

Status: Point in time view as at 01/02/2020.

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.

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))

[^{F1}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 [^{F2}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.

^{F3}(2)

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
- F3** Sch. 3 para. 14A(2) omitted (31.1.2017 for specified purposes, 1.2.2020 in so far as not already in force) by virtue of [Policing and Crime Act 2017](#) (c. 3), ss. 17(7), 183(1)(5)(e); S.I. 2020/5, reg. 2(e) (with art. 3(1)(2)(4))

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—

Status: Point in time view as at 01/02/2020.

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

- (a) a DSI matter comes to the attention of a [^{F4}local policing body] , and
- (b) the relevant officer in relation to that matter is the chief officer of the force maintained by [^{F5}that body],

it shall be the duty of [^{F5}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 [^{F6}local policing body] to comply with all such directions as may be given to it by the [^{F7}Director General] 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 [^{F8}local policing body] maintaining his force or by the [^{F7}Director General].

Textual Amendments

- 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\(3\)\(a\)\(i\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F5** 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
- F6** 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
- F7** 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)
- F8** 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

Status: Point in time view as at 01/02/2020.

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

Reference of DSI matters to the [F7]Director General]

- 14C (1) It shall be the duty of the appropriate authority to refer a DSI matter to the [F7]Director General].
- (2) The appropriate authority must do so within such period as may be provided for by regulations made by the Secretary of State.
- (3) A matter that has already been referred to the [F7]Director General] under this paragraph on a previous occasion [F9], or that has been treated as having been so referred by virtue of paragraph 14CA,] shall not be required to be referred again under this paragraph unless the [F7]Director General] so directs.

Textual Amendments

- F9** Words in Sch. 3 para. 14C(3) inserted (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), ss. 17(8), s. 183(1)(5)(e); S.I. 2020/5, reg. 2(e) (with art. 3(1)(2)(4))

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

[F10]Power of [F7]Director General] to treat DSI matter as having been referred

Textual Amendments

- F10** Sch. 3 para. 14CA and cross-heading inserted (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), ss. 17(9), 183(1)(5)(e); S.I. 2020/5, reg. 2(e) (with art. 3(1)(2)(4))

- 14CA (1) The [F7]Director General] may treat a DSI matter that comes to [F11]the Director General's] attention otherwise than by having been referred to [F12]the Director General] under paragraph 14C as having been so referred.
- (2) Where the [F7]Director General] treats a DSI matter as having been referred to [F12]the Director General]—
- (a) paragraphs 14A and 14C do not apply, or cease to apply, in relation to the matter except to the extent provided for by paragraph 14C(3), and
- (b) paragraphs 14D and 15 apply in relation to the matter as if it had been referred to the [F7]Director General] by the appropriate authority under paragraph 14C.
- (3) The [F7]Director General] must notify the appropriate authority that [F12]the Director General] is treating a DSI matter as having been referred to [F12]the Director General].
- (4) Where an appropriate authority receives a notification under sub-paragraph (3) in respect of a DSI matter and the matter has not yet been recorded, the appropriate authority must record the matter.]

Status: Point in time view as at 01/02/2020.

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

Textual Amendments

- F11** 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(5)** (with Sch. 9 para. 56(6)); S.I. 2017/1249, reg. 2 (with reg. 3)
- F12** 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(4)** (with Sch. 9 para. 56(6)); S.I. 2017/1249, reg. 2 (with reg. 3)

Duties of [F7Director General] on references under paragraph 14C

14D (1) It shall be the duty of the [F7Director General], in the case of every DSI matter referred to [F12the Director General] by a [F13local policing body] or a chief officer, to determine whether or not it is necessary for the matter to be investigated.

[The Secretary of State may by regulations provide that the [F7Director General] must
 F14(1A) determine that it is necessary for DSI matters referred to [F12the Director General] in relation to which the relevant officer is a chief officer or the Deputy Commissioner of Police of the Metropolis to be investigated.

(1B) Regulations under sub-paragraph (1A) may provide that the duty on the [F7Director General] applies only in relation to DSI matters in relation to which the relevant officer is a chief officer or the Deputy Commissioner of Police of the Metropolis that are of a description specified in the regulations.

(1C) Regulations under sub-paragraph (1A) may also provide that, where the [F7Director General] is required by the regulations to determine that it is necessary for a DSI matter to be investigated, paragraph 15 is to apply in relation to the matter as if sub-paragraphs (4)(a), (4A) and (5A)(b) were omitted.]

(2) Where the [F7Director General] determines under this paragraph that it is not necessary for a DSI matter to be investigated [F15—

- (a) in a case where the DSI matter is already being investigated by the appropriate authority on its own behalf (and notwithstanding the [F16Director General's] determination), the [F7Director General] must refer the matter back to the appropriate authority for the investigation to be completed, and
- (b) in any other case, the [F7Director General] may, if [F12the Director General] 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

- F12** 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(4)** (with Sch. 9 para. 56(6)); S.I. 2017/1249, reg. 2 (with reg. 3)
- F13** 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
- F14** Sch. 3 para. 14D(1A)-(1C) inserted (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. 14(2)**; S.I. 2020/5, reg. 2(n) (with art. 3(1)(2)(4))

Status: Point in time view as at 01/02/2020.

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

F15 Words in Sch. 3 para. 14D(2) substituted (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. 14(3)**; S.I. 2020/5, reg. 2(n) (with art. 3(1)(2)(4))

F16 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(3)** (with Sch. 9 para. 56(6)); S.I. 2017/1249, reg. 2 (with reg. 3)

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

Status:

Point in time view as at 01/02/2020.

Changes to legislation:

There are currently no known outstanding effects for the Police Reform Act 2002, Part 2A.