



# Police (Northern Ireland) Act 2000

## 2000 CHAPTER 32

### PART VII

#### REPORTS AND INQUIRIES

#### **57 Annual and other reports by the Board.**

- (1) The Board shall, not later than 6 months after the end of each financial year, issue a report relating to the policing of Northern Ireland for the year.
- (2) A report issued under subsection (1) for any year shall include an assessment of—
  - (a) the performance of the police in—
    - [<sup>F1</sup>(ia) complying with section 31A(1);]
    - (i) carrying out the general duty under section 32(1);
    - (ii) complying with the <sup>M1</sup>Human Rights Act 1998;
    - (iii) carrying out the policing plan;
  - (b) the workings of Part VII of the 1998 Act (police complaints and disciplinary proceedings) and trends and patterns in complaints under that Part;
  - (c) the manner in which complaints from members of the public against traffic wardens are dealt with by the Chief Constable under section 71;
  - (d) trends and patterns in crimes committed in Northern Ireland;
  - (e) trends and patterns in recruitment to the police and the police support staff;
  - (f) the extent to which the membership of the police and the police support staff is representative of the community in Northern Ireland;
  - (g) the effectiveness of measures taken to secure that the membership of the police and the police support staff is representative of that community;
  - (h) the level of public satisfaction with the performance of the police;
  - (i) the level of public satisfaction with the performance of [<sup>F2</sup>policing and community safety partnerships and district policing and community safety partnerships];
  - [<sup>F3</sup>(j) the effectiveness of policing and community safety partnerships and district policing and community safety partnerships in performing their functions and

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in particular the effectiveness of arrangements made under Part 3 of the Justice Act (Northern Ireland) 2011 in obtaining—

- (i) the views of the public about matters concerning policing; and
  - (ii) the co-operation of the public with the police in preventing crime.]
- [<sup>F4</sup>(k) the exercise of the functions of the National Crime Agency in Northern Ireland;
- (l) the level of public satisfaction with the performance of the National Crime Agency in exercising functions in Northern Ireland;
  - (m) the effectiveness of arrangements made under section 3(3A)(c) for obtaining the co-operation of the public with the National Crime Agency in the prevention of organised crime and serious crime.]

[<sup>F5</sup>(2A) Nothing in subsection (2)(k), (l) or (m) shall have effect in relation to anything done by the National Crime Agency outside Northern Ireland.]

(3) The Board shall—

- (a) arrange for every report issued under subsection (1) to be published in such manner as appears to it to be appropriate; and
- (b) send a copy of the report to the [<sup>F6</sup>Department of Justice].

(4) The Board shall, whenever required by the [<sup>F7</sup>Department of Justice], submit to the [<sup>F7</sup>Department of Justice] a report on such matters connected with the discharge of the Board's functions, or otherwise with the policing of Northern Ireland, as may be specified in the requirement.

(5) A report under subsection (4) shall be made—

- (a) in such form as may be specified in the requirement under that subsection; and
- (b) within the period of one month from the date on which that requirement is made or within such longer period as may be agreed between the Board and the [<sup>F8</sup>Department of Justice].

(6) The [<sup>F9</sup>Department of Justice] may arrange, or require the Board to arrange, for a report under subsection (4) to be published in such manner as appears to [<sup>F10</sup>the Department of Justice] to be appropriate.

#### Textual Amendments

- F1** S. 57(2)(a)(ia) inserted (8.4.2003) by Police (Northern Ireland) Act 2003 (c. 6), s. 20(3)
- F2** Words in s. 57(2)(i) substituted (1.4.2012) by Justice Act (Northern Ireland) 2011 (c. 24), s. 111(3), Sch. 7 para. 8(5); S.R. 2012/142, art. 2(d)
- F3** S. 57(2)(j) substituted (1.4.2012) by Justice Act (Northern Ireland) 2011 (c. 24), s. 111(3), Sch. 7 para. 8(6); S.R. 2012/142, art. 2(d)
- F4** S. 57(2)(k)-(m) inserted (19.5.2015) by The Crime and Courts Act 2013 (National Crime Agency and Proceeds of Crime) (Northern Ireland) Order 2015 (S.I. 2015/798), art. 1(3), Sch. 2 para. 6(2)
- F5** S. 57(2A) inserted (19.5.2015) by The Crime and Courts Act 2013 (National Crime Agency and Proceeds of Crime) (Northern Ireland) Order 2015 (S.I. 2015/798), art. 1(3), Sch. 2 para. 6(3)
- F6** Words in s. 57(3)(b) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), Sch. 3 para. 72(a) (with arts. 28-31)
- F7** Words in s. 57(4) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), Sch. 3 para. 72(b) (with arts. 28-31)
- F8** Words in s. 57(5)(b) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), Sch. 3 para. 72(c) (with arts. 28-31)

