



# 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—
    - (i) carrying out the general duty under section 32(1);
    - (ii) complying with the 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 district policing partnerships;
  - (j) the effectiveness of district policing partnerships in performing their functions and, in particular, of arrangements made under Part III 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.

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*Status: This is the original version (as it was originally enacted).*

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- (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 Secretary of State.
- (4) The Board shall, whenever required by the Secretary of State, submit to the Secretary of State 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 Secretary of State.
- (6) The Secretary of State may arrange, or require the Board to arrange, for a report under subsection (4) to be published in such manner as appears to him to be appropriate.

## **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 Secretary of State.
- (4) The Secretary of State shall lay before each House of Parliament every report submitted to him under subsection (3).

## **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.
- (3) If it appears to the Chief Constable that a report in compliance with a requirement under subsection (1) would contain information which ought not to be disclosed—
- (a) in the interests of national security,
  - (b) because it relates to an individual and is of a sensitive personal nature,
  - (c) because it would, or would be likely to, prejudice proceedings which have been commenced in a court of law, or

- (d) because it would, or would be likely to, prejudice the prevention or detection of crime or the apprehension or prosecution of offenders,  
he may refer the requirement to submit the report to the Secretary of State.
- (4) The Secretary of State may within the period of 30 days from the date of referral of the requirement to submit the report by the Chief Constable, or within such longer period as may be agreed between the Board and the Secretary of State, modify or set aside the requirement, as necessary, in order to exempt the Chief Constable from the obligation to report information which, in his opinion, ought not to be disclosed on any of the grounds mentioned in subsection (3).
- (5) 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.

## **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,
- 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 Secretary of State 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 Secretary of State.
- (3) If it appears to the Chief Constable that such an inquiry should not be held—
- (a) in the interests of national security,
  - (b) because any matter into which inquiry is to be made relates to an individual and is of a sensitive personal nature,
  - (c) because it would, or would be likely to, prejudice proceedings which have been commenced in a court of law, or
  - (d) because it would, or would be likely to, prejudice the prevention or detection of crime or the apprehension or prosecution of offenders,
- he may refer the decision of the Board to cause an inquiry to be held to the Secretary of State.
- (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 should not be held on a ground mentioned in subsection (3).
- (6) The Board may request a person mentioned in subsection (8) to conduct an inquiry under this section.

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- (7) The person mentioned in subsection (8) may comply with the request under subsection (6) and shall do so if so directed by the Secretary of State.
- (8) The persons are—
- (a) the Comptroller and Auditor General;
  - (b) the Ombudsman;
  - (c) an inspector of constabulary for Northern Ireland.
- (9) The Board may, with the agreement of the Secretary of State, 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.
- (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.
- (14) Paragraphs 2 to 5 of Schedule 8 to the Health and Personal Social Services (Northern Ireland) Order 1972 (inquiries and investigations) shall apply to an inquiry under this section with the substitution for references to the Ministry 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.
- (16) The Board shall send a copy of the report of any inquiry under this section to—
- (a) the Chief Constable;
  - (b) the Ombudsman; and
  - (c) the Secretary of State.
- (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.

## **61 Reports by Chief Constable to Secretary of State**

- (1) The Chief Constable shall, whenever so required by the Secretary of State, submit to the Secretary of State a report on such matters connected with the policing of Northern Ireland as may be specified in the requirement.
- (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 Secretary of State.

- (3) The Secretary of State 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 Secretary of State to be appropriate.