STATUTORY RULES OF NORTHERN IRELAND

2001 No. 369

POLICE

Police Trainee Regulations (Northern Ireland) 2001

Made - - - -	*11th October 2001*
To be laid before Parliament	
Coming into operation	*2nd November 2001*

The Secretary of State, in pursuance of sections 36 and 41 of the Police (Northern Ireland) Act 2000(**1**), and after consulting the Police Authority for Northern Ireland(**2**) and the Police Association for Northern Ireland, hereby makes the following regulations—

Part I

General

Citation and commencement

1.—(1) These regulations may be cited as the Police Trainee Regulations (Northern Ireland) 2001.

(2) These regulations shall come into operation on 2nd November 2001.

Interpretation

2. In these regulations, unless the context otherwise requires—

"the Board" means the Northern Ireland Policing Board;

"notice" means notice in writing;

"police force in Great Britain" and "public holiday" have the same meaning as in the principal regulations;

"the principal regulations" means the Royal Ulster Constabulary Regulations 1996(**3**);

"training" has the meaning given by regulation 4.

(**1**) 2000 c. 32

(**2**) By virtue of Article 2 of the Police (Northern Ireland) Order 2001 (S.I. 2001 (N.I. 3)) the reference in section 41(6) of the Police (Northern Ireland) Act 2000 to the Northern Ireland Policing Board is to be construed as if it were a reference to the Police Authority for Northern Ireland

(**3**) S.R. 1996 No. 473. The principal regulations have been amended by S.R. 1999 No. 362, S.R. 1999 No. 412 and S.R. 2001 No. 140

Part II

Service as a Police Trainee

Conditions for appointment as constable

3. A person shall not be appointed to the rank of constable in the Police Service of Northern Ireland unless he has—

(a) completed a period of service as a police trainee of 145 days or such longer period as may be specified by the Chief Constable;

(b) obtained such qualification in police studies as may be specified by the Chief Constable; and

(c) completed, to such standard as the Chief Constable considers satisfactory, such other training for service as a police officer as may be specified by the Chief Constable.

Attendance at training

4.—(1) In these regulations—

(a) any course of study leading to a qualification mentioned in regulation 3(*b*);

(b) any examination or assessment of a police trainee's performance in accordance with standing orders made under regulation 7;

(c) any other training mentioned in regulation 3(*c*); and

(d) any duties of police trainees required by standing orders made under regulation 7,

are together referred to as "training".

(2) The Chief Constable—

(a) shall issue to every police trainee, on or before the day on which he begins his period of service as a police trainee, a schedule of where and when he is required to attend training; and

(b) shall issue details of any change to that schedule to every police trainee to whom the change applies as soon as reasonably practicable.

(3) No police trainee shall be required to attend training on New Year's Day, Christmas Day or 26th December or, in any year where New Year's Day, Christmas Day or 26th December falls on a Saturday or Sunday, any substitute day.

(4) Where a police trainee is required to attend training on a Saturday or Sunday or on a public holiday, that requirement shall not have effect unless the Chief Constable gives notice, in a schedule issued under paragraph (2), or in standing orders made under regulation 7, or otherwise, to that police trainee of the requirement no less than 15 days before the Saturday, Sunday or public holiday on which he is to be required to attend.

Extending period of service of a police trainee

5.—(1) The power of the Chief Constable to specify a longer period of service under regulation 3(*a*) includes power to specify different periods for different cases.

(2) In particular, where the Chief Constable is of the opinion that a police trainee who has been absent from training for five or more days is unlikely to obtain the qualification specified under regulation 3(b), or complete satisfactorily any training specified under regulation 3(c), without a longer period of service as a police trainee, he may specify a longer period of service under regulation 3(*a*) in the case of that police trainee.

