



# Police Reform Act 2002

## 2002 CHAPTER 30

### PART 2

#### COMPLAINTS AND MISCONDUCT

##### *Co-operation, assistance and information*

#### **15 General duties of police authorities, chief officers and inspectors**

- (1) It shall be the duty of—
- every police authority maintaining a police force,
  - the chief officer of police of every police force, and
  - every inspector of constabulary carrying out any of his functions in relation to a police force,
- to ensure that it or he is kept informed, in relation to that force, about all matters falling within subsection (2).

[<sup>F1</sup>(1A) It shall be the duty of the Serious Organised Crime Agency to ensure that it is kept informed, in relation to the Agency, about all matters falling within subsection (2).]

[<sup>F2</sup>(1B) It shall be the duty of the National Policing Improvement Agency to ensure that it is kept informed, in relation to the Agency, about all matters falling within subsection (2).]

- (2) Those matters are—
- matters with respect to which any provision of this Part has effect;
  - anything which is done under or for the purposes of any such provision; and
  - any obligations to act or refrain from acting that have arisen by or under this Part but have not yet been complied with, or have been contravened.

- (3) Where—

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*Status: Point in time view as at 01/04/2007. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Police Reform Act 2002, Section 15. (See end of Document for details)*

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- (a) a police authority maintaining any police force requires the chief officer of that force or of any other force to provide a member of his force for appointment under paragraph 16, 17 or 18 of Schedule 3,
- (b) the chief officer of police of any police force requires the chief officer of police of any other police force to provide a member of that other force for appointment under any of those paragraphs, or
- [<sup>F3</sup>(c) a police authority or chief officer requires the Director General of the Serious Organised Crime Agency to provide a member of the staff of that Agency for appointment under any of those paragraphs,]

it shall be the duty of the chief officer [<sup>F4</sup>to whom the requirement is addressed or of the Director General] to comply with it.

(4) It shall be the duty of—

- (a) every police authority maintaining a police force,
- (b) the chief officer of police of every police force, [<sup>F5</sup> and]
- [<sup>F6</sup>(c) the Serious Organised Crime Agency,]

to provide the Commission and every member of the Commission's staff with all such assistance as the Commission or that member of staff may reasonably require for the purposes of, or in connection with, the carrying out of any investigation by the Commission under this Part.

(5) It shall be the duty of—

- (a) every police authority maintaining a police force,
- (b) the chief officer of every police force, [<sup>F7</sup> and]
- [<sup>F8</sup>(c) the Serious Organised Crime Agency,]

to ensure that a person appointed under paragraph 16, 17 or 18 of Schedule 3 to carry out an investigation is given all such assistance and co-operation in the carrying out of that investigation as that person may reasonably require

(6) The duties imposed by subsections (4) and (5) on a police authority maintaining a police force and on the chief officer of such a force and on [<sup>F9</sup>the Serious Organised Crime Agency] have effect—

- (a) irrespective of whether the investigation relates to the conduct of a person who is or has been a member of that force or [<sup>F10</sup>a member of the staff of the Agency]; and
- (b) irrespective of who has the person appointed to carry out the investigation under his direction and control;

but a chief officer of a third force may be required to give assistance and co-operation under subsection (5) only with the approval of the chief officer of the force to which the person who requires it belongs<sup>F11</sup> . . . .

(7) In subsection (6) “third force”, in relation to an investigation, means a police force other than—

- (a) the force to which the person carrying out the investigation belongs; or
- (b) the force to which the person whose conduct is under investigation belonged at the time of the conduct;

[<sup>F12</sup> and where the person whose conduct is under investigation was a member of the staff of the Serious Organised Crime Agency at the time of the conduct, “third force” means any police force other than the force to which the person carrying out the investigation belongs.]

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[<sup>F13</sup>(8) Where the person who requires assistance and co-operation under subsection (5) is a member of the staff of the Serious Organised Crime Agency, a chief officer of a third force may be required to give that assistance and co-operation only with the approval of the Director General of the Agency.

[<sup>F14</sup>(8A) Where the person who requires assistance and co-operation under subsection (5) is a member of the staff of the National Policing Improvement Agency—

- (a) the chief officer of a third force, or
- (b) the police authority maintaining a third force,

may be required to give that assistance and co-operation only with the approval of the chief executive of the National Policing Improvement Agency.

(8B) In subsections (8) and (8A) “third force”, in relation to an investigation, means any police force other than the force to which the person whose conduct is under investigation belonged at the time of the conduct.]

