

**Changes to legislation:** Police Reform Act 2002, Cross Heading: Action by the Director General in relation to an investigation report under paragraph 24A is up to date with all changes known to be in force on or before 27 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

*[<sup>F1</sup>Action by the [<sup>F2</sup>Director General] in [<sup>F3</sup>relation]  
to an investigation report under paragraph 24A*

##### Textual Amendments

- F1** Sch. 3 paras. 24A-24C inserted (1.7.2005) by Serious Organised Crime and Police Act 2005 (c. 15), **ss. 160, 178, Sch. 12 para. 24**; S.I. 2005/1521, **art. 3(1)(w)**
- 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(2)** (with Sch. 9 para. 56(6)); S.I. 2017/1249, reg. 2 (with reg. 3)
- F3** Word in Sch. 3 para. 24B cross-heading 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(19)**; S.I. 2017/1249, reg. 2 (with reg. 3)

24B (1) If the [<sup>F2</sup>Director General] determines under paragraph 24A(4) that the report indicates that a person serving with the police may have—

- (a) committed a criminal offence, or
- (b) behaved in a manner which would justify the bringing of disciplinary proceedings,

[<sup>F4</sup>the Director General] shall notify the appropriate authority in relation to the person whose conduct is in question of [<sup>F5</sup>the Director General's] determination and, if it appears that that authority has not already been sent a copy of the report, send a copy of the report to that authority.

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[ Sub-paragraph (3A) of paragraph 24A applies for the purposes of sub-paragraph (1)<sup>F6</sup>(1A) of this paragraph as it applies for the purposes of sub-paragraph (2)(b) of that paragraph.]

(2) Where the appropriate authority in relation to the person whose conduct is in question is notified of a determination by the [<sup>F2</sup>Director General] under sub-paragraph (1), it shall record the matter under paragraph 11 as a conduct matter<sup>F7</sup> . . . .

[ Where a DSI matter is recorded under paragraph 11 as a conduct matter by virtue<sup>F8</sup>(3) of sub-paragraph (2)—

- (a) the person investigating the DSI matter shall (subject to any determination made by the [<sup>F2</sup>Director General] under paragraph [<sup>F9</sup>15(5A) or (5B)]) investigate the conduct matter as if appointed or designated to do so, and
- (b) the other provisions of this Schedule shall apply in relation to that matter accordingly.]

**Textual Amendments**

**F4** 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)

**F5** 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(5) (with Sch. 9 para. 56(6)); S.I. 2017/1249, reg. 2 (with reg. 3)

**F6** Sch. 3 para. 24B(1A) 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), ss. 19(3)(e), 183(1)(5)(e); S.I. 2020/5, reg. 2(g) (with art. 3(1)(2)(4))

**F7** Words in Sch. 3 para. 24B(2) repealed (1.12.2008) by Criminal Justice and Immigration Act 2008 (c. 4), ss. 127, 149, 153, Sch. 23 para. 16(2), Sch. 28 Pt. 8 (with s. 14(1)); S.I. 2008/2993, art. 2(1)(k)(ii) (subject to art. 3)

**F8** Sch. 3 para. 24B(3) inserted (1.12.2008) by Criminal Justice and Immigration Act 2008 (c. 4), ss. 127, 153, Sch. 23 para. 16(3) (with s. 14(1)); S.I. 2008/2993, art. 2(1)(i)(i) (subject to art. 3)

**F9** Words in Sch. 3 para. 24B(3)(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)(xvi); S.I. 2020/5, reg. 2(n) (with art. 3(1)(2)(4))

24C (1) [<sup>F10</sup>This paragraph applies where] the [<sup>F2</sup>Director General] determines under paragraph 24A(4) that there is no indication in the report that a person serving with the police may have—

- (a) committed a criminal offence, or
- (b) behaved in a manner which would justify the bringing of disciplinary proceedings,

<sup>F11</sup> ...

<sup>F12</sup>(2) .....

[ The [<sup>F2</sup>Director General] may notify the appropriate authority that it must, in<sup>F13</sup>(3) accordance with regulations under section 50 or 51 of the 1996 Act, determine—

- (a) whether or not the performance of a person serving with the police is unsatisfactory, and

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(b) what action (if any) the authority will take in respect of any such person's performance.]

[ On receipt of a notification under sub-paragraph (3) the appropriate authority shall<sup>F13</sup>(4) make those determinations and submit a memorandum to the [<sup>F2</sup>Director General] setting out the determinations the authority has made.]

[ On receipt of a memorandum under sub-paragraph (4), the [<sup>F2</sup>Director General]<sup>F13</sup>(5) shall—

- (a) consider the memorandum and whether the appropriate authority has made the determinations under sub-paragraph (4) that the [<sup>F2</sup>Director General] considers appropriate;
- (b) determine whether or not to make recommendations under paragraph 27;
- (c) make such recommendations (if any) under that paragraph as [<sup>F4</sup>the Director General] thinks fit.]]

#### Textual Amendments

- F4** 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)
- F10** Words in Sch. 3 para. 24C(1) substituted (1.10.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), s. 185(1), **Sch. 11 para. 95(8)(a)** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/2454, art. 3(c)(iii)
- F11** Words in Sch. 3 para. 24C omitted (1.10.2014) by virtue of Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), s. 185(1), **Sch. 11 para. 95(8)(b)** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/2454, art. 3(c)(iii)
- F12** Sch. 3 para. 24C(2) repealed (1.10.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), s. 185(1), **Sch. 11 para. 95(8)(c)** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/2454, art. 3(c)(iii)
- F13** Sch. 3 paras. 24C(3)-(5) inserted (1.10.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), **ss. 138(1)**, 185(1) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/2454, art. 3(a)

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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\(2\)](#)