



Railways and Transport Safety Act 2003

2003 CHAPTER 20

PART 3

BRITISH TRANSPORT POLICE

Inspection

63 Inspection

- (1) Her Majesty's Inspectors of Constabulary shall inspect the Police Force from time to time.
- (2) Her Majesty's Inspectors of Constabulary shall also inspect the Police Force if requested by the Secretary of State to inspect the force—
 - (a) generally, or
 - (b) in respect of a particular matter.
- (3) Following an inspection the inspectors shall report to the Secretary of State on the efficiency and effectiveness of the force—
 - (a) generally, or
 - (b) in the case of an inspection under subsection (2)(b), in respect of the matters to which the inspection related.
- (4) A report under subsection (3) must be in such form as the Secretary of State may direct.
- (5) Where the Secretary of State receives a report under subsection (3) he shall publish it.
- (6) Section 55 of the Police Act 1996 (c. 16) (inspection reports: publication and comment) shall have effect, with any necessary modifications, in relation to a report of an inspection under this section.
- (7) The Authority shall pay to the Secretary of State such amounts as the Secretary of State may specify in respect of an inspection carried out under this section.
- (8) In the application of this section in relation to Scotland—

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- (a) a reference to Her Majesty’s Inspectors of Constabulary shall be treated as a reference to inspectors of constabulary appointed under section 33(1) of the Police (Scotland) Act 1967 (c. 77), and
- (b) where an inspection under this section is carried out by inspectors so appointed the references to the Secretary of State in subsection (7) shall be treated as references to the Scottish Ministers.

64 Action after adverse inspection report

- (1) Sections 65 and 66 apply where a report of Her Majesty’s Inspectors of Constabulary states that the Police Force is inefficient or ineffective—
 - (a) generally, or
 - (b) in a specified respect.
- (2) Sections 65 and 66 also apply where a report of Her Majesty’s Inspectors of Constabulary states that the Police Force is likely, unless remedial measures are taken, to become inefficient or ineffective—
 - (a) generally, or
 - (b) in a specified respect.
- (3) In the application of this section in relation to Scotland a reference to Her Majesty’s Inspectors of Constabulary shall be treated as a reference to inspectors of constabulary appointed under section 33(1) of the Police (Scotland) Act 1967.

65 Remedial direction

- (1) Where this section applies as a result of a report the Secretary of State may by direction require the Authority to take specified measures for the purpose of remedying a deficiency identified in the report.
- (2) Before giving a direction under this section the Secretary of State shall—
 - (a) notify the Authority and the Chief Constable of his intention to give a direction and the reasons for it,
 - (b) give the Chief Constable an opportunity to make representations,
 - (c) give the Authority an opportunity to make representations, and
 - (d) give the Authority an opportunity to propose action that would make it unnecessary for the Secretary of State to give a direction.
- (3) Where the Secretary of State gives a direction under this section he shall lay before Parliament—
 - (a) a copy of the direction, and
 - (b) a report about it.

66 Action plan

- (1) Where this section applies as a result of a report, the Secretary of State may by direction require the Authority to submit to him a plan of action to be taken to remedy a deficiency identified in the report.
- (2) A direction under this section may require a plan to include, in particular—
 - (a) performance targets;
 - (b) a timetable;

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- (c) proposals for assessment of achievement;
 - (d) proposals for reporting to the Secretary of State about progress.
- (3) A direction under this section must specify a period of between four and twelve weeks within which the plan must be submitted.
- (4) Before giving a direction under this section the Secretary of State shall—
- (a) notify the Authority and the Chief Constable of his intention to give a direction and the reasons for it,
 - (b) give the Chief Constable an opportunity to make representations,
 - (c) give the Authority an opportunity to make representations, and
 - (d) give the Authority an opportunity to propose action that would make it unnecessary for the Secretary of State to give a direction.
- (5) Where the Secretary of State gives a direction under this section he shall notify the Chief Constable.
- (6) As soon as is reasonably practicable after receiving a direction under this section the Authority shall require the Chief Constable to submit a draft plan of action.
- (7) Before submitting to the Secretary of State a plan which differs from the Chief Constable's draft the Authority shall consult him.
- (8) Where the Secretary of State gives a direction under this section he shall lay before Parliament—
- (a) a copy of the direction, and
 - (b) a report about it.
- (9) If the Secretary of State thinks that a plan of action submitted by the Authority under this section is inadequate, he may—
- (a) inform the Authority of his opinion and the reasons for it, and
 - (b) give a new direction under this section.

67 Senior appointment: delegation of function

The Secretary of State may delegate to the chief inspector of constabulary appointed under section 54 of the Police Act 1996 (c. 16) or section 33 of the Police (Scotland) Act 1967 (c. 77) the function of—

- (a) approving an appointment under or by virtue of a provision of this Part, or
- (b) giving consent under section 22(4) or 23(4).