
STATUTORY INSTRUMENTS

2023 No. 624

The Service Police (Complaints etc.) Regulations 2023

PART 2

The Service Police Complaints Commissioner

General functions of the Commissioner

- 3.—(1) The functions of the Commissioner are—
- (a) to secure the maintenance by the Commissioner, the Defence Council, the Boards and the Provost Marshals of suitable arrangements with respect to the matters mentioned in paragraph (2);
 - (b) to keep under review all arrangements maintained with respect to those matters;
 - (c) to secure that arrangements maintained with respect to those matters comply with the requirements of the provisions of Part 3, are efficient and effective and contain and manifest an appropriate degree of independence;
 - (d) to secure that the confidence of persons subject to service law⁽¹⁾ and civilians subject to service discipline⁽²⁾ as well as public confidence, is established and maintained in the existence of suitable arrangements with respect to those matters and with the operation of the arrangements that are in fact maintained with respect to those matters;
 - (e) to make such recommendations, and to give such advice, for the modification of the arrangements maintained with respect to those matters, and also of service police practice in relation to other matters, as appear, from the carrying out by the Commissioner of the Commissioner's other functions, to be necessary or desirable.
- (2) Those matters are—
- (a) the handling of complaints within the meaning given by regulation 9;
 - (b) the recording of matters from which it appears that there may have been conduct by a member of a service police force which constitutes or involves the commission of a service offence or behaviour that would justify the initiation of administrative action procedures;
 - (c) the recording of matters from which it appears that a person has died or suffered serious injury during, or following, contact with a member of a service police force;
 - (d) the manner in which any such complaints or any such matters as are mentioned in subparagraph (b) or (c) are investigated or otherwise handled and dealt with.
- (3) The Commissioner also has functions conferred on the Commissioner by Part 4 in relation to super-complaints.
- (4) The Commissioner must—
- (a) exercise the powers and perform the duties conferred on the Commissioner by this Part and Part 3 in the manner that the Commissioner considers best calculated for the purpose

(1) See section 367 of the 2006 Act for the meaning of "persons subject to service law".

(2) See section 370 of the 2006 Act for the meaning of "civilian subject to service discipline".

of securing the proper carrying out of the Commissioner's functions under paragraph (1) of this regulation; and

(b) secure that arrangements exist which are conducive to, and facilitate, the reporting of misconduct by a member of a service police force.

(5) Subject to the other provisions of these Regulations, the Commissioner may do anything which appears to the Commissioner to be calculated to facilitate, or is incidental or conducive to, the carrying out of the Commissioner's functions.

Commencement Information

II Reg. 3 in force at 19.6.2023, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Service Police (Complaints etc.) Regulations 2023, Section 3.