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STATUTORY INSTRUMENTS

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**1997 No. 869**

**The Race Relations (Northern Ireland) Order 1997**

**PART IX**

**SUPPLEMENTAL**

**[<sup>F1</sup>The Police Service of Northern Ireland and the Police Service of Northern Ireland Reserve**

**72A.**—(1) For the purposes of Part II, the holding of the office of constable as a police officer shall be treated as employment—

- (a) by the Chief Constable as respects any act done by him in relation to that office or a holder of it;
- (b) by the Policing Board as respects any act done by it in relation to that office or the holder of it.

(2) For the purposes of Article 32—

- (a) the holding of the office of constable as a police officer shall be treated as employment by the Chief Constable (and as not being employment by any other person); and
- (b) anything done by a person holding such an office in the performance, or purported performance, of his functions shall be treated as done in the course of that employment.

(3) There shall be paid out of funds put at the disposal of the Chief Constable under section 10(5) of the Police (Northern Ireland) Act 2000—

- (a) any compensation, damages or costs awarded against the Chief Constable in any proceedings brought against him under this Order, and any costs incurred by him in any such proceedings so far as not recovered by him in the proceedings; and
- (b) any sum required by the Chief Constable for the settlement of any claim made against him under this Order if the settlement is approved by the Policing Board.

(4) The Chief Constable may, in such cases and to such extent as appear to him to be appropriate, pay—

- (a) any compensation, damages or costs awarded in proceedings under this Order against a police officer;
- (b) any costs incurred and not recovered by a police officer in such proceedings; and
- (c) any sum required in connection with the settlement of a claim that has or might have given rise to such proceedings if the settlement is approved by the Policing Board.

(5) The Chief Constable may make arrangements for the legal representation of a police officer in any proceedings mentioned in paragraph (4).

(6) This Article—

- (a) applies in relation to a person serving with the Police Service of Northern Ireland by virtue of section 98 of the Police Act 1996 or [<sup>F2</sup>section 23 or 24 of the Serious Organised Crime and Police Act 2005] as it applies in relation to a police officer;

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**Changes to legislation:** *The Race Relations (Northern Ireland) Order 1997, Section 72A is up to date with all changes known to be in force on or before 20 March 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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- (b) applies in relation to a police officer who by virtue of paragraph 7(2)(a) or 8(4)(a) of Schedule 3 to the Police (Northern Ireland) Act 1998 is under the direction and control of the Police Ombudsman for Northern Ireland as if—
  - (i) in paragraph (1) the reference to the Chief Constable included a reference to the Ombudsman;
  - (ii) in paragraphs (2), (4) and (5) the references to the Chief Constable were references to the Ombudsman.]

**F1** [2000 c. 32](#)

**F2** Words in art. 72A(6)(a) substituted (1.4.2006) by [Serious Organised Crime and Police Act 2005](#) (c. 15), ss. 59, 178, Sch. 4 para. 108; S.I. 2006/378, [art. 4\(1\)](#), Sch.

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**Changes and effects yet to be applied to :**

- Instrument am. (prosp.) by [1998 c. 17 s.50 Sch.4 para.41](#)
- Instrument am. (prosp.) by [1998 c. 32 s.74\(1\)Sch.4 para.24](#)