
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 117

The Police (Special Constables) (Scotland) Regulations 2008

PART 4

MISCONDUCT

Suspension

24.—(1) Where a report, allegation or complaint is received from which it may reasonably be inferred that an act, omission or an alleged act or omission of a special constable concerned—

- (a) may amount to misconduct; or
- (b) may constitute a criminal offence,

the special constable concerned may be suspended from duty by the deputy chief constable or, if regulation 17(2)(b) is applicable, the nominated officer.

(2) The deputy chief constable or, if regulation 17(2)(b) is applicable, the nominated officer—

- (a) may terminate a suspension imposed on the special constable concerned under paragraph (1), with effect from the date of the suspension or any subsequent date;
- (b) must terminate a suspension imposed on the special constable concerned under paragraph (1) when—
 - (i) it is decided, in accordance with regulation 17(2), that there will not be an inquiry into the report, unless the special constable concerned has submitted his or her resignation; or
 - (ii) misconduct proceedings have been completed but have not resulted in a disposal of dismissal from the force or a requirement to resign from the force as an alternative from dismissal, unless the special constable concerned submitted his or her resignation before misconduct proceedings were concluded.

(3) Where the deputy chief constable or the nominated officer have terminated the suspension of the special constable concerned, that special constable may not be suspended again in respect of the report, allegation or complaint which led to the initial suspension, unless further information comes to light and the deputy chief constable or the nominated officer, after considering that information, determine that it would be in the best interests of the police force to suspend that special constable for a further period.

(4) Subject to the provisions of this regulation, these Regulations shall apply to a special constable who has been suspended from duty.