



Corporate Manslaughter and Corporate Homicide Act 2007

2007 CHAPTER 19

Relevant duty of care

5 Policing and law enforcement

- (1) Any duty of care owed by a public authority in respect of—
 - (a) operations within subsection (2),
 - (b) activities carried on in preparation for, or directly in support of, such operations, or
 - (c) training of a hazardous nature, or training carried out in a hazardous way, which it is considered needs to be carried out, or carried out in that way, in order to improve or maintain the effectiveness of officers or employees of the public authority with respect to such operations,is not a “relevant duty of care”.
- (2) Operations are within this subsection if—
 - (a) they are operations for dealing with terrorism, civil unrest or serious disorder,
 - (b) they involve the carrying on of policing or law-enforcement activities, and
 - (c) officers or employees of the public authority in question come under attack, or face the threat of attack or violent resistance, in the course of the operations.
- (3) Any duty of care owed by a public authority in respect of other policing or law-enforcement activities is not a “relevant duty of care” unless it falls within section 2(1) (a), (b) or (d).
- (4) In this section “policing or law-enforcement activities” includes—
 - (a) activities carried on in the exercise of functions that are—
 - (i) functions of police forces, or
 - (ii) functions of the same or a similar nature exercisable by public authorities other than police forces;

Changes to legislation: There are currently no known outstanding effects for the Corporate Manslaughter and Corporate Homicide Act 2007, Section 5. (See end of Document for details)

- (b) activities carried on in the exercise of functions of constables employed by a public authority;
- (c) activities carried on in the exercise of functions exercisable under Chapter 4 of Part 2 of the Serious Organised Crime and Police Act 2005 (c. 15) (protection of witnesses and other persons);
- (d) activities carried on to enforce any provision contained in or made under the Immigration Acts.

Commencement Information

II S. 5 in force at 6.4.2008 by S.I. 2008/401, art. 2 (with art. 2(3)(c))

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