



Criminal Justice and Immigration Act 2008

2008 CHAPTER 4

PART 9 **E+W**

POLICING

Misconduct procedures etc.

126 **Police misconduct and performance procedures** **E+W**

- (1) Part 1 of Schedule 22—
 - (a) amends the Police Act 1996 (c. 16) to make provision for or in connection with disciplinary and other proceedings in respect of the conduct and performance of members of police forces and special constables, and
 - (b) makes other minor amendments to that Act.
- (2) Part 2 of that Schedule makes equivalent amendments to the Ministry of Defence Police Act 1987 (c. 4) for the purposes of the Ministry of Defence Police.
- (3) Part 3 of that Schedule makes equivalent amendments to the Railways and Transport Safety Act 2003 (c. 20) for the purposes of the British Transport Police.

Commencement Information

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|-----------|---|
| I1 | S. 126(1) in force at 14.7.2008 for specified purposes by S.I. 2008/1586, art. 2(1), Sch. 1 para. 42 |
| I2 | S. 126(1) in force at 3.11.2008 for specified purposes by S.I. 2008/2712, art. 2, Sch. para. 9 |
| I3 | S. 126(1)(3) in force at 1.12.2008 for specified purposes by S.I. 2008/2993, art. 2(1)(c) |
| I4 | S. 126(2) in force at 30.11.2009 for specified purposes by S.I. 2009/3074, art. 2(j) |

Changes to legislation: Criminal Justice and Immigration Act 2008, Part 9 is up to date with all changes known to be in force on or before 21 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

127 Investigation of complaints of police misconduct etc. **E+W**

Schedule 23 amends the Police Reform Act 2002 (c. 30) to make further provision about the investigation of complaints of police misconduct and other matters.

Commencement Information

I5 S. 127 in force at 3.11.2008 for specified purposes by S.I. 2008/2712, art. 2, Sch. para. 10

I6 S. 127 in force at 1.12.2008 for specified purposes by S.I. 2008/2993, art. 2(1)(d)

Financial assistance

128 Financial assistance under section 57 of Police Act 1996 **E+W**

- (1) After section 57(1) of the Police Act 1996 (common services: power for Secretary of State to provide and maintain etc. organisations, facilities and services which promote the efficiency or effectiveness of police) insert—

“(1A) The power conferred by subsection (1) includes power to give financial assistance to any person in connection with the provision or maintenance of such organisations, facilities and services as are mentioned in that subsection.

(1B) Financial assistance under subsection (1)—

- (a) may, in particular, be given in the form of a grant, loan or guarantee or investment in a body corporate; and
- (b) may be given subject to terms and conditions determined by the Secretary of State;

but any financial assistance under that subsection other than a grant requires the consent of the Treasury.

(1C) Terms and conditions imposed under subsection (1B)(b) may include terms and conditions as to repayment with or without interest.

(1D) Any sums received by the Secretary of State by virtue of terms and conditions imposed under that subsection are to be paid into the Consolidated Fund.”

- (2) Any loan made by the Secretary of State by virtue of section 57 of the Police Act 1996 (c. 16) and outstanding on the day on which this Act is passed is to be treated as if it were a loan made in accordance with that section as amended by subsection (1) above.

Inspection

129 Inspection of police authorities **E+W**

In section 54 of the Police Act 1996 (c. 16) (appointment and functions of inspectors of constabulary) for subsection (2A) substitute—

“(2A) The inspectors of constabulary may carry out an inspection of, and report to the Secretary of State on, a police authority's performance of its functions or of any particular function or functions (including in particular its compliance with the requirements of Part 1 of the Local Government Act 1999 (best value)).”

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Commencement Information

I7 [S. 129](#) in force at 3.11.2008 by [S.I. 2008/2712](#), art. 2, [Sch. para. 11](#)

Changes to legislation:

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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):

- Sch. 7 para. 5A and cross-heading inserted by [2008 c. 25 Sch. 1 para. 90\(3\)](#)