

SCHEDULES

SCHEDULE 12

INVESTIGATIONS OF DEATHS AND SERIOUS INJURIES DURING OR AFTER CONTACT WITH THE POLICE

- 10 (1) Section 29 (interpretation) is amended as follows.
- (2) In subsection (1)—
- (a) for the definition of “the appropriate authority” substitute—
- ““the appropriate authority”—
- (a) in relation to a person serving with the police or in relation to any complaint, conduct matter or investigation relating to the conduct of such a person, means—
- (i) if that person is a senior officer, the police authority for the area of the police force of which he is a member; and
- (ii) if he is not a senior officer, the chief officer under whose direction and control he is; and
- (b) in relation to a death or serious injury matter, means—
- (i) if the relevant officer is a senior officer, the police authority for the area of the police force of which he is a member; and
- (ii) if he is not a senior officer, the chief officer under whose direction and control he is;”;
- (b) after the definition of “conduct matter” insert—
- ““death or serious injury matter” and “DSI matter” have the meaning given by section 12;”.
- (3) After subsection (1) insert—
- “(1A) In this Part “the relevant officer”, in relation to a DSI matter, means the person serving with the police (within the meaning of section 12(7))—
- (a) who arrested the person who has died or suffered serious injury,
- (b) in whose custody that person was at the time of the death or serious injury, or
- (c) with whom that person had the contact in question;
- and where there is more than one such person it means, subject to subsection (1B), the one who so dealt with him last before the death or serious injury occurred.
- (1B) Where it cannot be determined which of two or more persons serving with the police dealt with a person last before a death or serious injury occurred, the relevant officer is the most senior of them.”