Termination of the period of service of a police trainee

6.—(1) Subject to standing orders made under regulation 7, the Chief Constable may by giving one week's notice to a police trainee, terminate that person's period of service as a police trainee if—

(a) the Chief Constable considers that the police trainee is not likely to become an efficient or well-conducted constable on completion of his period of service as a police trainee; or

(b) the police trainee has, on three or more occasions, failed to comply with a requirement to attend training imposed by any standing orders made under regulation 7 or any schedule issued under regulation 4, without—

(i) being entitled to be absent under Part III (leave), or

(ii) having obtained the consent of the Chief Constable to his absence, or

(iii) being suspended under provision made by standing orders under regulation 7; or

(c) the period of service of the police trainee has been extended in accordance with paragraph (2) of regulation 5, and having resumed training after the absence described in that regulation, the police trainee is absent from training for five or more days; or

(d) the police trainee refuses, without reasonable excuse, to undergo an examination by a medical practitioner appointed by virtue of regulation 7(4)(*h*); or

(e) following an examination by a medical practitioner appointed by virtue of regulation 7(4)(*h*) the Chief Constable considers that the police trainee—

(i) is not fit, physically or mentally, to be a police trainee, or

(ii) is not likely to be fit, physically or mentally, to be a constable on completion of his period of service as a police trainee; or

(f) the penalty of termination of service is imposed on the police trainee in accordance with standing orders about cases in which it is alleged that the conduct of a police trainee did not meet the required standards of conduct.

(2) A police trainee may end his period of service as a police trainee by giving one week's notice to the Chief Constable.

Standing Orders

7.—(1) The Chief Constable may make standing orders about the training of police trainees.

(2) Every police trainee shall comply with the requirements of standing orders made under paragraph (1).

(3) The Chief Constable shall issue a copy of any standing orders made under paragraph (1) to every police trainee on or before the day on which he begins his period of service as a police trainee, and shall issue details of any change to the standing orders to every police trainee to whom that change may apply as soon as reasonably practicable.

(4) Standing orders made under paragraph (1) may, in particular, make provision—

(a) about the basis on which any qualification specified for the purposes of regulation 3(*b*) is awarded, and the arrangements for any course of study leading to that qualification and any examinations or assessment of a police trainee's performance;

(b) for the conduct of any other training specified by the Chief Constable for the purposes of regulation 3(*c*);

(c) for any duties to be performed by police trainees as part of their period of service as police trainees;

(d) about where training is to take place, and when and for how long police trainees are required to attend at any site where training takes place;

(e) as permitted under regulation 4, requiring police trainees to attend training in the evening, on public holidays and at weekends;

(f) enabling the Chief Constable, or such person (being a member of the Police Service of Northern Ireland of a rank not lower than chief inspector) as is specified in the standing orders, to grant a police trainee special leave from training;

(g) about uniform and equipment for police trainees;

(h) for the appointment of medical practitioners, and the circumstances in which police trainees are to be examined by a medical practitioner;

(i) for the determination by a medical practitioner appointed under standing orders of whether a police trainee is fit to attend training, whether a period of quarantine of a police trainee should end, or whether the absence of a police trainee from training is, for the purposes of regulation 18(4), directly attributable to an injury received as a consequence of a person's service as a police trainee;

(j) for the resolution of any difference of opinion about questions mentioned in sub-paragraph (*i*) between a medical practitioner appointed under standing orders and a medical practitioner who issued a certificate under regulation 12(2);

(k) for the circumstances in which, following a difference of opinion such as is described in sub-paragraph (*j*), a police trainee ceases to be entitled to be absent from training under regulation 12;

(l) for procedures for cases in which the Chief Constable is considering exercising his powers under regulation 5 (extending period of service) or regulation 6 (terminating period of service);

(m) for the maintenance of discipline of police trainees;

(n) for standards of conduct for police trainees and procedures for cases in which it is alleged that the conduct of a police trainee did not meet those standards;

(o) enabling the Chief Constable or such other person (being a member of the Police Service of Northern Ireland of a rank not lower than chief inspector) as may be specified in the standing orders to suspend a police trainee (with or without pay) in cases such as are described in sub-paragraph (*n*);

(p) enabling the Chief Constable or such other person (being a member of the Police Service of Northern Ireland of a rank not lower than chief inspector) as may be specified in the standing orders to impose sanctions on a police trainee in cases such as are described in sub-paragraph (*n*).

