



# Police (Northern Ireland) Act 2000

## 2000 CHAPTER 32

### PART VII

#### REPORTS AND INQUIRIES

#### **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>F1</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>F2</sup>the ground mentioned in section 76A(1)(a).]
- <sup>F3</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>F4</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,

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modify or set aside the requirement, as necessary, for either or both of the purposes mentioned in subsection (4A).]

[<sup>F5</sup>(4A) The purposes are—

- (a) exempting the Chief Constable from the obligation to report to the Board<sup>F6</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>F7</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
- (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>F8</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

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- (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>F9</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.
- [<sup>F10</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

- F1** 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\(2\)](#)

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- F2** 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)
- F3** 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)
- F4** 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)
- F5** 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)**
- F6** 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)
- F7** 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)
- F8** 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)
- F9** Words in s. 59(5) inserted (8.4.2003) by Police (Northern Ireland) Act 2003 (c. 6), **s. 27(2)**
- F10** 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**

**Changes to legislation:**

There are currently no known outstanding effects for the Police (Northern Ireland) Act 2000, Section 59.