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- F9** Words in s. 57(6) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 72(d)(i)** (with arts. 28-31)
- F10** Words in s. 57(6) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 72(d)(ii)** (with arts. 28-31)

#### Modifications etc. (not altering text)

- C1** S. 57 modified (4.11.2001) by [S.R. 2001/396](#), **art. 3**

#### Commencement Information

- I1** S. 57 wholly in force at 15.4.2002; s. 57 not in force at Royal Assent see s. 97(1)(2); s. 57 apart from s. 57(2)(i)(j) wholly in force at 4.11.2001 by [S.R. 2001/396](#), **art. 2, Sch.**; s. 57(2)(i)(j) in force at 15.4.2002 by [S.R. 2002/146](#), **art. 2, Sch.**

#### Marginal Citations

- M1** [1998 c. 42](#).

### 58 Annual report by Chief Constable to Board.

- (1) The Chief Constable shall, not later than 3 months after the end of each financial year, submit to the Board a general report on the policing of Northern Ireland during that year.
- (2) The Chief Constable shall arrange for a report submitted under this section to be published in such manner as appears to him to be appropriate.
- (3) The Chief Constable shall, at the same time as he submits a report to the Board under this section, submit the same report to the [<sup>F11</sup>Department of Justice].
- (4) The [<sup>F12</sup>Department of Justice] shall lay before [<sup>F13</sup>the Northern Ireland Assembly] every report submitted to [<sup>F14</sup>the Department of Justice] under subsection (3).
- [<sup>F15</sup>(5) Section 41(3) of the Interpretation Act (Northern Ireland) 1954 applies for the purposes of subsection (4) in relation to the laying of a report as it applies in relation to the laying of a statutory document under an enactment.]

#### Textual Amendments

- F11** Words in s. 58(3) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 73(a)** (with arts. 28-31)
- F12** Words in s. 58(4) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 73(b)(i)** (with arts. 28-31)
- F13** Words in s. 58(4) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 73(b)(ii)** (with arts. 28-31)
- F14** Words in s. 58(4) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 73(b)(iii)** (with arts. 28-31)
- F15** S. 58(5) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 73(c)** (with arts. 28-31)

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## 59 General duty of Chief Constable to report to Board.

- (1) The Chief Constable shall, whenever so required by the Board, submit to the Board a report on any such matter connected with the policing of Northern Ireland as may be specified in the requirement.
- (2) A report under this section shall be made—
- (a) in such form as may be specified in the requirement under subsection (1); and
  - (b) within the period of one month from the date on which that requirement is made or within such longer period as may be agreed between the Chief Constable and the Board.
- [<sup>F16</sup>(3) The Chief Constable may refer to the Secretary of State a requirement to submit a report under subsection (1) if it appears to the Chief Constable that a report in compliance with the requirement would contain information which ought not to be disclosed on [<sup>F17</sup>the ground mentioned in section 76A(1)(a)].]
- [<sup>F18</sup>(3A) The Chief Constable may refer to the Minister of Justice a requirement to submit a report under subsection (1) if it appears to the Chief Constable that a report in compliance with the requirement would contain information which ought not to be disclosed on any of the grounds mentioned in section 76A(1)(b) or (c).]
- [<sup>F19</sup>(4) Where a requirement to submit a report is referred to the Secretary of State under subsection (3) or to the Minister of Justice under subsection (3A), the Secretary of State or (as the case may be) the Minister of Justice may—
- (a) within the period of 30 days from the date of the referral, or
  - (b) within such longer period as may be agreed between the Board and (as the case may be) the Secretary of State or the Minister of Justice,
- modify or set aside the requirement, as necessary, for either or both of the purposes mentioned in subsection (4A).]
- [<sup>F20</sup>(4A) The purposes are—
- (a) exempting the Chief Constable from the obligation to report to the Board [<sup>F21</sup>, as the case may be— ;
    - (i) information which, in the opinion of the Secretary of State, ought not to be disclosed on the ground mentioned in section 76A(1)(a); or
    - (ii) information which, in the opinion of the Minister of Justice, ought not to be disclosed on any of the grounds mentioned in section 76A(1)(b) or (c);]
  - (b) imposing on the Chief Constable an obligation to supply any such information to a special purposes committee.
- (4B) Subsection (4D) applies if—
- (a) a requirement to submit a report has been made under subsection (1);
  - (b) the Chief Constable has not referred the requirement to the Secretary of State under subsection (3) [<sup>F22</sup>or to the Minister of Justice under subsection (3A)];
  - (c) the Chief Constable is of the opinion that a report in compliance with the requirement would include information of a kind mentioned in paragraph (a) or (b) of subsection (4C).
- (4C) The information is—
- (a) information the disclosure of which would be likely to put an individual in danger, or

