
STATUTORY INSTRUMENTS

2015 No. 25

The Ministry of Defence Police (Conduct etc.) Regulations 2015

PART 5

Fast Track Procedure for Special Cases

Senior officers: meeting of MOD Police Committee to consider disciplinary action

58.—(1) Where the officer concerned is a senior officer, the persons conducting the special case hearing must, as soon as reasonably practicable after the hearing, submit a report to the MOD Police Committee setting out—

- (a) the finding of the persons conducting the hearing (regulation 57(11));
- (b) the reasons for that finding;
- (c) if the finding was that the conduct of the officer concerned amounted to gross misconduct, a recommendation as to any disciplinary action which in their opinion should be imposed; and
- (d) any other matter arising out of the hearing which they desire to bring to the notice of the relevant authority.

(2) Where a report is submitted under paragraph (1), the persons conducting the special case hearing must send a copy to—

- (a) the officer concerned; and
- (b) if the Commission or Ombudsman was entitled to attend to make representations (regulation 54(1) or (2)), to the Commission or Ombudsman.

(3) On receiving a report under paragraph (1) the MOD Police Committee must meet for the purpose of considering what disciplinary action (if any) should be imposed.

(4) The provisions of these Regulations specified in paragraph (5) apply, with the modifications specified in paragraph (6), to a meeting under paragraph (3) as if it was a special case hearing.

(5) The provisions are—

- (a) regulation 10 (police friend and legal representation);
- (b) regulation 12 (provision of notices or documents);
- (c) regulation 13 (outstanding or possible criminal proceedings);
- (d) regulation 48(1), (2)(a) and (3) (notice of special case hearing);
- (e) regulation 53 (attendance of officer concerned at special case hearing);
- (f) regulation 54 (participation of Commission or Ombudsman and investigator at special case hearing);
- (g) regulation 55 (attendance of complainant and interested persons at special case hearing);
- (h) regulation 56 (attendance of others at special case hearing);
- (i) regulation 57(1) to (10) (procedure at special case hearing); and

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- (j) regulation 61 (record of special case hearing).
- (6) The modifications are that—
 - (a) each reference to the person conducting or chairing the special case hearing has effect as a reference to the Chair of the MOD Police Committee; and
 - (b) in regulation 48(1) the reference to the date on which notice was given under regulation 46 has effect as a reference to the date on which the report is submitted under paragraph (1) of this Regulation.