

Changes to legislation: Police Reform Act 2002, Paragraph 19A is up to date with all changes known to be in force on or before 04 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 3

HANDLING OF COMPLAINTS AND CONDUCT MATTERS ETC.

Modifications etc. (not altering text)

- C1** Sch. 3 modified (15.12.2017) by S.I. 2012/1204, **Sch. Pt. 1** (as inserted by The Police (Conduct, Complaints and Misconduct and Appeal Tribunal) (Amendment) Regulations 2017 (S.I. 2017/1134), reg. 1(1), **Sch. 2** (with reg. 2))
- C1** Sch. 3 applied (with modifications) by 1984 c. 55, **ss. 56A-56C** (as inserted (6.4.2023 for specified purposes) by Building Safety Act 2022 (c. 30), **ss. 53(1)**, 170(4)(c); S.I. 2023/362, **reg. 3(1)(v)**)

PART 3

INVESTIGATIONS AND SUBSEQUENT PROCEEDINGS

[^{F1}Special procedure where investigation relates to police officer or special constable]

Textual Amendments

- F1** Sch. 3 paras. 19A-19E inserted (3.11.2008 for the purpose of making regulations and 1.12.2008 otherwise) by Criminal Justice and Immigration Act 2008 (c. 4), **ss. 127, 153, Sch. 23 para. 5** (with s. 14(1)); S.I. 2008/2712, **art. 2, Sch. para. 17(b)** (subject to arts. 3, 4); S.I. 2008/2993, **art. 2(1)(i)(ii)** (with art. 3)

[^{F2}19A(1) This paragraph applies to an investigation where condition A, B or C is satisfied.

(2) Condition A is that—

- (a) the investigation is an investigation of a complaint, and
- (b) during the course of the investigation it appears to the person investigating [^{F3}or, in the case of an investigation by a designated person under paragraph 19, the Director General,] that there is an indication that a member of a police force, or a special constable, to whose conduct the investigation relates may have committed a criminal offence or behaved in a manner which would justify the bringing of disciplinary proceedings.

(3) Condition B is that—

- (a) the investigation is an investigation of a complaint being carried out by a person appointed under paragraph 18, and
- (b) during the course of the investigation the [^{F4}Director General] determines that there is an indication that a member of a police force, or a special constable, to whose conduct the investigation relates may have committed a

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criminal offence or behaved in a manner which would justify the bringing of disciplinary proceedings.

- (4) Condition C is that—
- (a) the investigation is an investigation of a recordable conduct matter, and
 - (b) the investigation relates to the conduct of a member of a police force or a special constable.
- (5) Where this paragraph applies to an investigation the person investigating must proceed with the investigation in accordance with regulations made by the Secretary of State under this sub-paragraph.
- (6) Regulations under sub-paragraph (5) may (amongst other things) make provision—
- (a) as to the procedure to be followed in connection with any interview of the person concerned, including provision requiring the person concerned to attend an interview;
 - (b) requiring the person investigating to supply information to the appropriate authority.
- (7) In this paragraph “the person concerned”—
- (a) in relation to an investigation of a complaint, means the person in respect of whom it appears to the person investigating [^{F5}or, in the case of an investigation by a designated person under paragraph 19, the Director General,] that there is the indication mentioned in sub-paragraph (2)(b) or (as the case may be) the person in respect of whom the [^{F4}Director General] determines that there is the indication mentioned in sub-paragraph (3)(b);
 - (b) in relation to an investigation of a recordable conduct matter, means the person to whose conduct the investigation relates.]]

Textual Amendments

- F2** Sch. 3 para. 19A substituted for Sch. 3 paras. 19A-19E (31.1.2017 for specified purposes, 1.2.2020 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), Sch. 5 para. 21; S.I. 2020/5, reg. 2(n) (with art. 3(1)(2)(4))
- F3** Words in Sch. 3 para. 19A(2)(b) inserted (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. 56(9); S.I. 2017/1249, reg. 2 (with reg. 3)
- F4** Words in Sch. 3 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. 56(2) (with Sch. 9 para. 56(6)); S.I. 2017/1249, reg. 2 (with reg. 3)
- F5** Words in Sch. 3 para. 19A(7)(a) inserted (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. 56(9); S.I. 2017/1249, reg. 2 (with reg. 3)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 26F inserted by [2023 c. 41 Sch. 13 para. 6](#)
- s. 28A(6A)(6B) inserted by [2023 c. 41 s. 45\(2\)](#)