

SCHEDULE 1

Further provision in relation to investigations under regulation 36 (investigations by the Commissioner)

PART 1

Modifications

Application of the Criminal Procedure and Investigations Act 1996 (Code of Practice) (Armed Forces) Order 2009

4.—(1) The Criminal Procedure and Investigations Act 1996 (Code of Practice) (Armed Forces) Order 2009(1) applies in relation to such investigations with the following modifications.

(2) Any reference to a service policeman in that Order is to be read as a reference to a person designated under regulation 36(2) of these Regulations.

(3) Article 1 of that Order and paragraph 2 of the Schedule (Code of Practice) are to be read as if the definitions of “service police force”, “service policeman” and “tri-service serious crime unit” were omitted.

(4) The Order is to be read as if article 2 were omitted.

(5) The Schedule is to be read as if—

(a) in paragraph 2(1), for the definition of “disclosure officer” there were substituted—

““disclosure officer” means the investigating officer responsible for—

- (a) examining material retained by the Service Police Complaints Commissioner during the service investigation;
- (b) revealing material to the Director during the service investigation and any proceedings in a service court resulting from it; and
- (c) certifying that he has done this;”;

(b) in paragraph 3(1), for “within each service police force or the tri-service serious crime unit” there were substituted “established by the Service Police Complaints Commissioner”;

(c) in paragraph 3(3) the references to—

- (i) the Provost Marshal of each of the service police forces and the Provost Marshal for serious crime; and
- (ii) the Provost Marshals,

were references to the Service Police Complaints Commissioner;

(d) in paragraph 3(7), for “either his officer commanding or the officer in charge of service investigations for the service police force concerned, or, as the case may be, the tri-service serious crime unit” there were substituted “the Service Police Complaints Commissioner”.