



Police and Fire Reform (Scotland) Act 2012

2012 asp 8

PART 1

POLICE REFORM

CHAPTER 10

COMPLAINTS AND INVESTIGATIONS

62 General functions of the Police Investigations and Review Commissioner

After section 33 of the 2006 Act, insert—

“33A General functions of the Commissioner

The Commissioner’s general functions are—

- (a) to maintain, and to secure the maintenance by the Authority and the chief constable of, suitable arrangements for—
 - (i) the handling of relevant complaints; and
 - (ii) the examination of the handling of relevant complaints and the reconsideration of such complaints in accordance with sections 34 to 41;
- (b) where directed to do so by the appropriate prosecutor—
 - (i) to investigate any circumstances in which there is an indication that a person serving with the police may have committed an offence;
 - (ii) to investigate, on behalf of the relevant procurator fiscal, the circumstances of any death involving a person serving with the police which that procurator fiscal is required to investigate under section 1 of the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976 (c.14);

Status: This is the original version (as it was originally enacted).

- (c) where requested to do so by the Authority or the chief constable, to investigate and report on certain serious incidents involving the police (see section 41B); and
- (d) to investigate other matters relating to the Authority or the Police Service where the Commissioner considers that it would be in the public interest to do so (see section 41C).”