

SCHEDULES

SCHEDULE 4

Section 14

AMENDMENTS CONSEQUENTIAL ON THE AMENDED DEFINITION OF POLICE COMPLAINT

- 1 The Police Reform Act 2002 is amended as follows.
- 2 In section 10 (general functions of the Independent Police Complaints Commission), in subsection (2)—
 - (a) in paragraph (a), for “made about the conduct of persons serving with the police” substitute “(within the meaning given by section 12)”;
 - (b) in paragraph (b), for “such persons” substitute “persons serving with the police”.
- 3 (1) Section 16 (payment for assistance with investigations) is amended as follows.
 - (2) In subsection (2)(a)—
 - (a) before sub-paragraph (i) insert—

“(ai) an investigation of a complaint where the complainant expressed dissatisfaction with the other force,”;
 - (b) in sub-paragraph (i), after “investigation” insert “of a recordable conduct matter”.
 - (3) In subsection (2)(b)—
 - (a) before sub-paragraph (i) insert—

“(ai) an investigation of a complaint where the complainant expressed dissatisfaction with a force other than that force,”;
 - (b) in sub-paragraph (i), after “investigation” insert “of a recordable conduct matter”.
- 4 In section 21 (duty to provide information for other persons), in subsection (2), in the words before paragraph (a), for “complaint or” substitute “complaint that relates to conduct of a person serving with the police or a”.
- 5 In section 23 (regulations), in subsection (2)(a), in the words before sub-paragraph (i), for “against any person” substitute “that relates to conduct of a person serving with the police”.
- 6 (1) Section 29 (interpretation of Part 2) is amended as follows.
 - (2) In subsection (1), in the definition of “appropriate authority”—
 - (a) omit “and” at the end of paragraph (a);
 - (b) after paragraph (a) insert—

“(aa) in relation to any other complaint, means the chief officer of the police force with which dissatisfaction is expressed by the complainant; and”;

Status: This is the original version (as it was originally enacted).

- (3) In subsection (1), in the definition of “person complained against”, after “a complaint” insert “that relates to conduct of a person serving with the police”.
- (4) In subsection (2), for paragraphs (a) and (b) substitute—
- “(a) to the person by whom the complaint or purported complaint was made, or
 - (b) in a case where the complaint or purported complaint was made on behalf of someone else, to the person on whose behalf it was made;”.
- (5) After subsection (4) insert—
- “(4A) In this Part references, in relation to anything purporting to be a complaint other than a complaint about any conduct, to a member of the public include references to any person falling within subsection (3)(a) to (d) other than a person who is—
- (a) a member of the police force with which dissatisfaction is expressed,
 - (b) a civilian employee of that police force,
 - (c) a special constable who is under the direction and control of the chief officer of that police force, or
 - (d) where dissatisfaction is expressed with the City of London police force, an employee of the Common Council of the City of London who is under the direction and control of the chief officer of that force.”
- 7 (1) Part 1 of Schedule 3 (handling of complaints) is amended as follows.
- (2) In paragraph 1(6), omit “any conduct that is”.
- (3) In paragraph 4(1)(a), after “conduct” insert “or other matter”.
- (4) In paragraph 4(6)(b), at the end insert “(if any)”.
- (5) In paragraph 5(3)(b), at the end insert “(if any)”.
- 8 (1) Part 3 of Schedule 3 (investigations and subsequent proceedings) is amended as follows.
- (2) In paragraph 23(2A), after “a person” insert “(if any)”.
- (3) In paragraph 24(2A), after “a person” insert “(if any)”.
- (4) In paragraph 25(10)(d), at the end insert “(if any)”.