

Non Confidential

**WEST MIDLANDS POLICE AND
CRIME COMMISSIONER**

NOTICE OF DECISION

031/2014

Contact Officer: Superintendent Darren Miles
(Operations), Superintendent Tim Godwin (Professional
Standards)

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Title: Mutual Aid – complaints arrangements

EXECUTIVE SUMMARY

In June 2013 police officers from the UK mainland provided mutual aid to the Police Service of Northern Ireland (PSNI) to assist with the policing of the G8 Summit. During the preparation for this deployment a jurisdictional issue arose in regard to the investigation of complaints and misconduct issues against officers from the mainland forces whilst they were serving in Northern Ireland. This related to the fact that the direction and control of officers serving in Northern Ireland passes to the Chief Constable of the Police Service Northern Ireland and during the period of deployment the home force Chief Constables cease to be the officers' appropriate authority for the purpose of police complaints legislation.

Complaints made against PSNI officers are dealt with by the Police Ombudsman of Northern Ireland. It was recognised that officers from the mainland forces would not fall under the jurisdiction of the Ombudsman without the home forces signing an agreement with the Ombudsman under section 60 Police (Northern Ireland) Act 1998. Without such agreements there would be no identifiable appropriate authority responsible for the recording and investigation of complaints made against mainland officers during their time in Northern Ireland.

In light of this issue, the mainland police forces signed section 60 agreements with the Ombudsman in 2013. The West Midlands Police and Crime Commissioner decision to sign the section 60 agreement is recorded under WMPCC 022 2013. An updated version (Appendix 1) has now been circulated, which includes an additional paragraph (paragraph 8) that clearly sets out the duration of the agreement and the mechanism to withdraw from it. Whilst no requests have been to West Midlands Police at this stage to support PSNI with mutual aid, it is anticipated that such a request may be made in the next few weeks and the provision of the section 60 agreement is to ensure that the force is positioned to be able to offer support if it is deemed appropriate. It is, therefore, requested that consideration is given by the Commissioner to signing the updated agreement.

DECISION

I have considered the facts presented and agree to enter into the updated agreement under section 60 of the Police (Northern Ireland) Act 1998 with The Police Ombudsman for Northern Ireland to allow the Ombudsman to have jurisdiction over West Midlands Police officers whilst they are serving on mutual aid in Northern Ireland.

Acting West Midlands Police and Crime Commissioner

I confirm that I do not have any disclosable pecuniary interests in this decision and take the decision in compliance with the Code of Conduct for the West Midlands Office for Policing and Crime. Any interests are indicated below.

Signature.....Yvonne Mosquito.....

Date.....28 July 2014.....