

SCHEDULES

SCHEDULE 14

POLICE: COMPLAINTS

Recording etc of conduct matters in other cases

- 12 (1) In Schedule 3 (handling of complaints and conduct matters), paragraph 11 (recording etc of conduct matters in other cases) is amended in accordance with sub-paragraphs (2) to (4).
- (2) In sub-paragraph (1)—
- (a) for the words before paragraph (a) substitute—
- “(1) This paragraph applies where—”;
- (b) omit the words after paragraph (b).
- (3) For sub-paragraph (3) substitute—
- “(3) The appropriate authority must determine whether the matter is one which it or he is required to refer to the Commission under paragraph 13, or is one which it would be appropriate to so refer.
- (3A) In a case where the appropriate authority determines that the matter is one which it or he is required to refer to the Commission under paragraph 13, or is one which it would be appropriate to so refer, it or he shall record the matter.
- (3B) In any other case, the appropriate authority shall determine whether the matter falls within a description of matters specified in regulations made by the Secretary of State for the purposes of this sub-paragraph.
- (3C) In a case where the appropriate authority determines that the matter does not fall within such a description, it or he shall record the matter.
- (3D) In any other case, the appropriate authority may (but need not) record the matter.
- (3E) In a case where the appropriate authority—
- (a) records a matter under this paragraph, and
- (b) is not required to refer the matter to the Commission under paragraph 13 and does not do so,
- the appropriate authority may deal with the matter in such other manner (if any) as it or he may determine.”.
- (4) In sub-paragraph (4), for “sub-paragraph (1)” substitute “sub-paragraph (3A) or (3C)”.
- (5) In paragraph 16(2)(a) of Schedule 3, for “11(3)(b)” substitute “11(3E)”.