable, particularly after public order incidents. Matters such as deaths in custody were referred automatically. The police were generally astute enough to make referrals themselves.
7. In contrast to the powers of the ICPC colleagues in England and Wales [the former Police Complaints Authority] the statute allowed members to direct as well as supervise investigations. I recall in one case where we directed scientific forensic investigation into the ways that the breathalyser could be "beaten" The commission was provided with the powers to be much more robust in its direction and control of investigations than the concept of supervision allowed.