



Police (Northern Ireland) Act 2000

2000 CHAPTER 32

PART IX

MISCELLANEOUS AND SUPPLEMENTARY

Miscellaneous

67 The Commissioner

- (1) The Secretary of State may appoint a Commissioner to discharge the general function mentioned in subsection (3).
- (2) A person for the time being holding the office of Commissioner under subsection (1) is referred to in this Act as “the Commissioner”.
- (3) The Commissioner’s general function is to oversee the implementation of changes in the policing of Northern Ireland (including, in particular, those resulting from this Act) described in his terms of reference.
- (4) Schedule 4, which makes further provision about the Commissioner, shall have effect.
- (5) The office of Commissioner shall cease to exist on 31st May 2003, unless before that date an order is made under subsection (6).
- (6) The Secretary of State may by order provide that the office of Commissioner (whether or not it then exists as a result of a previous order under this subsection) shall continue to exist for a period not exceeding three years from the date on which the order comes into operation.

68 Reports by the Commissioner

- (1) The Commissioner shall make periodic reports to the Secretary of State on the implementation of the changes described in his terms of reference.
- (2) There shall be at least three periodic reports in each year.

Status: This is the original version (as it was originally enacted).

- (3) The Commissioner may at any time make a report to the Secretary of State on matters arising in the course of his performance of his general function.
- (4) The Secretary of State—
 - (a) shall lay each report made to him under this section before each House of Parliament; and
 - (b) arrange for the report to be published in such manner as appears to him to be appropriate.

69 General duty of Secretary of State

- (1) The Secretary of State shall exercise his functions under the Police Acts in such manner and to such extent as appears to him to be best calculated to promote the efficiency and effectiveness of—
 - (a) the police;
 - (b) the police support staff; and
 - (c) traffic wardens.
- (2) In carrying out those functions, the Secretary of State shall have regard to the principle that the policing of Northern Ireland is to be conducted in an impartial manner.

70 The Royal Ulster Constabulary GC Foundation

- (1) The Secretary of State may by regulations establish a foundation to be known as “The Royal Ulster Constabulary GC Foundation” for the purpose of marking the sacrifices and honouring the achievements of the Royal Ulster Constabulary.
- (2) Regulations under this section—
 - (a) shall provide for the status and constitution of the foundation;
 - (b) shall provide for the foundation to have power to support the professional development of police officers and innovations in policing;
 - (c) shall enable the foundation to undertake joint initiatives with the Royal Ulster Constabulary Widows Association, the Royal Ulster Constabulary Disabled Police Officers Association or any other organisation or person within the Royal Ulster Constabulary family, as may be appropriate in matters of common interest;
 - (d) may provide for the foundation to have such other functions as are prescribed by the regulations;
 - (e) may provide for the procedures of the foundation; and
 - (f) make such other provision concerning the foundation as the Secretary of State thinks necessary or expedient for the proper functioning of the foundation.
- (3) The Secretary of State may make payments to, or for the purposes of, the foundation.

71 Traffic wardens

- (1) The Board shall appoint traffic wardens on such terms and conditions as the Secretary of State may determine.
- (2) Traffic wardens shall be under the direction and control of the Chief Constable.

- (3) Where a complaint is made by a member of the public against a traffic warden, the complaint shall be referred to the Chief Constable who shall (unless the complaint alleges an offence with which the traffic warden has then been charged) forthwith record the complaint and cause it to be investigated.

72 Video recording of interviews

- (1) The Police and Criminal Evidence (Northern Ireland) Order 1989 shall be amended as follows.
- (2) After Article 60 there shall be inserted the following Article—

“60A Video recording of interviews

It shall be the duty of the Secretary of State—

- (a) to issue a code of practice in connection with the video-recording with sound of interviews of persons suspected of the commission of criminal offences which are held by police officers at police stations;
- (b) to make an order (subject to Article 89) requiring the video-recording with sound of interviews of persons suspected of the commission of criminal offences, or of such descriptions of criminal offences as may be specified in the order, which are so held, in accordance with the code as it has effect for the time being.”.
- (3) In Article 66(2) (codes of practice – supplementary) after “Article 60” there shall be inserted “, 60A”.
- (4) In Article 89 (orders and regulations) after “Articles 60” there shall be inserted “, 60A”.

73 Places of detention: lay visitors

- (1) The Board shall make, and keep under review, arrangements for designated places of detention to be visited by persons appointed under the arrangements (“lay visitors”).
- (2) The arrangements shall require a report on each visit to be made to the Board and the Chief Constable by the lay visitor concerned.
- (3) The report shall deal with—
- (a) the conditions under which persons are held in the designated place of detention concerned and with their welfare and treatment;
- (b) the adequacy of facilities at that place of detention;
- (c) such other matters as may be specified in an order made by the Secretary of State.
- (4) The arrangements may confer on lay visitors such powers as the Board considers necessary to enable the report required as a result of subsection (2) to be made and may, in particular, confer on them a power to—
- (a) require access to be given to each designated place of detention;
- (b) examine records relating to the holding of persons there;
- (c) interview persons who are being held there;

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- (d) inspect the facilities there including, in particular, washing and toilet facilities and the facilities for the provision of food.
- (5) A power conferred as a result of subsection (4)(b) or (c) may be exercised only with the consent of the person concerned.
- (6) Any power conferred by the arrangements may be subject to such limitations as may be specified in the arrangements.
- (7) The arrangements shall provide that a person may not be appointed as a lay visitor if—
 - (a) he is a member of the Board; or
 - (b) he is, or has been, a police officer.
- (8) The Board may issue, and from time to time revise, guidance to lay visitors about the discharge of their functions under this section.
- (9) “Designated place of detention” means a police station for the time being designated under Article 36 of the Police and Criminal Evidence (Northern Ireland) Order 1989, except so much of the station as is for the time being designated for the purposes of paragraph 1 of Schedule 8 to the Terrorism Act 2000.
- (10) The Secretary of State may by order specify as designated places of detention for the purposes of this section—
 - (a) a part of any police station if that part is for the time being designated for the purposes of paragraph 1 of Schedule 8 to the Terrorism Act 2000,
 - (b) any other place which is designated under any enactment as a place in which persons may be detained.

74 Application to police of anti-discrimination legislation

Schedule 5, which amends in their application to the police and other bodies of constables—

- (a) the Sex Discrimination (Northern Ireland) Order 1976,
 - (b) the Race Relations (Northern Ireland) Order 1997, and
 - (c) the Fair Employment and Treatment (Northern Ireland) Order 1998,
- shall have effect.