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SCOTTISH STATUTORY INSTRUMENTS

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**2014 No. 68**

**The Police Service of Scotland (Conduct) Regulations 2014**

**PART 2**

**Misconduct investigations**

**Misconduct interview**

**12.**—(1) The investigator—

- (a) must arrange an interview with the constable in a case where the constable intimates, following receipt of a notice under regulation 11(1), an intention to make oral representations,; and
- (b) in any other case, may arrange such an interview.

(2) The investigator must seek to agree with the constable a time and date for the interview.

(3) If no agreement is made under paragraph (2), the investigator must specify a date and time for the interview.

(4) The constable must be provided with a written notice of the date, time and place of the interview.

(5) The investigator must, in advance of the interview, provide the constable with such information as the investigator considers appropriate in the circumstances to enable the constable to prepare for the interview.

(6) Without prejudice to the generality of paragraph (5), the information provided to the constable in advance of the interview must include details of the allegations made against the constable, including—

- (a) the dates on which (or approximate dates on which); and
- (b) the places at which,

any misconduct or gross misconduct is alleged to have occurred.

(7) An audio recording may be made of an interview and, if such a recording is made, the constable must be provided with a copy of that recording.

(8) If no audio recording is made under paragraph (7), a written record of the interview must be prepared by the investigator and—

- (a) a draft of that record must be provided to the constable;
- (b) the constable must be given the opportunity to make representations in relation to that draft;
- (c) the investigator must consider any representations made; and
- (d) having considered those representations (if any), the investigator must send a copy of the final written record of the interview to the constable.