



# Police and Criminal Evidence Act 1984

## 1984 CHAPTER 60

### PART IX

#### POLICE COMPLAINTS AND DISCIPLINE

##### *Handling of complaints etc.*

#### **93 Powers of Authority as to disciplinary charges**

- (1) Where a memorandum under section 90 above states that a chief officer of police has not preferred disciplinary charges or does not propose to do so, the Authority may recommend him to prefer such disciplinary charges as they may specify.
- (2) Subject to subsection (6) below, a chief officer may not withdraw charges which he has preferred in accordance with a recommendation under subsection (1) above.
- (3) If after the Authority have made a recommendation under this section and consulted the chief officer he is still unwilling to prefer such charges as the Authority consider appropriate, they may direct him to prefer such charges as they may specify.
- (4) Where the Authority give a chief officer a direction under this section, they shall furnish him with a written statement of their reasons for doing so.
- (5) Subject to subsection (6) below, it shall be the duty of a chief officer to prefer and proceed with charges specified in such a direction.
- (6) The Authority may give a chief officer leave—
  - (a) not to prefer charges which section 90(10) above or subsection (5) above would otherwise oblige him to prefer ; or
  - (b) not to proceed with charges with which section 90(10) above or subsection (2) or (5) above would otherwise oblige him to proceed.
- (7) The Authority may request a chief officer of police to furnish them with such information as they may reasonably require for the purpose of discharging their functions under this section.

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*Status: This is the original version (as it was originally enacted).*

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(8) It shall be the duty of a chief officer to comply with any such request.