

*Status: Point in time view as at 28/03/2009.*

*Changes to legislation: Serious Organised Crime and Police Act 2005, Paragraph 10 is up to date with all changes known to be in force on or before 14 July 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)*

## 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.”

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**Commencement Information**

**II** Sch. 12 para. 10 in force at 1.7.2005 by S.I. 2005/1521, art. 3(1)(w)

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