

*Status: Point in time view as at 31/03/2015.*

*Changes to legislation: There are currently no known outstanding effects for the Police Reform Act 2002, Part 2A. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 3

#### HANDLING OF COMPLAINTS AND CONDUCT MATTERS ETC.

#### [<sup>F1</sup>PART 2A

#### HANDLING OF DEATH AND SERIOUS INJURY (DSI) MATTERS

##### Textual Amendments

- F1** Sch. 3 Pt. 2A (paras. 14A-14D) inserted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 160, 178, **Sch. 12 para. 12**; S.I. 2005/1521, **art. 3(1)(w)**

##### *Duty to record DSI matters*

- 14A (1) Where a DSI matter comes to the attention of the [<sup>F2</sup>local policing body] or chief officer who is the appropriate authority in relation to that matter, it shall be the duty of the appropriate authority to record that matter.
- (2) If it appears to the Commission—
- (a) that any matter that has come to its attention is a DSI matter, but
  - (b) that that matter has not been recorded by the appropriate authority,
- the Commission may direct the appropriate authority to record that matter; and it shall be the duty of that authority to comply with the direction.

##### Textual Amendments

- F2** Words in Sch. 3 para. 14A(1) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 16 para. 302(2)**; S.I. 2011/3019, art. 3, Sch. 1

##### Modifications etc. (not altering text)

- C1** Sch. 3 para. 14A applied (with modifications) (28.12.2005) by virtue of [The Revenue and Customs \(Complaints and Misconduct\) Regulations 2005 \(S.I. 2005/3311\)](#), **reg. 3(4)(6)**, Sch. 3

##### *Duty to preserve evidence relating to DSI matters*

- 14B (1) Where—
- (a) a DSI matter comes to the attention of a [<sup>F3</sup>local policing body] , and
  - (b) the relevant officer in relation to that matter is the chief officer of the force maintained by [<sup>F4</sup>that body],

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it shall be the duty of [<sup>F4</sup>that body] to secure that all such steps as are appropriate for the purposes of Part 2 of this Act are taken, both initially and from time to time after that, for obtaining and preserving evidence relating to that matter.

(2) Where—

- (a) a chief officer becomes aware of a DSI matter, and
- (b) the relevant officer in relation to that matter is a person under his direction and control,

it shall be his duty to take all such steps as appear to him to be appropriate for the purposes of Part 2 of this Act for obtaining and preserving evidence relating to that matter.

- (3) The chief officer's duty under sub-paragraph (2) must be performed as soon as practicable after he becomes aware of the matter in question.
- (4) After that, he shall be under a duty, until he is satisfied that it is no longer necessary to do so, to continue to take the steps from time to time appearing to him to be appropriate for the purposes of Part 2 of this Act for obtaining and preserving evidence relating to the matter.
- (5) It shall be the duty of a [<sup>F5</sup>local policing body] to comply with all such directions as may be given to it by the Commission in relation to the performance of any duty imposed on it by virtue of sub-paragraph (1).
- (6) It shall be the duty of the chief officer to take all such specific steps for obtaining or preserving evidence relating to any DSI matter as he may be directed to take for the purposes of this paragraph by the [<sup>F6</sup>local policing body] maintaining his force or by the Commission.

#### **Textual Amendments**

- F3** Words in Sch. 3 para. 14B(1) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 302\(3\)\(a\)\(i\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F4** Words in Sch. 3 para. 14B(1) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 302\(3\)\(a\)\(ii\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F5** Words in Sch. 3 para. 14B(5) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 302\(3\)\(b\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F6** Words in Sch. 3 para. 14B(6) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 302\(3\)\(c\)](#); S.I. 2011/3019, art. 3, Sch. 1

#### **Modifications etc. (not altering text)**

- C2** Sch. 3 para. 14B applied (with modifications) (28.12.2005) by virtue of [The Revenue and Customs \(Complaints and Misconduct\) Regulations 2005 \(S.I. 2005/3311\), reg. 3\(4\)\(6\)](#), Sch. 3

#### *Reference of DSI matters to the Commission*

- 14C (1) It shall be the duty of the appropriate authority to refer a DSI matter to the Commission.
- (2) The appropriate authority must do so within such period as may be provided for by regulations made by the Secretary of State.

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- (3) A matter that has already been referred to the Commission under this paragraph on a previous occasion shall not be required to be referred again under this paragraph unless the Commission so directs.

**Modifications etc. (not altering text)**

- C3** Sch. 3 para. 14C applied (with modifications) (28.12.2005) by virtue of [The Revenue and Customs \(Complaints and Misconduct\) Regulations 2005 \(S.I. 2005/3311\)](#), [reg. 3\(4\)\(6\)](#), Sch. 3

*Duties of Commission on references under paragraph 14C*

- 14D (1) It shall be the duty of the Commission, in the case of every DSI matter referred to it by a [<sup>F7</sup>local policing body] or a chief officer, to determine whether or not it is necessary for the matter to be investigated.
- (2) Where the Commission determines under this paragraph that it is not necessary for a DSI matter to be investigated, it may if it thinks fit refer the matter back to the appropriate authority to be dealt with by that authority in such manner (if any) as that authority may determine.]

**Textual Amendments**

- F7** Words in Sch. 3 para. 14D(1) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 302\(4\)](#); S.I. 2011/3019, art. 3, Sch. 1

**Modifications etc. (not altering text)**

- C4** Sch. 3 para. 14D applied (with modifications) (28.12.2005) by virtue of [The Revenue and Customs \(Complaints and Misconduct\) Regulations 2005 \(S.I. 2005/3311\)](#), [reg. 3\(4\)\(6\)](#), Sch. 3

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