

SCHEDULE 2

Modifications to Part 2 of the 2002 Act and to these Regulations

PART 2

Modifications to these Regulations

Modification to regulation 27 (report on investigation)

10. Regulation 27 is to be read as if—

(a) in paragraph (1)(c), for “paragraph (3)(a), (b) and (e)” there were substituted “paragraph (3)(a) and (c) or (3A), as the case may be”, and

(b) for paragraph (3) there were substituted—

“(3) Other than in a case to which paragraph (3A) applies, the matters are—

(a) whether any person to whose conduct the investigation related has a case to answer in respect of gross misconduct or has no case to answer;

(b) whether or not disciplinary proceedings should be brought against any such person;

(c) whether, if the opinion is that there is no such case to answer, there nevertheless may have been a breach of the Standards of Professional Behaviour that would have justified the bringing of disciplinary proceedings had the person not ceased to be a member of a police force or a special constable.

(3A) Where the person to whose conduct the investigation related is a Condition C person and the investigation was carried out under paragraph 16 of Schedule 3 (investigations by the appropriate authority on its own behalf), the matters are—

(a) whether there may have been a breach of the Standards of Professional Behaviour that would have justified the bringing of disciplinary proceedings had the person not ceased to be a member of a police force or a special constable;

(b) whether, if the opinion is that there may have been such a breach, the breach is so serious that, had the person not ceased to be a member of a police force or a special constable, it would have justified dismissal.”.