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- (b) information which ought not to be disclosed on any of the grounds mentioned in section 76A(1).
- (4D) The Chief Constable may, instead of including the information in the report to the Board, supply it to a special purposes committee.
- (4E) If the Chief Constable supplies information to a committee under subsection (4D) he shall prepare a summary of the information.
- (4F) The Chief Constable shall try to obtain the agreement of the committee to the terms of the summary.
- (4G) If the committee agrees to the terms of the summary, the Chief Constable shall include the summary in the report to the Board.
- [<sup>F23</sup>(4H) Subsection (4I) applies if—
- (a) the Chief Constable supplies to a committee under subsection (4D) information which, in the opinion of the Chief Constable, is information which ought not to be disclosed on the ground mentioned in section 76A(1)(a), or
  - (b) the Chief Constable includes information in a report to the Board and is of the opinion that the information is information which ought not to be disclosed on the ground mentioned in section 76A(1)(a).
- (4I) The Chief Constable must—
- (a) inform the Secretary of State that the information has been included in a report to the Board or supplied to the committee; and
  - (b) inform the Secretary of State and the recipient of the information that, in his opinion, the information is information which ought not to be disclosed on the ground mentioned in section 76A(1)(a).
- (4J) Subsection (4K) applies if—
- (a) the Chief Constable supplies to a committee under subsection (4D) information which, in the opinion of the Chief Constable, is—
    - (i) information the disclosure of which would be likely to put an individual in danger, or
    - (ii) information which ought not to be disclosed on any of the grounds mentioned in section 76A(1)(b) or (c), or
  - (b) the Chief Constable includes information in a report to the Board and is of the opinion that the information is—
    - (i) information the disclosure of which would be likely to put an individual in danger, or
    - (ii) information which ought not to be disclosed on any of the grounds mentioned in section 76A(1)(b) or (c).
- (4K) The Chief Constable must—
- (a) inform the Minister of Justice that the information has been included in a report to the Board or supplied to the committee; and
  - (b) inform the Minister of Justice and the recipient of the information that, in his opinion, the information is information of a kind mentioned in subparagraph (i) or (ii) of paragraph (a) or (b) of subsection (4J).]

(5) [<sup>F24</sup>Subject to section 74A(7)] the Board may arrange, or require the Chief Constable to arrange, for a report under this section to be published in such manner as appears to the Board to be appropriate.

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- [<sup>F25</sup>(6) The Director General of the National Crime Agency shall, whenever so required by the Board, submit to the Board a report on any such relevant NCA matter as may be specified in the requirement.
- (7) But the Board may not require the Director General to submit such a report before consulting the Secretary of State .
- (8) In this section “relevant NCA matter” means a matter which relates to—
- (a) how the Director General intends that functions of the National Crime Agency are to be exercised in Northern Ireland; or
  - (b) whether the exercise of the functions of the National Crime Agency in Northern Ireland is, or was, in accord with their intended exercise.
- (9) Subsections (2) to (5) of this section apply to a report under subsection (6) as they apply to a report under subsection (1).
- (10) In the application of subsections (2) to (5) to a report under subsection (6), each reference to the Chief Constable is to be read as a reference to the Director General of the National Crime Agency.]

