



# Police (Northern Ireland) Act 2000

## 2000 CHAPTER 32

### PART VII

#### REPORTS AND INQUIRIES

#### **60 Inquiry by Board following report by Chief Constable.**

- (1) Where the Board—
  - (a) has considered a report on any matter submitted by the Chief Constable under section 59, and
  - (b) considers that an inquiry ought to be held under this section into that matter or any related matter disclosed in the report by reason of the gravity of the matter or exceptional circumstances,the Board may, after consultation with the Chief Constable, cause such an inquiry to be held.
- (2) The Board shall immediately—
  - (a) inform the Chief Constable, the Ombudsman and the Secretary of State of any decision to cause an inquiry to be held under this section and of any matter into which inquiry is to be made; and
  - (b) send a copy of the relevant report under section 59 to the Secretary of State.
- [<sup>F1</sup>(3) The Chief Constable may refer to the Secretary of State the decision of the Board to cause an inquiry to be held under this section if it appears to the Chief Constable that such an inquiry ought not to be held on any of the grounds mentioned in section 76A(2).]
- (4) The Secretary of State may within the period of 30 days from the date of referral of the decision of the Board by the Chief Constable, or within such longer period as may be agreed between the Board and the Secretary of State, overrule the decision of the Board.
- (5) The Secretary of State may overrule the Board only if, in his opinion, the inquiry [<sup>F2</sup>ought not to be held on any of the grounds mentioned in section 76A(2)] .

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*Status: Point in time view as at 07/06/2005. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Police (Northern Ireland) Act 2000, Section 60. (See end of Document for details)*

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- (6) The Board may request a person mentioned in subsection (8) to conduct an inquiry under this section.
- (7) The person mentioned in subsection (8) may comply with the request under subsection (6) and shall do so if so directed by the Secretary of State.
- (8) The persons are—
- (a) the Comptroller and Auditor General;
  - (b) the Ombudsman;
  - (c) an inspector of constabulary for Northern Ireland.
- (9) The Board may, with the agreement of the Secretary of State, appoint any other person to conduct an inquiry under this section.
- (10) An inquiry under this section shall be held in public except where the person conducting it decides that it is necessary in the public interest not to do so.
- [<sup>F3</sup>(10A) Subsection (10B) applies if the Chief Constable supplies to a person conducting an inquiry under this section any information which in the opinion of the Chief Constable is—
- (a) information the disclosure of which would be likely to put an individual in danger, or
  - (b) information which ought not to be disclosed on any of the grounds mentioned in section 76A(1).
- (10B) The Chief Constable must—
- (a) inform the Secretary of State and the Board that the information has been supplied to the person conducting the inquiry;
  - (b) inform the Secretary of State, the Board and the person conducting the inquiry that, in his opinion, the information is information of a kind mentioned in paragraph (a) or (b) of subsection (10A).]

(11) An inquiry under this section may not deal with a pre-commencement matter.

(12) But subsection (11) does not prevent a person conducting an inquiry under this section from considering information relating to a pre-commencement matter if, and only to the extent that, consideration of that information is necessary for him to be able to discharge his functions in relation to the subject matter of the inquiry.

(13) “Pre-commencement matter” means any act or omission which occurred, or is alleged to have occurred, before the coming into force of this section.

[<sup>F4</sup>(14) “Paragraphs 3 to 6 of Schedule A1 to the Interpretation Act (Northern Ireland) 1954 (provisions applicable to inquiries etc. under Northern Ireland legislation) shall apply to an inquiry under this section with the substitution for references to the Department of references to the person conducting the inquiry.”]

(15) The Board shall pay—

    - (a) any expenses incurred by the person conducting an inquiry under this section; and
    - (b) any expenses incurred by any parties appearing at such an inquiry.

(16) The Board shall send a copy of the report of any inquiry under this section to—

    - (a) the Chief Constable;

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- (b) the Ombudsman; and
- (c) the Secretary of State.

(17) Where the report of the person conducting an inquiry under this section is not published, a summary of his findings and conclusions shall be made known by the Board so far as appears to it consistent with the public interest.

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**Textual Amendments**

- F1** S. 60(3) substituted (with effect in accordance with s. 11(5) of the amending Act) by [Police \(Northern Ireland\) Act 2003 \(c. 6\), s. 11\(2\)](#)
- F2** Words in s. 60(5) substituted (with effect in accordance with s. 11(5) of the amending Act) by [Police \(Northern Ireland\) Act 2003 \(c. 6\), s. 11\(3\)](#)
- F3** S. 60(10A)(10B) inserted (with effect in accordance with s. 11(5) of the amending Act) by [Police \(Northern Ireland\) Act 2003 \(c. 6\), s. 11\(4\)](#)
- F4** S. 60(14) substituted (7.6.2005) by [Inquiries Act 2005 \(c. 12\), s. 51\(1\), Sch. 2 para. 22](#) (with ss. 44, 50); [S.I. 2005/1432, art. 2](#)

**Status:**

Point in time view as at 07/06/2005. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Police (Northern Ireland) Act 2000, Section 60.