

^{F4}Preliminary handling of complaints by Chief Constable

4. — (1) Where a complaint is submitted to the Chief Constable, it shall be his duty to take any steps that appear to him to be desirable for the purpose of obtaining or preserving evidence relating to the conduct complained of.

(2) After performing the duties imposed on him by paragraph (1), the Chief Constable shall determine whether he is the appropriate authority in relation to the member of the police force against whom the complaint was made.

(3) If he determines that he is not the appropriate authority, it shall be his duty—

(a)

to send the complaint or, if it was made orally, particulars of it, to the Police Authority; and

(b)

to give notice that he has done so to the complainant.

(4) Nothing in this part has effect in relation to a complaint in so far as it relates to the direction or control of the police force by the Chief Constable.

(5) If any conduct to which a complaint wholly or partly relates is or has been the subject of criminal or disciplinary proceedings, none of the provisions of this part which relate to the recording and investigation of complaints have effect in relation to the complaint in so far as it relates to that conduct.

Annotations:
F4prosp. rep. 1995 NI 17

^{F5}Investigation of complaints against officers, other than senior officers

5. — (1) If the Chief Constable determines that he is the appropriate authority in relation to a member of the police force about whose conduct a complaint has been made and who is not a senior officer, he shall record it.

(2) After doing so he shall consider whether the complaint is suitable for informal resolution and may appoint a member of the police force to assist him.