



# Police (Northern Ireland) Act 2003

## 2003 CHAPTER 6

### PART 1

#### POLICING

##### *The Police Ombudsman*

### 13 Investigations into current police practices and policies

(1) After section 60 of the Police (Northern Ireland) Act 1998 (c. 32) insert—

#### **“60A Investigations into current police practices and policies**

- (1) The Ombudsman may investigate a current practice or policy of the police if—
  - (a) the practice or policy comes to his attention under this Part, and
  - (b) he has reason to believe that it would be in the public interest to investigate the practice or policy.
- (2) But subsection (1) does not authorise the Ombudsman to investigate a practice or policy to the extent that the practice or policy is concerned with conduct of a kind mentioned in section 65(5) of the Regulation of Investigatory Powers Act 2000 (conduct which may be within jurisdiction of tribunal established under section 65 of that Act).
- (3) If the Ombudsman decides to conduct an investigation under this section he shall immediately inform the Chief Constable, the Board and the Secretary of State of—
  - (a) his decision to conduct the investigation,
  - (b) his reasons for making that decision, and
  - (c) the practice or policy into which the investigation is to be conducted.
- (4) When an investigation under this section has been completed the Ombudsman shall report on it to the Chief Constable and the Board.

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*Status: This is the original version (as it was originally enacted).*

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- (5) The Ombudsman shall send a copy of his report to the Secretary of State, if the investigation relates wholly or in part to—
- (a) a matter in respect of which a function is conferred or imposed on the Secretary of State by or under a statutory provision, or
  - (b) an excepted matter (within the meaning given by section 4 of the Northern Ireland Act 1998)."
- (2) Section 61A of the Police (Northern Ireland) Act 1998 shall cease to have effect.
- (3) In section 63(2A) of the Police (Northern Ireland) Act 1998 for "report under section 61A" substitute "report of an investigation under section 60A".
- (4) In section 66 of the Police (Northern Ireland) Act 2000 (c. 32) at the beginning insert "(1)" and at the end insert—
- "(2) Subsection (3) applies if—
- (a) the Chief Constable or the Board supplies information to the Ombudsman under subsection (1) for the purposes of or in connection with an investigation under section 60A of the 1998 Act;
  - (b) the person supplying the information is of the opinion that it is information of a kind mentioned in paragraph (a) or (b) of subsection (4).
- (3) The person supplying the information must—
- (a) inform the Secretary of State that the information has been supplied to the Ombudsman;
  - (b) inform the Secretary of State and the Ombudsman that, in his or its opinion, the information is information of a kind mentioned in paragraph (a) or (b) of subsection (4).
- (4) The information referred to in subsections (2) and (3) is—
- (a) information the disclosure of which would be likely to put an individual in danger;
  - (b) information which ought not to be disclosed on any of the grounds mentioned in section 76A(1)."