

Changes to legislation: Police Reform Act 2002, Cross Heading: Procedure where conduct matter is revealed during investigation is up to date with all changes known to be in force on or before 30 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

^{F5}[^{F1}SCHEDULE 3A

WHISTLE-BLOWING INVESTIGATIONS: PROCEDURE

Textual Amendments

- F1** Sch. 3A inserted (31.1.2017 for specified purposes) by [Policing and Crime Act 2017 \(c. 3\), s. 183\(1\)\(5\)\(e\)](#), [Sch. 6](#)
- F5** Words in [Sch. 3A](#) 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. 58\(2\)](#); [S.I. 2017/1249, reg. 2](#) (with [reg. 3](#))

Procedure where conduct matter is revealed during investigation

- 4 (1) If, during the course of an investigation under section 29D(1), [^{F2}the Director General determines] that there is an indication that a person serving with the police (“the person whose conduct is in question”) may have—
- committed a criminal offence, or
 - behaved in a manner which would justify the bringing of disciplinary proceedings,
- [^{F3}the Director General must proceed under sub-paragraph (2)].
- [^{F4}(2) The Director General must—
- prepare a record of the determination,
 - notify the appropriate authority in relation to the person whose conduct is in question of the determination, and
 - send to it a copy of the record of the determination prepared under paragraph (a).]

(3) Where the appropriate authority in relation to the person whose conduct is in question is notified under sub-paragraph (2), it must record the matter under paragraph 11 of Schedule 3 to this Act as a conduct matter.

(4) Where a matter is, in accordance with sub-paragraph (3), recorded under paragraph 11 of Schedule 3 as a conduct matter—

 - the person in charge of the investigation under section 29D(1) must (subject to any determination made by the [^{F5}Director General] under paragraph 15(5B) of Schedule 3) continue the investigation as if appointed or designated to investigate the conduct matter, and
 - the other provisions of Schedule 3 apply in relation to that matter accordingly (subject to regulations under sub-paragraph (5)).

(5) The Secretary of State may by regulations make provision modifying Schedule 3 in relation to an investigation of a matter that, in accordance with sub-paragraph (3), is

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recorded under paragraph 11 of that Schedule as a conduct matter but only for the purpose of making provision for the protection of the anonymity of whistle-blowers.]

Textual Amendments

- F2** Words in [Sch. 3A para. 4\(1\)](#) 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. 58\(4\)\(a\)](#); [S.I. 2017/1249, reg. 2 \(with reg. 3\)](#)
- F3** Words in [Sch. 3A para. 4\(1\)](#) 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. 58\(4\)\(b\)](#); [S.I. 2017/1249, reg. 2 \(with reg. 3\)](#)
- F4** [Sch. 3A para. 4\(2\)](#) 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. 58\(5\)](#); [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\(2\)](#)