Police and Fire Reform (Scotland) Act 2012

2012 asp 8

PART 1

POLICE REFORM

CHAPTER 4

PRINCIPLES, PRIORITIES, OBJECTIVES AND PLANS

32 Policing principles

The policing principles are—

(a) that the main purpose of policing is to improve the safety and well-being of persons, localities and communities in Scotland, and

(b) that the Police Service, working in collaboration with others where appropriate, should seek to achieve that main purpose by policing in a way which—

(i) is accessible to, and engaged with, local communities, and

(ii) promotes measures to prevent crime, harm and disorder.

Commencement Information

I1 S. 32 in force at 1.10.2012 by S.S.I. 2012/253, art. 2, **Sch.**

33 Strategic police priorities

(1) The Scottish Ministers may determine strategic priorities for the Authority ("strategic police priorities").

(2) Strategic police priorities may relate to—

(a) the policing of Scotland, or

(b) the carrying out of the Authority's functions.

Changes to legislation: *Police and Fire Reform (Scotland) Act 2012, CHAPTER 4 is up to date with all changes known to be in force on or before 20 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) View outstanding changes*

(3) Before determining strategic police priorities, the Scottish Ministers must consult—
- (a) the Authority,
- (b) the chief constable,
- (c) such persons as appear to them to be representative of local authorities, and
- (d) such other persons as they consider appropriate.

(4) When determining strategic police priorities, the Scottish Ministers must have regard to the policing principles.

(5) The Scottish Ministers must arrange for the strategic police priorities to be published in such manner as they consider appropriate.

(6) The Scottish Ministers must lay a copy of the strategic police priorities before the Scottish Parliament.

Commencement Information

I2 S. 33 in force at 1.10.2012 by S.S.I. 2012/253, art. 2, **Sch.**

34 Strategic police plan

(1) The Authority must prepare a strategic police plan.

(2) A strategic police plan is a plan which—
- (a) sets outs the main objectives for the Authority and for the policing of Scotland,
- (b) explains the reasons for selecting each main objective,
- (c) describes what the Authority considers should be done by it or by the Police Service in order to achieve the main objectives,
- (d) where reasonably practicable, identifies outcomes by reference to which the achievement of the main objectives may be measured, and
- (e) includes any other information connected with the Authority's functions, or policing, which the Authority considers appropriate.

(3) Before preparing a strategic police plan, the Authority must make arrangements for obtaining views on what the plan should contain from persons whom it considers likely to have an interest in policing.

(4) The Authority must involve the chief constable in the preparation of a strategic police plan and the chief constable must provide the Authority with such assistance as it may reasonably require in that regard.

(5) When preparing a strategic police plan, the Authority must—
- (a) send a copy of a draft plan to—
  - (i) each local authority,
  - (ii) the inspectors of constabulary, and
  - (iii) such other persons as the Authority considers likely to have an interest in the plan,
- (b) invite the recipients to comment on the draft plan within such reasonable period as the Authority may specify, and
- (c) have regard to any comments received within that period.

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(6) The Authority must—
- (a) submit its strategic police plan to the Scottish Ministers, and
- (b) use its best endeavours to secure their approval of the plan (with or without modifications).

(7) If the Scottish Ministers approve a strategic police plan submitted to them, the Authority must—
- (a) publish the approved plan in such manner as the Authority considers appropriate (having regard to the desirability of it being accessible to those whom the Authority considers likely to have an interest in it), and
- (b) lay a copy of it before the Scottish Parliament.

(8) The Authority—
- (a) must review an approved strategic police plan at least once every 3 years (and must, in particular, do so where the strategic police priorities have been significantly revised), and
- (b) following such a review, must—
  - (i) prepare a replacement strategic police plan, or
  - (ii) notify the Scottish Ministers that, having undertaken a review, the Authority has concluded that there is no need to replace the existing strategic police plan.

(9) Subsections (3) to (8), and section36, apply in relation to a replacement strategic police plan as they applied in relation to the plan being replaced.

Commencement Information

I3 S. 34(1)-(7) in force at 1.10.2012 by S.S.I. 2012/253, art. 2, **Sch.** (with art. 4)

I4 S. 34(8)(9) in force at 1.4.2013 by S.S.I. 2013/51, **art. 2**

35 Annual police plans

(1) The chief constablemust prepare an annual police plan for each yearly period beginning on 1 April.

(2) An annual police plan is a plan which—
- (a) sets out the proposed arrangements forthe policing ofScotland during the yearly period,
- (b) describes how those arrangements are expected to contribute towards the achievement of the main objectives for the policing of Scotlandset out in the strategic police plan (by reference, where appropriate, to outcomes identified in that plan), and
- (c) includes any other information connected with policing which the chief constable considers appropriate.

(3) When preparing an annual police plan, the chief constable must—
- (a) send a copy of a draft plan to the Authority,
- (b) invite the Authority to comment on the draft plan within such reasonable period as the chief constable may specify, and
- (c) have regard to any comments received within that period.

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(4) The chief constablemust—

(a) publish the annual police plan before the start of the yearly period to which it relates in such manner as the chief constableconsiders appropriate (having regard to the desirability of it being accessible to those whom the chief constableconsiders likely to have an interest in it), and

(b) lay a copy of it before the Scottish Parliament.

Commencement Information

I5 S. 35 in force at 1.10.2012 by S.S.I. 2012/253, art. 2, **Sch.** (with art. 3)

36 Planning functions: considerations

In carrying out their respective functions in relation to the preparation of the strategic police plan and each annual police plan, the Authority and the chief constable must—

(a) have regard to the policing principles,

(b) have regard to, and ensure that the strategic police plan and each annual police plan is not inconsistent with, the strategic police priorities, and

(c) ensure that an annual police plan is not inconsistent with the most recently approved strategic police plan.

Commencement Information

I6 S. 36 in force at 1.10.2012 by S.S.I. 2012/253, art. 2, **Sch.**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Ch. 12A inserted by 2017 asp 4 s. 1(1)
- s. 17(2)(h) inserted by 2017 asp 4 s. 2(a)(ii)
- s. 17(4)(b)(iv) inserted by 2017 asp 4 s. 2(b)(ii)
- s. 20A inserted by 2017 asp 4 s. 3