
STATUTORY INSTRUMENTS

1987 No. 938

Police (Northern Ireland) Order 1987

PART IV

MISCELLANEOUS AND SUPPLEMENTARY

Miscellaneous

^{F1}Guidelines concerning discipline, complaints, etc.

23.—(1) The Secretary of State may issue guidance to the Chief Constable and to other members of the police force concerning the discharge of their functions—

- (a) under part II; and
- (b) otherwise in connection with discipline;

and members of the police force shall have regard to any such guidance in the discharge of their functions.

(2) Guidance may not be issued under paragraph (1) in relation to the handling of a particular case.

(3) A failure on the part of a member of the police force to have regard to any guidance issued under paragraph (1) when determining—

- (a) whether a member of the police force has committed an offence against discipline; or
- (b) the punishment to be awarded for such an offence,

shall be admissible in evidence on any appeal from the determination.

(4) In discharging its functions under Article 13 the Commission shall have regard to any guidance given to it by the Secretary of State with respect to such matters affecting the preferring and withdrawing of disciplinary charges as are for the time being the subject of guidance under paragraph (1) and shall have regard in particular, but without prejudice to the generality of this paragraph, to any such guidance as to the principles to be applied in cases that involve any question of criminal proceedings and are not governed by Article 22.

(5) The report of the Commission under Article 17(3) shall contain a statement of any guidance given to the Commission under paragraph (4) during the year to which the report relates.

(6) This Article applies to members of another United Kingdom police force exercising functions under the principal Act or this Order as it applies to members of the police force.

F1 prosp. rep. 1995 NI 17

Changes to legislation:

Police (Northern Ireland) Order 1987, Section 23 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- [Instrument rev. \(saving\)\(prosp.\) by 1998 c. 32 s.74\(2\)\(3\)Schs.56](#)