

**Changes to legislation:** Police Reform Act 2002, Paragraph 14 is up to date with all changes known to be in force on or before 20 April 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

## SCHEDULES

### SCHEDULE 3

#### HANDLING OF COMPLAINTS AND CONDUCT MATTERS ETC.

##### Modifications etc. (not altering text)

- C1** Sch. 3 modified (15.12.2017) by S.I. 2012/1204, **Sch. Pt. 1** (as inserted by The Police (Conduct, Complaints and Misconduct and Appeal Tribunal) (Amendment) Regulations 2017 (S.I. 2017/1134), reg. 1(1), **Sch. 2** (with reg. 2))
- C1** Sch. 3 applied (with modifications) by 1984 c. 55, **ss. 56A-56C** (as inserted (6.4.2023 for specified purposes) by Building Safety Act 2022 (c. 30), **ss. 53(1)**, 170(4)(c); S.I. 2023/362, **reg. 3(1)(v)**)

### PART 2

#### HANDLING OF CONDUCT MATTERS

##### *Duties of [F<sup>1</sup>Director General] on references under paragraph 13*

##### Textual Amendments

- F1** Words in Sch. 3 substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 9 para. 56(2)** (with Sch. 9 para. 56(6)); S.I. 2017/1249, reg. 2 (with reg. 3)

- 14 (1) It shall be the duty of the [F<sup>1</sup>Director General], in the case of every recordable conduct matter referred to [F<sup>2</sup>the Director General] by a [F<sup>3</sup>local policing body] or chief officer under paragraph 13, to determine whether or not it is necessary for the matter to be investigated.
- [F<sup>4</sup>(1A) The Secretary of State may by regulations provide that the [F<sup>1</sup>Director General] must determine that it is necessary for recordable conduct matters referred to [F<sup>2</sup>the Director General] that relate to the conduct of a chief officer or the Deputy Commissioner of Police of the Metropolis to be investigated.
- (1B) Regulations under sub-paragraph (1A) may provide that the duty on the [F<sup>1</sup>Director General] applies only in relation to recordable conduct matters relating to the conduct of a chief officer or the Deputy Commissioner of Police of the Metropolis that are of a description specified in the regulations.
- (1C) Regulations under sub-paragraph (1A) may also provide that, where the [F<sup>1</sup>Director General] is required by the regulations to determine that it is necessary for a recordable conduct matter to be investigated, paragraph 15 is to apply in relation to the matter as if sub-paragraphs (4)(a), (4A) and (5A)(b) were omitted.]

*Changes to legislation: Police Reform Act 2002, Paragraph 14 is up to date with all changes known to be in force on or before 20 April 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*

- (2) Where the [F<sup>1</sup>Director General] determines under this paragraph that it is not necessary for a recordable conduct matter to be investigated [F<sup>5</sup>—
- (a) in a case where the recordable conduct matter is already being investigated by the appropriate authority on its own behalf (and notwithstanding the [F<sup>6</sup>Director General's] determination), the [F<sup>1</sup> Director General] must refer the matter back to the appropriate authority for the investigation to be completed, and
  - (b) in any other case, the [F<sup>1</sup>Director General] may, if [F<sup>2</sup>the Director General] thinks fit, refer the matter back to the appropriate authority to be dealt with by that authority in such manner (if any) as that authority may determine.]
- (3) Where—
- (a) the [F<sup>1</sup>Director General] refers a matter back to the appropriate authority under this paragraph, and
  - (b) the [F<sup>1</sup>Director General] does not consider that to do so might prejudice [F<sup>7</sup>an investigation of that matter (whether an existing investigation or a possible future one)],
- the [F<sup>1</sup>Director General] shall give a notification of the making of the reference to the person to whose conduct that matter relates.

#### Textual Amendments

- F2** Words in Sch. 3 substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 9 para. 56(4)** (with Sch. 9 para. 56(6)); S.I. 2017/1249, reg. 2 (with reg. 3)
- F3** Words in Sch. 3 para. 14(1) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 301(6)**; S.I. 2011/3019, art. 3, Sch. 1
- F4** Sch. 3 para. 14(1A)-(1C) inserted (31.1.2017 for specified purposes, 1.2.2020 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 5 para. 13(2)**; S.I. 2020/5, reg. 2(n) (with art. 3(1)(2)(4))
- F5** Words in Sch. 3 para. 14(2) substituted (31.1.2017 for specified purposes, 1.2.2020 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 5 para. 13(3)**; S.I. 2020/5, reg. 2(n) (with art. 3(1)(2)(4))
- F6** Words in Sch. 3 substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 9 para. 56(3)** (with Sch. 9 para. 56(6)); S.I. 2017/1249, reg. 2 (with reg. 3)
- F7** Words in Sch. 3 para. 14(3)(b) substituted (31.1.2017 for specified purposes, 1.2.2020 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 5 para. 13(4)**; S.I. 2020/5, reg. 2(n) (with art. 3(1)(2)(4))

#### Modifications etc. (not altering text)

- C1** Sch. 3 para. 14 applied (with modifications) (28.12.2005) by virtue of The Revenue and Customs (Complaints and Misconduct) Regulations 2005 (S.I. 2005/3311), **reg. 3(4)(6)**, Sch. 3

#### Commencement Information

- I1** Sch. 3 para. 14 wholly in force at 1.4.2004; Sch. 3 para. 14 not in force at Royal Assent see s. 108(2); Sch. 3 para. 14 in force for specified purposes at 1.10.2002 by S.I. 2002/2306, **art. 4(e)**; Sch. 3 para. 14 in force in so far as not already in force at 1.4.2004 by S.I. 2004/913, **art. 2(d)**

**Changes to legislation:**

Police Reform Act 2002, Paragraph 14 is up to date with all changes known to be in force on or before 20 April 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 26F inserted by [2023 c. 41 Sch. 13 para. 6](#)
- s. 28A(6A)(6B) inserted by [2023 c. 41 s. 45\(2\)](#)