STATUTORY RULES OF NORTHERN IRELAND

2008 No. 56

POLICE

Police Service of Northern Ireland (Conduct) (Amendment) Regulations 2008

Made - - - -	*1st February 2008*
To be laid before Parliament	
Coming into operation	*10th March 2008*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 25 and 26 of the Police (Northern Ireland) Act 1998(**1**). In accordance with sections 25(8) and 26(6) of that Act he has consulted the Northern Ireland Policing Board and the Police Association.

Citation and commencement

1. These regulations may be cited as the Police Service of Northern Ireland (Conduct) (Amendment) Regulations 2008 and shall come into operation on 10th March 2008.

Amendment of the Royal Ulster Constabulary (Conduct) Regulations 2000

2.—(1) The Royal Ulster Constabulary (Conduct) Regulations 2000(**2**) shall be amended in accordance with this regulation.

(2) For Schedule 4 substitute the Schedule set out in the Schedule.

(3) In regulation 4, in the definition of "appropriate standard", for "Code of Ethics (see the Schedule to the Police Service of Northern Ireland (Conduct) Regulations 2003" substitute "Code of Ethics 2008".

(4) In regulation 4 for the definition of "Code of Ethics" insert ""Code of Ethics 2008" means the Code contained in the Schedule 4;".

(5) Regulations 9(c), 9(d), 13(2) and 17(1)(a) for "Code of Ethics" (in each place where it occurs) substitute "Code of Ethics 2008".

(**1**) 1998 c. 32. Relevant amendments are made by section 78(1) of and Schedule 6 to the Police (Northern Ireland) Act 2000 (2000 c. 32)

(**2**) S.R. 2000 No. 315. Relevant amendments are made by the Police Service of Northern Ireland (Conduct) Regulations 2003 (S.R. 2003 No. 68)

(6) In Paragraphs 2 and 3 of Schedule 2 for "Code of Ethics" (in each place where it occurs) Substitute "Code of Ethics 2008".

(7) In the modification made to regulation 13(2) by paragraph 2 of Part II of Schedule 3 for "Code of Ethics" substitute "Code of Ethics 2008".

Amendment of the Royal Ulster Constabulary (Conduct) (Senior Officer) Regulations 2000

3.—(1) The Royal Ulster Constabulary (Conduct) (Senior Officer) Regulations 2000(**3**) shall be amended in accordance with this regulation.

(2) In regulation 4, in the definition of "appropriate standard", for "Code of Ethics" substitute, "Code of Ethics 2008".

(3) In regulation 4 in the definition of "Code of Ethics" insert, ""Code of Ethics 2008" means the Code contained in Schedule 4 to the Royal Ulster Constabulary (Conduct) Regulations 2000".

(4) In regulations 8(d), 8(e), 9(3)(b) and (c) and 11(2)(b) for "Code of Ethics" (in each place where it occurs) substitute "Code of Ethics 2008".

(5) In paragraphs 2 and 3 of Schedule 1 for "Code of Ethics" (in each place where it occurs) substitute "Code of Ethics 2008".

(6) In paragraph 2(2)(b)(ii) of Part II of Schedule 2 for "Code of Ethics" (in each place where it occurs) substitute "Code of Ethics 2008".

Shaun Woodward
One of Her Majesty's Principal Secretaries of State

Northern Ireland Office
1st February 2008

(**3**) S.R 2000 No. 320. Relevant amendments are made by the Police Service of Northern Ireland (Conduct) Regulations 2003 (S.R. 2003 No. 68)

SCHEDULE Regulation 2

CODE OF ETHICS 2008

"SCHEDULE 4 Regulation 4

CODE OF ETHICS 2008 FOR THE POLICE SERVICE OF NORTHERN IRELAND

PREAMBLE

(a) Policing is an honourable profession that plays an important part in the maintenance of a just and fair society. The people of Northern Ireland have the right to expect the Police Service to protect their human rights by safeguarding the rule of law and providing a professional Police Service.

(b) Police officers are required to respect and obey the law at all times and will be held personally responsible and accountable for their own acts or omissions.