#### Textual Amendments

- F16** S. 59(3) substituted (with effect in accordance with s. 10(5) of the amending Act) by [Police \(Northern Ireland\) Act 2003 \(c. 6\), s. 10\(2\)](#)
- F17** Words in s. 59(3) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\), art. 1\(2\), Sch. 3 para. 74\(2\)](#) (with arts. 28-31)
- F18** S. 59(3A) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\), art. 1\(2\), Sch. 3 para. 74\(3\)](#) (with arts. 28-31)
- F19** S. 59(4) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\), art. 1\(2\), Sch. 3 para. 74\(4\)](#) (with arts. 28-31)
- F20** S. 59(4A)-(4I) inserted (with effect in accordance with s. 10(5) of the amending Act) by [Police \(Northern Ireland\) Act 2003 \(c. 6\), s. 10\(4\)](#)
- F21** Words in s. 59(4A)(a) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\), art. 1\(2\), Sch. 3 para. 74\(5\)](#) (with arts. 28-31)
- F22** Words in s. 59(4B)(b) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\), art. 1\(2\), Sch. 3 para. 74\(6\)](#) (with arts. 28-31)
- F23** S. 59(4H)-(4K) substituted for s. 59(4H)(I) (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\), art. 1\(2\), Sch. 3 para. 74\(7\)](#) (with arts. 28-31)
- F24** Words in s. 59(5) inserted (8.4.2003) by [Police \(Northern Ireland\) Act 2003 \(c. 6\), s. 27\(2\)](#)
- F25** S. 59(6)-(10) inserted (19.5.2015) by [The Crime and Courts Act 2013 \(National Crime Agency and Proceeds of Crime\) \(Northern Ireland\) Order 2015 \(S.I. 2015/798\), art. 1\(3\), Sch. 2 para. 7](#)

## 60 Inquiry by Board following report by Chief Constable.

- (1) Where the Board—
- (a) has considered a report on any matter submitted by the Chief Constable under section 59, and
  - (b) considers that an inquiry ought to be held under this section into that matter or any related matter disclosed in the report by reason of the gravity of the matter or exceptional circumstances,

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the Board may, after consultation with the Chief Constable, cause such an inquiry to be held.

(2) The Board shall immediately—

- (a) inform the Chief Constable, the Ombudsman and the [<sup>F26</sup>Minister of Justice] of any decision to cause an inquiry to be held under this section and of any matter into which inquiry is to be made; and
- (b) send a copy of the relevant report under section 59 to the [<sup>F27</sup>Minister of Justice].

[<sup>F28</sup>(2A) Where it appears to the Board that an inquiry under this section may relate wholly or in part to—

- (a) a matter in respect of which a function is conferred or imposed on the Secretary of State by or under a statutory provision, or
- (b) an excepted matter or reserved matter (within the meaning given by section 4 of the Northern Ireland Act 1998),

the Board shall immediately inform the Secretary of State of the decision to cause the inquiry to be held and of any matter into which inquiry is to be made, and shall send a copy of the relevant report under section 59 to the Secretary of State.]

[<sup>F29</sup>(3) The Chief Constable may refer to the Secretary of State the decision of the Board to cause an inquiry to be held under this section if it appears to the Chief Constable that such an inquiry ought not to be held on [<sup>F30</sup>the ground mentioned in section 76A(2)(a)].]

(4) The Secretary of State may within the period of 30 days from the date of referral of the decision of the Board by the Chief Constable, or within such longer period as may be agreed between the Board and the Secretary of State, overrule the decision of the Board.

(5) The Secretary of State may overrule the Board only if, in his opinion, the inquiry [<sup>F31</sup>ought not to be held on [<sup>F32</sup>the ground mentioned in section 76A(2)(a)]].

[<sup>F33</sup>(5A) The Chief Constable may refer to the Minister of Justice the decision of the Board to cause an inquiry to be held under this section if it appears to the Chief Constable that such an inquiry ought not to be held on any of the grounds mentioned in section 76A(2)(b) or (c).

