

# **POLICE REFORM ACT 2002**

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## **EXPLANATORY NOTES**

### **SUMMARY**

#### **Part 1: Powers of the Secretary of State**

4. **Part 1** makes new provisions regarding the supervision of police forces. The Secretary of State is under a duty to produce an annual National Policing Plan and present it to Parliament; he has a power to issue codes of practices to chief officers as well as to police authorities; and the power to issue directions to police authorities as well as some of the existing regulation-making powers are widened.

#### **Part 2: Complaints and Misconduct**

5. **Part 2** establishes a new system for handling complaints against the police. It replaces the Police Complaints Authority with a new body, the Independent Police Complaints Commission (IPCC).

#### **Part 3: Removal, suspension and disciplining of police officers**

6. **Part 3** broadens the circumstances in which senior officers can be removed in the interests of the efficiency or effectiveness of the force, provides for the issue of regulations regarding the procedure for removing senior officers and makes provision for the suspension of senior officers. It makes some alterations to the conduct of disciplinary proceedings and provides for disciplinary regulations for special constables. In addition, it confers on police officers the protections provided by the Public Interest Disclosure Act 1998.

#### **Part 4: Police Powers**

7. **Part 4** contains the legislative provisions necessary to facilitate more effective use of police support staff, and provides for community safety accreditation schemes. It also adds to the list of offences for which someone can be arrested without warrant and places independent custody visiting on a statutory footing. It contains provisions regarding the taking of blood samples from those involved in road traffic incidents. It makes provision for powers for constables in relation to vehicles used in a manner causing alarm, distress or annoyance. It makes several changes to legislation regarding anti-social behaviour orders (ASBOs) and sex offender orders. It confers on the British Transport Police (BTP) additional police powers to allow them to deal more effectively with truants in their railways jurisdiction and matters connected with fixed penalty notices for motoring offences. It also enables the National Crime Squad (NCS) to dispose of property that comes into its possession during the course of an investigation.

#### **Part 5: The Ministry of Defence Police**

8. **Part 5** contains disciplinary and other provisions regarding the Ministry of Defence Police.

**Part 6: Miscellaneous**

9. **Part 6** contains miscellaneous provisions covering aspects of recruitment and appointment to police forces, NCS and the National Criminal Intelligence Service (NCIS). It covers various changes to other bodies with functions related to the police – police authorities, the NCS and the NCIS Service Authorities, the Association of Chief Police Officers (ACPO), Crime and Disorder Reduction Partnerships, the Police Information Technology Organisation (PITO), the Metropolitan Police Authority and the Common Council of the City of London. It also makes provision regarding international joint investigation teams.

**Part 7: Supplemental**

10. **Part 7** contains general interpretation, commencement and extent provisions.