

Changes to legislation: Police Reform Act 2002, Paragraph 19F is up to date with all changes known to be in force on or before 24 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 3

INVESTIGATIONS AND SUBSEQUENT PROCEEDINGS

[^{F1}Interview of persons serving with the police etc during certain investigations

Textual Amendments

- F1** Sch. 3 para. 19F and cross-heading inserted (19.12.2012) by Police (Complaints and Conduct) Act 2012 (c. 22), **ss. 1(2)**, 3(3)

- 19F (1) This paragraph applies to an investigation of a complaint, recordable conduct matter or DSI matter which—
- (a) is carried out by the appropriate authority under the [^{F2}direction] of the [^{F3}Director General], or
 - (b) is carried out by [^{F4}a person designated under paragraph 19 (investigations by Director General)].
- (2) The Secretary of State may by regulations make provision as to the procedure to be followed in connection with an interview which—
- (a) is held with a serving officer during the course of the investigation by the person investigating the complaint or matter [^{F5}other than, in the case of an investigation to which paragraph 19A applies, a serving officer who is the person concerned in relation to the investigation (within the meaning of paragraph 19A).]
 - ^{F6}(b)
- (3) Regulations under sub-paragraph (2) may in particular make provision—
- (a) requiring a serving officer to attend an interview,

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- (b) for determining how the time at which an interview is to be held is to be agreed or decided,
 - (c) about the information that must be provided to a serving officer being interviewed,
 - (d) for enabling a serving officer to be accompanied at the interview by a person of a prescribed description.
- (4) “Serving officer” means a person who—
- (a) is serving with the police, or
 - (b) is serving with an additional police body.
- (5) A person is serving with an additional police body if the person is a member of, or is employed or otherwise engaged for the purposes of, that body (subject to sub-paragraph (6)).
- (6) The Secretary of State may by regulations provide, in relation to an additional police body, that a person is serving with that body only if the person—
- (a) is a member of, or is employed or otherwise engaged for the purposes of, that body, and
 - (b) is of a prescribed description.
- (7) An “additional police body” means—
- (a) a body of constables which is maintained by an authority other than a local policing body and is prescribed in regulations made by the Secretary of State under this sub-paragraph,^{F7} ...
 - [a body required by section 26BA to enter into an agreement with the
 - ^{F8}(aa) [^{F3}Director General], or]
 - ^{F9}(b) the National Crime Agency.]
- (8) The Secretary of State must obtain the consent of the Northern Ireland Assembly before making provision in regulations under this paragraph which would be within the legislative competence of the Northern Ireland Assembly.
- (9) But consent under sub-paragraph (8) is not required in relation to a provision if—
- (a) a Bill for an Act of the Northern Ireland Assembly containing the provision would require the consent of the Secretary of State under section 8 of the Northern Ireland Act 1998, and
 - (b) the provision does not affect, other than incidentally, a transferred matter (within the meaning of that Act).
- (10) Nothing in this paragraph prevents or restricts the holding of interviews to which regulations under this paragraph do not apply during the course of any investigation under this Schedule.]

Textual Amendments

- F2** Word in [Sch. 3 para. 19F\(1\)\(a\)](#) 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. 47\(h\)\(i\)](#); [S.I. 2020/5](#), [reg. 2\(n\)](#) (with [art. 3\(1\)\(2\)\(4\)](#))
- F3** 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](#))

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- F4** Words in Sch. 3 para. 19F(1)(b) 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(10)**; S.I. 2017/1249, reg. 2 (with reg. 3)
- F5** Words in Sch. 3 para. 19F(2)(a) 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. 22(2)(a)**; S.I. 2020/5, reg. 2(n) (with art. 3(1)(2)(4))
- F6** Sch. 3 para. 19F(2)(b) omitted (31.1.2017 for specified purposes, 1.2.2020 in so far as not already in force) by virtue of Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 5 para. 22(2)(b)**; S.I. 2020/5, reg. 2(n) (with art. 3(1)(2)(4))
- F7** Word in Sch. 3 para. 19F(7)(a) omitted (31.1.2017 for specified purposes, 1.2.2020 in so far as not already in force) by virtue of Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 5 para. 22(3)(a)**; S.I. 2020/5, reg. 2(n) (with art. 3(1)(2)(4))
- F8** Sch. 3 para. 19F(7)(aa) 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. 22(3)(b)**; S.I. 2020/5, reg. 2(n) (with art. 3(1)(2)(4))
- F9** Sch. 3 para. 19F(7)(b) substituted (7.10.2013) by Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 8 para. 153(2)**; S.I. 2013/1682, art. 3(v)

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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\(2\)](#)