(9) Where—

- (a) the person carrying out an investigation is not a member of the staff of the Serious Organised Crime Agency; and
- (b) the person whose conduct is under investigation was not a member of the staff of the Agency at the time of the conduct,

[<sup>F15</sup>the Agency may be required to give assistance and co-operation under subsection (5) only with the approval of the relevant directing officer.]]

[<sup>F16</sup>(10) In subsection (9) “the relevant directing officer”—

- (a) in a case where the person who requires assistance and co-operation belongs to a police force, means the chief officer of that force; and
- (b) in a case where the person who requires assistance and co-operation is a member of the staff of the National Policing Improvement Agency, means the chief executive of that Agency.]

#### Textual Amendments

- F1** S. 15(1A) inserted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 55, 178, **Sch. 2 para. 5(2)**; S.I. 2006/378, **art. 4(1)**, Sch. para. 8 (subject to art. 4(2)-(7))
- F2** S. 15(1B) inserted (1.4.2007) by Police and Justice Act 2006 (c. 48), ss. 1, 53, **Sch. 1 para. 84(2)**; S.I. 2007/709, **art. 3(a)** (subject to arts. 6, 7)
- F3** S. 15(3)(c) substituted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 55, 178, **Sch. 2 para. 5(3)(a)**; S.I. 2006/378, **art. 4(1)**, Sch. para. 8 (subject to art. 4(2)-(7))
- F4** Words in s. 15(3) substituted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 55, 178, **Sch. 2 para. 5(3)(b)**; S.I. 2006/378, **art. 4(1)**, Sch. para. 8 (subject to art. 4(2)-(7))
- F5** Word in s. 15(4)(b) inserted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 55, 178, **Sch. 2 para. 5(4)**; S.I. 2006/378, **art. 4(1)**, Sch. para. 8 (subject to art. 4(2)-(7))
- F6** S. 15(4)(c) substituted for s. 15(4)(c)(d) (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 55, 178, **Sch. 2 para. 5(4)**; S.I. 2006/378, **art. 4(1)**, Sch. para. 8 (subject to art. 4(2)-(7))
- F7** Word in s. 15(5)(b) inserted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 55, 178, **Sch. 2 para. 5(5)**; S.I. 2006/378, **art. 4(1)**, Sch. para. 8 (subject to art. 4(2)-(7))
- F8** S. 15(5)(c) substituted for s. 15(5)(c)(d) (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 55, 178, **Sch. 2 para. 5(5)**; S.I. 2006/378, **art. 4(1)**, Sch. para. 8 (subject to art. 4(2)-(7))
- F9** Words in s. 15(6) substituted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 55, 178, **Sch. 2 para. 5(6)(a)**; S.I. 2006/378, **art. 4(1)**, Sch. para. 8 (subject to art. 4(2)-(7))

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- F10** Words in s. 15(6)(a) substituted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 55, 178, **Sch. 2 para. 5(6)(b)**; S.I. 2006/378, **art. 4(1)**, Sch. para. 8 (subject to art. 4(2)-(7))
- F11** Words in s. 15(6) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 55, 174, 178, Sch. 2 para. 5(6)(c), **Sch. 17 Pt. 2**; S.I. 2006/378, **art. 4(1)**, Sch. paras. 8, 12, 13(oo) (subject to art. 4(2)-(7))
- F12** Words in s. 15(7) substituted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 55, 178, **Sch. 2 para. 5(7)**; S.I. 2006/378, **art. 4(1)**, Sch. para. 8 (subject to art. 4(2)-(7))
- F13** S. 15(8)(9) inserted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 55, 178, **Sch. 2 para. 5(8)**; S.I. 2006/378, **art. 4(1)**, Sch. para. 8 (subject to art. 4(2)-(7))
- F14** S. 15(8A)(8B) substituted for words in s. 15(8) (1.4.2007) by Police and Justice Act 2006 (c. 48), ss. 1, 53, **Sch. 1 para. 84(3)**; S.I. 2007/709, **art. 3(a)** (subject to arts. 6, 7)
- F15** Words in s. 15(9) substituted (1.4.2007) by Police and Justice Act 2006 (c. 48), ss. 1, 53, **Sch. 1 para. 84(4)**; S.I. 2007/709, **art. 3(a)** (subject to arts. 6, 7)
- F16** S. 15(10) inserted (1.4.2007) by Police and Justice Act 2006 (c. 48), ss. 1, 53, **Sch. 1 para. 84(5)**; S.I. 2007/709, **art. 3(a)** (subject to arts. 6, 7)

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

- C1** S. 15 applied (with modifications) (E.W.) (28.12.2005) by The Revenue and Customs (Complaints and Misconduct) Regulations 2005 (S.I. 2005/3311), **reg. 3(2)(6)**, Sch. 1

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