

Changes to legislation: Police Reform Act 2002, Cross Heading: Investigations directed by the Director General is up to date with all changes known to be in force on or before 23 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

Investigations [^{F1}directed] by the [^{F2}Director General]

Textual Amendments

- F1** Word in Sch. 3 para. 18 cross-heading 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. 18**; S.I. 2020/5, reg. 2(n) (with art. 3(1)(2)(4))
- 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)

- 18 (1) This paragraph applies where the [^{F2}Director General] has determined that [^{F3}the Director General] should [^{F4}direct] the investigation by the appropriate authority of any complaint [^{F5}, recordable conduct matter or DSI matter].
- [^{F6}(2) On being given notice of that determination, the appropriate authority shall, if it has not already done so, appoint—
- (a) a person serving with the police (whether under the direction and control of the chief officer of police of the relevant force or of the chief officer of another force), or
 - (b) a National Crime Agency officer,
- to investigate the complaint or matter.
- (2A) The [^{F2}Director General] may require that no appointment is made under subparagraph (2) unless [^{F3}the Director General] has given notice to the appropriate

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authority that [^{F3}the Director General] approves the person whom that authority proposes to appoint.

- (2B) Where at any time the [^{F2}Director General] is not satisfied with the person investigating, the [^{F2}Director General] may require the appropriate authority, as soon as reasonably practicable after being required to do so—
- (a) to select another person falling within sub-paragraph (2)(a) or (b) to investigate the complaint or matter, and
 - (b) to notify the [^{F2}Director General] of the person selected.
- (2C) Sub-paragraph (2B) applies whether the person investigating was appointed—
- (a) before the appropriate authority was given notice of the [^{F7}Director General's] determination that [^{F3}the Director General] should direct the investigation by the appropriate authority,
 - (b) under sub-paragraph (2) (including where the appointment was approved by the [^{F2}Director General] in accordance with sub-paragraph (2A)), or
 - (c) under sub-paragraph (2D)(a).
- (2D) Where a selection made in pursuance of a requirement under sub-paragraph (2B) has been notified to the [^{F2}Director General]—
- (a) the appropriate authority shall appoint that person to investigate the complaint or matter if, but only if, the [^{F2}Director General] notifies the authority that [^{F3}the Director General] approves the appointment of that person;
 - (b) if the [^{F2}Director General] notifies the authority that [^{F3}the Director General] does not approve the appointment of that person, the appropriate authority must make another selection in accordance with sub-paragraph (2B).
- (2E) A person appointed under this paragraph to investigate any complaint or conduct matter—
- (a) in the case of an investigation relating to any conduct of a chief officer, must not be a person under that chief officer's direction and control, and
 - (b) in the case of an investigation relating to any conduct of the Commissioner of Police of the Metropolis or of the Deputy Commissioner of Police of the Metropolis, must be a person nominated by the Secretary of State for appointment under this paragraph (and approved for appointment in accordance with sub-paragraph (2A) (if required) or (2D)(a)).
- (2F) A person appointed under this paragraph to investigate any DSI matter—
- (a) in relation to which the relevant officer is a chief officer, must not be a person under that chief officer's direction and control, and
 - (b) in relation to which the relevant officer is the Commissioner of Police of the Metropolis or the Deputy Commissioner of Police of the Metropolis, must be a person nominated by the Secretary of State for appointment under this paragraph (and approved for appointment in accordance with sub-paragraph (2A) (if required) or (2D)(a)).]
- (3) The person appointed to investigate the complaint or matter shall, in relation to that investigation, be under the direction and control of the [^{F2}Director General].

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[^{F8}(4) The person appointed to investigate the complaint or matter shall keep the [^{F2}Director General] informed of the progress of the investigation.]

Textual Amendments

- 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(4)** (with Sch. 9 para. 56(6)); S.I. 2017/1249, reg. 2 (with reg. 3)
- F4** Word in Sch. 3 para. 18(1) 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. 19(2)**; S.I. 2020/5, reg. 2(n) (with art. 3(1)(2)(4))
- F5** Words in Sch. 3 para. 18(1) substituted (1.7.2005) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 160, 178, **Sch. 12 para. 16(2)**; S.I. 2005/1521, **art. 3(1)(w)**
- F6** Sch. 3 para. 18(2)-(2F) substituted for Sch. 3 para. 18(2) (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. 19(3)**; S.I. 2020/5, reg. 2(n) (with art. 3(1)(2)(4))
- F7** 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)
- F8** Sch. 3 para. 18(4) 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. 19(4)**; S.I. 2020/5, reg. 2(n) (with art. 3(1)(2)(4))

Modifications etc. (not altering text)

- C1** Sch. 3 para. 18 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. 18 wholly in force at 1.4.2004; Sch. 3 para. 18 not in force at Royal Assent see s. 108(2); Sch. 3 para. 18 in force for specified purposes at 1.10.2002 by S.I. 2002/2306, **art. 4(e)**; Sch. 3 para. 18 in force in so far as not already in force at 1.4.2004 by S.I. 2004/913, **art. 2(d)**

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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\(2\)](#)