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DRAFT STATUTORY INSTRUMENTS

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**2023 No.**

**The Service Police (Complaints etc.) Regulations 2023**

**PART 3**

**Complaints etc.**

**CHAPTER 2**

**Handling of complaints**

**Duties to preserve evidence relating to complaints**

**11.**—(1) Where a complaint is made about the conduct of a Provost Marshal, the appropriate authority must secure that all such steps as are appropriate for the purposes of this Part are taken, both initially and from time to time after that, for obtaining and preserving evidence relating to the conduct complained of.

(2) Where—

- (a) a complaint is made to a Provost Marshal about the conduct of a member of a service police force under their direction; or
- (b) a Provost Marshal becomes aware that a complaint has been made to the Commissioner, the Defence Council or a Board about the conduct of a member of a service police force under that Provost Marshal's direction,

that Provost Marshal must take all such steps as appear to be appropriate for the purposes of this Part for obtaining and preserving evidence relating to the conduct complained of.

(3) A Provost Marshal's duty under paragraph (2) must be performed as soon as practicable after the complaint is made or, as the case may be, that Provost Marshal becomes aware of it.

(4) Where a Provost Marshal has a duty under paragraph (2) that Provost Marshal must continue to take steps from time to time that appear to be appropriate for the purposes of this Part, for obtaining and preserving evidence relating to the conduct complained of until that person is satisfied that it is no longer necessary to do so.

(5) The appropriate authority must comply with all such directions as may be given to it by the Commissioner in relation to the performance of the appropriate authority's duty under paragraph (1).

(6) A Provost Marshal must take all such specific steps for obtaining or preserving evidence relating to the subject-matter of a complaint as directed to take, for the purposes of this regulation, by the appropriate authority for that Provost Marshal or by the Commissioner.