



Police and Fire Reform (Scotland) Act 2012

2012 asp 8

PART 1

POLICE REFORM

CHAPTER 12

CO-OPERATION, EXCHANGE OF INFORMATION ETC.

83 Co-operation between Scottish Police Authority and Police Service

- (1) The Authority and the chief constable may make arrangements under which—
 - (a) the Authority is to provide assistance to the Police Service, or
 - (b) the Police Service is to provide assistance to the Authority.
- (2) Such assistance may involve—
 - (a) members of the Authority's staff providing services for the Police Service, or
 - (b) constables or police staff providing services for the Authority.

Commencement Information

II S. 83 in force at 1.4.2013 by S.S.I. 2013/51, art. 2

84 Police information

- (1) The Authority must provide the Scottish Ministers with such reports, statistics or other information relating to the Authority or the Police Service as they may reasonably require.
- (2) Such information may, in particular, relate to—
 - (a) the Authority or its functions,
 - (b) the Police Service or police functions,

Status: Point in time view as at 01/04/2013.

Changes to legislation: Police and Fire Reform (Scotland) Act 2012, CHAPTER 12 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (c) the state of crime.
- (3) The chief constable must provide the Authority with such reports, statistics or other information relating to the Police Service, police functions or the state of crime as it may reasonably require.
- (4) The chief constable may refer a requirement made under subsection (3) to the Scottish Ministers if the chief constable considers that complying with the requirement would or might prejudice—
 - (a) the carrying out of any operation by the Police Service, or
 - (b) the prosecution of offenders.
- (5) A requirement referred under subsection (4) has effect only if it is confirmed by the Scottish Ministers.
- (6) The chief constable must provide the Lord Justice General or a sheriff principal with such reports relating to policing as may be reasonably required.
- (7) A requirement by the sheriff principal may relate only to the policing of places in which the sheriff principal has jurisdiction.
- (8) The chief constable must seek to ensure that sufficient information about the state of crime is kept to enable the compliance with any requirement made under this section for the provision of information in that regard.
- (9) The clerk of any court having criminal jurisdiction must comply with any requirement made by the chief constable to provide any information available to the clerk which the chief constable may require for the purposes of subsection (8).
- (10) Nothing in this section requires anyone to provide any report, statistic or other information before the earliest time at which it is reasonable for that person to do so.

Modifications etc. (not altering text)

- C1** S. 84(4)(5) applied (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Supplementary, Transitional, Transitory and Saving Provisions\) Order 2013 \(S.S.I. 2013/121\)](#), arts. 1(1), **4(4)**
- C2** S. 84(8)-(10) applied (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Supplementary, Transitional, Transitory and Saving Provisions\) Order 2013 \(S.S.I. 2013/121\)](#), arts. 1(1), **4(5)**

Commencement Information

- I2** S. 84 partly in force; s. 84(1)(2)(a)(10) in force at 8.8.2012 see s. 129(1)(a)
- I3** S. 84(2)(b)(c)(3)-(9) in force at 1.4.2013 by [S.S.I. 2013/51](#), **art. 2**

85 Scrutiny and investigations: co-operation and information sharing

- (1) The inspectors of constabulary, the Auditor General and the Police Investigations and Review Commissioner must—
 - (a) co-operate and co-ordinate activity with each other with a view to improving the carrying out of their respective functions in relation to the Authority and the Police Service, and
 - (b) in particular, must together make arrangements with a view to—
 - (i) securing the exchange of information between them about the Authority and the Police Service, and

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- (ii) preventing any unnecessary duplication in relation to any inspections, investigations, inquiries or examinations carried out, or to be carried out, by them in relation to the Authority or the Police Service.
- (2) The duty in subsection (1) does not apply in so far as compliance with it would prevent or delay any of the persons to whom it applies in taking any action which the person considers to be necessary as a matter of urgency.
- (3) In complying with the duty in subsection (1), the inspectors of constabulary and the Police Investigations and Review Commissioner must—
 - (a) comply with any direction (general or specific) given by the Scottish Ministers, and
 - (b) have regard to any guidance given by the Scottish Ministers.
- (4) A direction or guidance may relate to all the functions of the inspectors of constabulary and the Police Investigations and Review Commissioner or to such of those functions (or to such functions of any or all of them) as are specified in the direction or guidance.
- (5) The Scottish Ministers may vary or revoke any direction or guidance.

Commencement Information

I4 S. 85 in force at 1.1.2013 by S.S.I. 2012/333, art. 2, Sch. (with Sch. 2 para. 2(10)3)

Status:

Point in time view as at 01/04/2013.

Changes to legislation:

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