

**Changes to legislation:** Serious Organised Crime and Police Act 2005, Paragraph 3 is up to date with all changes known to be in force on or before 27 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 12

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

- 3 In section 12 (matters to which Part 2 applies), after subsection (2) insert—
- “(2A) In this Part “death or serious injury matter” (or “DSI matter” for short) means any circumstances (other than those which are or have been the subject of a complaint or which amount to a conduct matter)—
- (a) in or in consequence of which a person has died or has sustained serious injury; and
  - (b) in relation to which the requirements of either subsection (2B) or subsection (2C) are satisfied.
- (2B) The requirements of this subsection are that at the time of the death or serious injury the person—
- (a) had been arrested by a person serving with the police and had not been released from that arrest; or
  - (b) was otherwise detained in the custody of a person serving with the police.
- (2C) The requirements of this subsection are that—
- (a) at or before the time of the death or serious injury the person had contact (of whatever kind, and whether direct or indirect) with a person serving with the police who was acting in the execution of his duties; and
  - (b) there is an indication that the contact may have caused (whether directly or indirectly) or contributed to the death or serious injury.
- (2D) In subsection (2A) the reference to a person includes a person serving with the police, but in relation to such a person “contact” in subsection (2C) does not include contact that he has whilst acting in the execution of his duties.”

#### Commencement Information

**II** Sch. 12 para. 3 in force at 1.7.2005 by S.I. 2005/1521, art. 3(1)(w)

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**Commencement Orders yet to be applied to the Serious Organised Crime and Police Act 2005**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2006/2182 art. 3](#) amendment to earlier commencing SI 2006/1871