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***Changes to legislation:** Serious Organised Crime and Police Act 2005, Paragraph 24 is up to date with all changes known to be in force on or before 02 February 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*

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## SCHEDULES

### SCHEDULE 12

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

24 After paragraph 24 insert—

**“Final reports on investigations: other DSI matters**

- 24A(1) This paragraph applies on the completion of an investigation of a DSI matter in respect of which neither the Commission nor the appropriate authority has made a determination under paragraph 21A(2) or (4).
- (2) A person appointed under paragraph 16, 17 or 18 or designated under paragraph 19 shall—
- (a) submit a report on the investigation to the Commission; and
  - (b) send a copy of that report to the appropriate authority.
- (3) A person submitting a report under this paragraph shall not be prevented by any obligation of secrecy imposed by any rule of law or otherwise from including all such matters in his report as he thinks fit.
- (4) On receipt of the report, the Commission shall determine whether the report indicates that a person serving with the police may have—
- (a) committed a criminal offence, or
  - (b) behaved in a manner which would justify the bringing of disciplinary proceedings.

**Action by the Commission in response to an investigation report under paragraph 24A**

- 24B(1) If the Commission determines under paragraph 24A(4) that the report indicates that a person serving with the police may have—
- (a) committed a criminal offence, or
  - (b) behaved in a manner which would justify the bringing of disciplinary proceedings,
- it shall notify the appropriate authority in relation to the person whose conduct is in question of its determination and, if it appears that that authority has not already been sent a copy of the report, send a copy of the report to that authority.
- (2) Where the appropriate authority in relation to the person whose conduct is in question is notified of a determination by the Commission under subparagraph (1), it shall record the matter under paragraph 11 as a conduct matter (and the other provisions of this Schedule shall apply in relation to that matter accordingly).

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- 24C (1) If the Commission determines under paragraph 24A(4) that there is no indication in the report that a person serving with the police may have—
- (a) committed a criminal offence, or
  - (b) behaved in a manner which would justify the bringing of disciplinary proceedings,
- it shall make such recommendations or give such advice under section 10(1)(e) (if any) as it considers necessary or desirable.
- (2) Sub-paragraph (1) does not affect any power of the Commission to make recommendations or give advice under section 10(1)(e) in other cases (whether arising under this Schedule or otherwise).”

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**Commencement Information**

**II** Sch. 12 para. 24 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