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Mr. O'Donovan.

PROCEEDINGS AGAINST JOHN STALKER

The procedure for the complaints against senior police officers is laid down in Section 86 of the Police and Criminal Evidence Act.

- When a complaint about a senior officer is submitted to the chief police officer for a police area, he must send the complaint to the police authority for that area (Section 84 (4)(i)) - in this case the Greater Manchester Police Authority.
- The Greater Manchester Police Authority (G.M.P.A.) has been in existence for seven months and comprises 24 Labour councillors and 21 Liberals, Conservatives and co-opted J.P.s. It is chaired by Mr. Norman Briggs. It is responsible for recording and investigating the complaint.
- Because it was satisfied that the complaint might justify criminal or disciplinary charges, the G.M.P.A. was bound by the Act (Section 86 (3)) to appoint an officer from the force of at least equal rank to Stalker to investigate the complaint (in this case Chief Constable Colin Sampson).
- The Police Authority has chosen to exercise its power to supervise the investigation (Section 89). In practice this gives the Authority power to influence the choice of supervising officer and to impose restrictions for the conduct of the investigation.
- In practice Mr. Sampson will submit his report, not to the G.M.P.A. but to the Police Authority.

- When the Police Authority has considered the final report (this may take some weeks) it will submit a 'statement' to the G.M.P.A. indicating whether or not the investigation was conducted to its satisfaction. A statement may also be issued on the disciplinary or criminal aspects of the investigation. Statements of the latter sort are not binding. Except in exceptional circumstances, criminal proceedings may not be brought until the Police Authority has issued a statement.
- Unless it is satisfied by the report that no criminal offence has been committed, the G.M.P.A. will send a copy of the report to the Director of Public Prosecutions.



Niall A. Burgess.
30 June 1986.

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