(5B) The Minister of Justice may within the period of 30 days from the date of referral of the decision of the Board by the Chief Constable, or within such longer period as may be agreed between the Board and the Minister of Justice, overrule the decision of the Board.

(5C) The Minister of Justice may overrule the Board only if, in the opinion of the Minister of Justice, the inquiry ought not to be held on any of the grounds mentioned in section 76A(2)(b) or (c).]

(6) The Board may request a person mentioned in subsection (8) to conduct an inquiry under this section.

(7) The person mentioned in subsection (8) may comply with the request under subsection (6) and shall do so if so directed by the [<sup>F34</sup>Minister of Justice].

(8) The persons are—

- (a) the Comptroller and Auditor General [<sup>F35</sup>for Northern Ireland];

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- (b) the Ombudsman;
  - (c) an inspector of constabulary for Northern Ireland.
- (9) The Board may, with the agreement of the [<sup>F36</sup>Minister of Justice], appoint any other person to conduct an inquiry under this section.
- (10) An inquiry under this section shall be held in public except where the person conducting it decides that it is necessary in the public interest not to do so.
- [<sup>F37</sup>(10A) Subsection (10B) applies if the Chief Constable supplies to a person conducting an inquiry under this section any information which, in the opinion of the Chief Constable, is information which ought not to be disclosed on the ground mentioned in section 76A(1)(a).
- (10B) The Chief Constable must—
- (a) inform the Secretary of State and the Board that the information has been supplied to the person conducting the inquiry; and
  - (b) inform the Secretary of State, the Board and the person conducting the inquiry that, in his opinion, the information is information which ought not to be disclosed on the ground mentioned in section 76A(1)(a).
- (10C) Subsection (10D) applies if the Chief Constable supplies to a person conducting an inquiry under this section any information which, in the opinion of the Chief Constable, is—
- (a) information the disclosure of which would be likely to put an individual in danger, or
  - (b) information which ought not to be disclosed on any of the grounds mentioned in section 76A(1)(b) or (c).
- (10D) The Chief Constable must—
- (a) inform the Minister of Justice and the Board that the information has been supplied to the person conducting the inquiry; and
  - (b) inform the Minister of Justice, the Board and the person conducting the inquiry that, in his opinion, the information is information of a kind mentioned in paragraph (a) or (b) of subsection (10C).]

(11) An inquiry under this section may not deal with a pre-commencement matter.

(12) But subsection (11) does not prevent a person conducting an inquiry under this section from considering information relating to a pre-commencement matter if, and only to the extent that, consideration of that information is necessary for him to be able to discharge his functions in relation to the subject matter of the inquiry.

(13) “Pre-commencement matter” means any act or omission which occurred, or is alleged to have occurred, before the coming into force of this section.

[<sup>F38</sup>(14) “Paragraphs 3 to 6 of Schedule A1 to the Interpretation Act (Northern Ireland) 1954 (provisions applicable to inquiries etc. under Northern Ireland legislation) shall apply to an inquiry under this section with the substitution for references to the Department of references to the person conducting the inquiry.”]

(15) The Board shall pay—

    - (a) any expenses incurred by the person conducting an inquiry under this section; and
    - (b) any expenses incurred by any parties appearing at such an inquiry.



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- (16) The Board shall send a copy of the report of any inquiry under this section to—
- (a) the Chief Constable;
  - (b) the Ombudsman;
  - <sup>F39</sup>(c) the Minister of Justice; and
  - (d) the Secretary of State, but only if the decision to cause the inquiry to be held was notified to the Secretary of State under subsection (2A) or if subsection (10A) applied in relation to the inquiry.]
- (17) Where the report of the person conducting an inquiry under this section is not published, a summary of his findings and conclusions shall be made known by the Board so far as appears to it consistent with the public interest.
- <sup>F40</sup>(18) Where the Board—
- (a) has considered a report on any relevant NCA matter submitted by the Director General of the National Crime Agency under section 59, and
  - (b) considers that an inquiry ought to be held under this section into that matter or any related matter disclosed in the report by reason of the gravity of the matter or exceptional circumstances,
- the Board may, after consultation with the Director General and with the Secretary of State, cause such an inquiry to be held.
- (19) Subsections (2) to (17) of this section apply to an inquiry which the Board causes to be held under subsection (18) as they apply to an inquiry caused to be held under subsection (1).
- (20) In the application of subsections (2) to (17) to an inquiry which the Board causes to be held under subsection (18)—
- (a) each reference to the Chief Constable (except the reference in subsection (16)(a)) is to be read as a reference to the Director General of the National Crime Agency;
  - (b) subsection (16) is to be read as including a requirement to send a copy of the report of any inquiry to the Director General (as well as to the persons in subsection (16)(a) to (d)).]

