

**Changes to legislation:** There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Cross Heading: Investigation of serious complaints. (See end of Document for details)

## SCHEDULES

### <sup>F1</sup>SCHEDULE 7

#### REGULATIONS ABOUT COMPLAINTS AND CONDUCT MATTERS

##### Textual Amendments

- F1** Words in Sch. 7 substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 9 para. 73\(3\)](#); S.I. 2017/1249, reg. 2 (with reg. 3)

##### Modifications etc. (not altering text)

- C1** Sch. 7 applied (with modifications) by 2004 c. 21, Sch. A2 para. 13 (as inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 1 para. 13](#); S.I. 2017/399, reg. 2, Sch. para. 38)
- C1** Sch. 7 applied (with modifications) (8.5.2017) by [The Greater Manchester Combined Authority \(Transfer of Police and Crime Commissioner Functions to the Mayor\) Order 2017 \(S.I. 2017/470\)](#), art. 1(2), [Sch. 1 para. 35](#)

#### *Investigation of serious complaints*

- 2 (1) This paragraph applies to—
- (a) serious complaints, and
  - (b) conduct matters,
- which relate to any relevant office holder.
- (2) Regulations must provide for serious complaints and conduct matters to be investigated—
- (a) by the [<sup>F1</sup>Director General of the Independent Office for Police Conduct], or
  - (b) by a police force, in an investigation that is under the management of the [<sup>F1</sup>Director General of the Independent Office for Police Conduct].
- (3) This paragraph does not prevent regulations from making provision about the receipt or initial handling of serious complaints or conduct matters otherwise than by the [<sup>F1</sup>Director General of the Independent Office for Police Conduct] or a police force.
- (4) This paragraph does not prevent regulations from making provision about—
- (a) circumstances in which serious complaints or conduct matters are not to be investigated; and
  - (b) circumstances in which investigations of serious complaints or conduct matters are to be discontinued;
- including provision about the determination of such matters (whether by the [<sup>F1</sup>Director General of the Independent Office for Police Conduct], a police force or otherwise).

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- (5) Regulations may make provision about what is to be taken to be a criminal offence for the purposes of sub-paragraph (6).
- (6) In this paragraph “serious complaint” means a qualifying complaint made about conduct which constitutes or involves, or appears to constitute or involve, the commission of a criminal offence.

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**Commencement Information**

**II** Sch. 7 para. 2 in force at 31.10.2011 by [S.I. 2011/2515](#), [art. 2\(d\)](#)

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