

**WEST MIDLANDS POLICE
AND CRIME
COMMISSIONER**

NON-CONFIDENTIAL

NOTICE OF DECISION

035/2020

Contact Officer: Andrea Gabbitas

Telephone Number: 0121 626 6060

Email: a.gabbitas@west-midlands.pnn.police.uk

Title: **s60 Agreement for Mutual Aid PSNI Complaints Arrangements**

EXECUTIVE SUMMARY

This agreement would enable the Police Ombudsman for Northern Ireland to investigate complaints against officers who work in Northern Ireland under mutual aid arrangements.

DECISION

I agree to sign an agreement between the Police Ombudsman for Northern Ireland and myself.

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.....

Date.....

Andrea Gabbitas
9.9.20.

FACTS AND ADVICE TO THE POLICE AND CRIME COMMISSIONER

INTRODUCTION AND BACKGROUND

All forces and PCCs have signed a s22A agreement to provide mutual aid, thus ensuring that England and Wales forces have the capacity to support policing in Northern Ireland, if required.

Attached at **Annex A** to this decision report is the s60 Agreement which sets out the arrangements for dealing with complaints against police officers, should any arise during the course of mutual aid arrangements to the Police Service of Northern Ireland. This agreement would enable the Police Ombudsman for Northern Ireland to investigate complaints against officers from the West Midlands serving in Northern Ireland under mutual aid arrangements. Once officers from the West Midlands are on duty in Northern Ireland they are under the direction and control of the Chief Constable of the Police Service for Northern Ireland. They are no longer straightforwardly subject to the complaints system in England and Wales. Nor are they automatically under the auspices of the Police Ombudsman for Northern Ireland. PSNI has indicated that it would not be in a position to accept mutual aid if this agreement regarding complaints is not signed.

By virtue of section 60 (1) of the Police (Northern Ireland) Act 1998, to enable such an arrangement to be put in place, it is necessary for an agreement to be made between the Commissioner and the Ombudsman.

A similar agreement was signed in 2013 (PCC decision 022/2013).

FINANCIAL IMPLICATIONS

There are no direct costs associated with the signing of the agreement

LEGAL IMPLICATIONS

The Conduct and Disciplinary arrangements for Northern Ireland are set out in Part VII of the Police (Northern Ireland) Act 1998

A handwritten signature in blue ink, followed by the date '10/10/13' written below it.