#### Textual Amendments

- F26** Words in s. 60(2)(a) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), [Sch. 3 para. 75\(2\)\(a\)](#) (with arts. 28-31)
- F27** Words in s. 60(2)(b) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), [Sch. 3 para. 75\(2\)\(b\)](#) (with arts. 28-31)
- F28** S. 60(2A) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), [Sch. 3 para. 75\(3\)](#) (with arts. 28-31)
- F29** S. 60(3) substituted (with effect in accordance with s. 11(5) of the amending Act) by [Police \(Northern Ireland\) Act 2003 \(c. 6\)](#), [s. 11\(2\)](#)
- F30** Words in s. 60(3) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), [Sch. 3 para. 75\(4\)](#) (with arts. 28-31)
- F31** Words in s. 60(5) substituted (with effect in accordance with s. 11(5) of the amending Act) by [Police \(Northern Ireland\) Act 2003 \(c. 6\)](#), [s. 11\(3\)](#)
- F32** Words in s. 60(5) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), [Sch. 3 para. 75\(4\)](#) (with arts. 28-31)
- F33** S. 60(5A)-(5C) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), [Sch. 3 para. 75\(5\)](#) (with arts. 28-31)

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- F34** Words in s. 60(7) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 75(6)** (with arts. 28-31)
- F35** Words in s. 60(8)(a) inserted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 75(7)** (with arts. 28-31)
- F36** Words in s. 60(9) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 75(8)** (with arts. 28-31)
- F37** S. 60(10A)-(10D) substituted for s. 60(10A)(10B) (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 75(9)** (with arts. 28-31)
- F38** S. 60(14) substituted (7.6.2005) by Inquiries Act 2005 (c. 12), s. 51(1), **Sch. 2 para. 22** (with ss. 44, 50); S.I. 2005/1432, art. 2
- F39** S. 60(16)(c)(d) substituted for s. 60(16)(c) and word (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 75(10)** (with arts. 28-31)
- F40** S. 60(18)-(20) inserted (19.5.2015) by The Crime and Courts Act 2013 (National Crime Agency and Proceeds of Crime) (Northern Ireland) Order 2015 (S.I. 2015/798), art. 1(3), **Sch. 2 para. 8**

## 61 Reports by Chief Constable to Secretary of State <sup>[F41]</sup> and Minister of Justice] .

- (1) The Chief Constable shall, whenever so required by the <sup>[F42]</sup>appropriate authority], submit to the <sup>[F42]</sup>appropriate authority] a report on such matters connected with the policing of Northern Ireland as may be specified in the requirement.
- <sup>[F43]</sup>(1A) In this section “the appropriate authority” means, in relation to any matter—
- (a) the Secretary of State, if the matter relates (in whole or in part other than incidentally) to an excepted matter or reserved matter or to a function conferred or imposed on the Secretary of State by or under a statutory provision;
  - (b) otherwise, the Minister of Justice;
- and in paragraph (a) “excepted matter” and “reserved matter” have the meanings given by section 4 of the Northern Ireland Act 1998.]
- (2) A report under subsection (1) shall be made—
- (a) in such form as may be specified in the requirement under that subsection; and
  - (b) within the period of one month from the date on which that requirement is made, or within such longer period as may be agreed between the Chief Constable and the <sup>[F44]</sup>appropriate authority].
- (3) The <sup>[F45]</sup>appropriate authority] may arrange, or require the Chief Constable to arrange, for a report under subsection (1) to be published in such manner as appears to the <sup>[F45]</sup>appropriate authority] to be appropriate.
- <sup>[F46]</sup>(4) If it appears to the Chief Constable that a report that the Chief Constable is required to submit under subsection (1) to the Minister of Justice may contain information which, in the opinion of the Chief Constable, ought not to be disclosed on the ground mentioned in section 76A(1)(a), the Chief Constable may refer the report to the Secretary of State.
- (5) If it appears to the Secretary of State that—
- (a) the Chief Constable is required to submit a report under subsection (1) to the Minister of Justice, and
  - (b) the report may contain (or once completed may contain) information which ought not to be disclosed on the ground mentioned in section 76A(1)(a),

