
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision, in pursuance of section 50 of the Police Act 1996, with respect to the conduct of members of police forces and the maintenance of discipline and establish procedures for cases in which a member of a police force may be dealt with by dismissal, requirement to resign or reprimand. These Regulations, by virtue of regulation 3, apply only to senior officers.

The Regulations revoke (with savings) the Police (Discipline) (Senior Officers) Regulations 1985 and provide new procedures for dealing with conduct by senior officers which fails to meet the standard set out in the Code of Conduct contained in Schedule 1 to the Police (Conduct) Regulations 1999 (S.I.1999/730).

Regulations 5 and 6 enable the appropriate authority (as defined in regulation 4) to suspend a senior officer in respect of whose conduct a report, complaint or allegation has indicated failure to meet the appropriate standard.

Regulations 7 to 10 provide for investigation of such a report, complaint or allegation and for the appropriate authority to deal with the case without a hearing if the senior officer accepts that his conduct did not meet the appropriate standard. Regulations 11 to 14 deal with the preliminary stages prior to a hearing and regulations 15 to 19 with procedure, evidence and attendance at the hearing. Regulation 20 requires the tribunal to make a finding as to the conduct of the officer and report to the appropriate authority with a recommendation as to sanction, if appropriate. Regulation 21 requires the appropriate authority to dismiss the case or record a finding as to the conduct and either impose a sanction or take no further action. Regulation 22 deals with the imposition of sanctions and regulations 23 and 24 deal with reporting to the Secretary of State and providing for the expenses of the hearing.

Regulation 25 and the Schedule provide for the Regulations to be modified in the case of special cases of serious conduct of a criminal nature.