

Changes to legislation: Criminal Justice and Immigration Act 2008, Paragraph 13 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 23

INVESTIGATION OF COMPLAINTS OF POLICE MISCONDUCT ETC.

- 13 (1) Paragraph 23 (action by Commission in response to investigation report) is amended as follows.
- (2) In sub-paragraph (2) (action to be taken on receipt of report)—
- (a) for paragraph (b) substitute—
- “(b) shall determine whether the conditions set out in sub-paragraphs (2A) and (2B) are satisfied in respect of the report;”;
- (b) in paragraph (c), for “the report does so indicate” substitute “ those conditions are so satisfied ”;
- (c) in paragraph (d), after “appropriate authority” insert “ and the persons mentioned in sub-paragraph (5) ”.
- (3) After sub-paragraph (2) insert—
- “(2A) The first condition is that the report indicates that a criminal offence may have been committed by a person to whose conduct the investigation related.
- (2B) The second condition is that—
- (a) the circumstances are such that, in the opinion of the Commission, it is appropriate for the matters dealt with in the report to be considered by the Director of Public Prosecutions, or
- (b) any matters dealt with in the report fall within any prescribed category of matters.”
- (4) In sub-paragraph (5) (persons to be notified) for “Those” substitute “ The ”.
- ^{F1}(5)
- ^{F1}(6)

Textual Amendments

- F1** Sch. 23 para. 13(5)(6) omitted (31.1.2017 for specified purposes, 1.2.2020 in so far as not already in force) by virtue of [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 5 para. 50](#); [S.I. 2020/5, reg. 2\(n\)](#) (with [art. 3\(1\)\(2\)\(4\)](#))

Commencement Information

- II** Sch. 23 para. 13 in force at 1.12.2008 by [S.I. 2008/2993](#), [art. 2\(1\)\(i\)\(i\)](#) (with [art. 3](#))

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 7 para. 5A and cross-heading inserted by [2008 c. 25 Sch. 1 para. 90\(3\)](#)