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the Secretary of State may require the Chief Constable to refer the report to the Secretary of State (or, if the report is not completed when the requirement is imposed, to refer the report once completed).

- (6) The Secretary of State must, within—
- (a) the period of 30 days from the date on which a report is referred to the Secretary of State under subsection (4) or (5), or
  - (b) such longer period as may be agreed between the Secretary of State and the Minister of Justice,
- notify the Chief Constable whether, in the opinion of the Secretary of State, the report contains any information which ought not to be disclosed on the ground mentioned in section 76A(1)(a).
- (7) Where the Chief Constable has referred a report to the Secretary of State under subsection (4) or the Secretary of State has required that a report be referred to the Secretary of State under subsection (5), the Chief Constable must not disclose the report to anyone apart from the Secretary of State, except—
- (a) in accordance with subsection (8), or
  - (b) after being notified by the Secretary of State that, in the opinion of the Secretary of State, the report does not contain any information which ought not to be disclosed on the ground mentioned in section 76A(1)(a).
- (8) Where the Secretary of State notifies the Chief Constable under subsection (6) that, in the opinion of the Secretary of State, a report contains information which ought not to be disclosed on the ground mentioned in section 76A(1)(a)—
- (a) the Secretary of State may direct the Chief Constable to exclude from the report any information which, in the opinion of the Secretary of State, is information which ought not to be disclosed on the ground mentioned in section 76A(1)(a);
  - (b) the Chief Constable must exclude that information from the report;
  - (c) the Secretary of State must inform the Minister of Justice that the Secretary of State has given a direction under paragraph (a); and
  - (d) the Secretary of State must lay before Parliament a statement that the Secretary of State has given a direction under paragraph (a).
- (9) When the Chief Constable submits a report to the Minister of Justice from which information has been excluded under subsection (8), the Chief Constable must at the same time provide the report to the Secretary of State.
- (10) In determining for the purposes of subsection (2)(b) when the period of one month, or the agreed longer period, expires in a case where a report has been referred to the Secretary of State under subsection (4) or (5), the period beginning with the day on which the report is referred to the Secretary of State and ending with the day on which the Secretary of State's notification is given under subsection (6) is to be disregarded.
- (11) Subsection (12) applies if—
- (a) a requirement to submit a report has been made under subsection (1) by the Minister of Justice;
  - (b) the Chief Constable has not referred the report to the Secretary of State under subsection (4) and has not been required to refer the report to the Secretary of State under subsection (5); and

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- (c) the Chief Constable includes in the report submitted to the Minister of Justice information which, in the opinion of the Chief Constable, is information which ought not to be disclosed on the ground mentioned in section 76A(1)(a).
- (12) The Chief Constable must—
- (a) inform the Secretary of State that the information has been included in the report to the Minister of Justice;
  - (b) inform the Secretary of State and the Minister of Justice that, in his opinion, the information is information which ought not to be disclosed on the ground mentioned in section 76A(1)(a).]

#### Textual Amendments

- F41** Words in s. 61 heading inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 76(5)** (with arts. 28-31)
- F42** Words in s. 61(1) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 76(2)** (with arts. 28-31)
- F43** S. 61(1A) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 76(3)** (with arts. 28-31)
- F44** Words in s. 61(2) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 76(2)** (with arts. 28-31)
- F45** Words in s. 61(3) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 76(2)** (with arts. 28-31)
- F46** S. 61(4)-(12) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 76(4)** (with arts. 28-31)

**Changes to legislation:**

There are currently no known outstanding effects for the Police (Northern Ireland) Act 2000, Part VII.