(5) Where standing orders made under paragraph (1) provide for procedures for cases in which the Chief Constable is considering exercising his powers under regulation 6 (terminating period of service) or provide for the termination of the service of a police trainee whose conduct does not meet required standards, the standing orders shall include provision for a right of appeal by the police trainee against the termination of his service as a police trainee.

Delegation of functions by Chief Constable

8. The Chief Constable may designate for the purposes of this regulation a member of the Police Service of Northern Ireland of a rank not lower than chief inspector, and may delegate to a person so designated any of the functions conferred on the Chief Constable by—

(a) regulation 3 (conditions for appointment as constable);

(b) regulation 4(2) (issuing schedules to police trainees) and (4) (giving notice about training on public holidays or at weekends);

(c) regulation 5 (extending period of service of a police trainee);

(d) regulation 6 (termination of the period of service of a police trainee);

(e) regulation 7(3) (issuing copies of standing orders to police trainees);

(f) Part III (leave);

(g) regulation 18 (pay during sick leave);

(h) regulation 21(2) (directions as to allowances);

(i) regulation 26(1) (authorising use of motor vehicle).

Restrictions on the private life of police trainees

9.—(1) No restriction on the private life of police trainees shall be imposed by the Chief Constable, except such restrictions as are set out in this regulation or as may be necessary in the interests of the safety of police trainees.

(2) Where the Chief Constable imposes a restriction on the private life of police trainees under paragraph (*l*), he shall report the restriction forthwith to the Secretary of State.

(3) A police trainee shall not take any active part in politics.

(4) A police trainee shall not wilfully refuse or neglect to discharge any lawful debt.

Business interests incompatible with service as police trainee

10.—(1) If a police trainee or a relative included in his family proposes to have, or has, a business interest within the meaning of regulation 7 of the principal regulations, the police trainee shall forthwith give notice of that interest to the Chief Constable, unless that business interest was disclosed at the time of his appointment as a police trainee.

(2) On receipt of a notice given under paragraph (1), the Chief Constable shall determine whether or not the interest in question is compatible with the police trainee concerned remaining a police trainee and, within 28 days of the receipt of the notice, shall give notice of his decision to the police trainee.

(3) Within 10 days of being notified of the Chief Constable's decision as aforesaid, or within such longer period as the Board may in all the circumstances allow, the police trainee concerned may appeal to the Board against that decision by sending notice of his appeal to the Board.

(4) On receipt of a notice given under paragraph (3) the Board shall require the Chief Constable to submit to it, within the next following 10 days, a notice setting out the reasons for his decision and copies of any documents on which he relies in support of that decision, and the Board shall send to the police trainee concerned copies of such notice and documents and shall afford him a reasonable opportunity, being in no case less than 14 days, to comment thereon.

(5) Where a police trainee has appealed to the Board under paragraph (3) the Board shall, within 28 days of receiving his comments on the notice and any other documents submitted by the Chief Constable under paragraph (4) or of the expiration of the period afforded for making comments if none have by then been received, give him written notice of its determination of the appeal but where it has upheld the decision of the Chief Constable and within 10 days of being so notified or within such longer period as the Board may in all the circumstances allow, the police trainee makes written request to the Board for the reference of the matter to the Secretary of State, the matter shall be so referred and, unless and until the determination of the Board is confirmed by the Secretary of State, it shall be of no effect and, in particular, no action in pursuance thereof shall be taken under paragraph (6).

(6) Where a police trainee or a relative included in his family, has a business interest within the meaning of regulation 7 of the principal regulations which the Chief Constable has determined under paragraph (2) to be incompatible with his remaining a police trainee and either the police trainee has not appealed against that decision under paragraph (3) or, subject to paragraph (5), on such appeal,