(c) Effective policing requires the co-operation of the public. Police officers, when carrying out their duties in accordance with the provisions of this Code, have the right to expect the respect and support of the public and elected representatives.

(d) Public confidence in the Police Service is closely related to the attitude and behaviour of officers towards members of the public, in particular their respect for the human rights and fundamental freedoms of individuals as enshrined in the European Convention on Human Rights.

(e) Police officers have the same right to respect for their human rights and fundamental freedoms and to work in an environment free of harassment or discrimination in any form.

(f) This Code of Ethics is intended:

(i) to lay down standards of conduct and practice for police officers, and

(ii) to make police officers aware of their rights and obligations under the Human Rights Act 1998 and the European Convention on Human Rights.

(g) The standards in this Code are to be applied to:

(i) relationships between police officers and the general public, sections of the public and particular individuals;

(ii) relationships between police officers and other professionals in the criminal justice system;

(iii) relationships between individual police officers and their colleagues; and

(iv) relationships between individual police officers and the Police Service.

(h) The statutory authority for the Code of Ethics can be found in section 52 of the Police (Northern Ireland) Act 2000(**4**). The contents of the Code are drawn from a number of sources, including:

(i) the Police Service attestation set out in section 38(1) of the Police (Northern Ireland) Act 2000;

(ii) the European Convention on Human Rights;

(iii) other relevant human rights instruments, including:

(aa) the United Nations Code of Conduct for Law Enforcement Officials;

(**4**) 2000 c. 32

(bb) the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials; and

(cc) the European Police Code of Ethics.

(i) Police officers are required, at all times, to carry out their duties in accordance with the provisions of the Code of Ethics. In the event that a Police Service instruction, policy or procedure conflicts with the provisions of the Code of Ethics, officers are required to comply with provisions of this Code.

(j) Any conduct, whether on or off duty, which brings or is likely to bring discredit on the Police Service may be investigated in order to establish whether or not a breach of the Code has occurred. A breach of the Code may result, in appropriate circumstances, in a criminal or disciplinary investigation, either by the Office of the Police Ombudsman or the Police Service.

(k) Where police officers are investigated for a breach of this Code, whether by the Office of the Police Ombudsman or the Police Service, they have the right to expect that the investigation will be conducted in a prompt, thorough, impartial and careful manner.

(l) This Code shall be applied in any investigation, hearing or decision relating to misconduct in a reasonable and objective manner. Due regard shall be given to the degree of negligence or deliberate fault of an officer and to the nature and circumstances of the officer's misconduct.

POLICE SERVICE OF NORTHERN IRELAND CODE OF ETHICS 2008

ETHICAL STANDARDS REQUIRED OF POLICE OFFICERS

Article 1 Professional Duty

(1.1) Police officers have a duty under section 32 of the Police (Northern Ireland) Act 2000:—

(a) to protect life and property;

(b) to preserve order;

(c) to prevent the commission of offences; and

(d) where an offence has been committed, to take measures to bring the offender to justice.

When carrying out these duties, police officers shall obey and uphold the law, protect human dignity and uphold the human rights and fundamental freedoms of all persons as enshrined in the Human Rights Act 1998, the European Convention on Human Rights and other relevant international human rights instruments.

(Sourced from: Section 32(1) Police (Northern Ireland) Act 2000; Article 2 United Nations Code of Conduct for Law Enforcement Officials; Article 1 European Code of Police Ethics.)

(1.2) Police officers shall, as far as is practicable, carry out their functions in cooperation with, and with the aim of securing the support of, the local community.

(Sourced from: Section 32(5) Police (Northern Ireland) Act 2000.)

(1.3) Police officers shall carry out their duties in accordance with the Police Service attestation set out in Section 38(1) of the Police (Northern Ireland) Act 2000, which states: "I hereby do solemnly and sincerely and truly declare and affirm that I will faithfully discharge the duties of the office of constable, with fairness, integrity, diligence and impartiality, upholding fundamental human rights and according equal respect to all individuals and their traditions and beliefs; and that while I continue to hold the said office I will to the best of my skill and knowledge discharge all the duties thereof according to law."