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STATUTORY INSTRUMENTS

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**2017 No. 1134**

**The Police (Conduct, Complaints and Misconduct  
and Appeal Tribunal) (Amendment) Regulations 2017**

**PART 4**

**Amendment of the Complaints and Misconduct Regulations**

**Amendment of the Complaints and Misconduct Regulations**

**26.** The Complaints and Misconduct Regulations are amended in accordance with this Part.

**Amendment of regulation 1 (citation, commencement and interpretation)**

**27.** In regulation 1(2)—

- (a) in the definition of “the Conduct Regulations”, for “2008” substitute “2012”;
- (b) after that definition insert the following definition—

““designated police volunteer” means a person designated as a community support volunteer or a policing support volunteer under section 38(1A) of the 2002 Act(1);”;
- (c) in the definition of “the Performance Regulations”, for “2008” substitute “2012”;
- (d) after that definition insert the following definition—

““police barred list” means the list referred to in section 88B(2) of the Police Act 1996;”.

**Amendment of regulation 16 (written notices)**

**28.** In regulation 16(1) after sub-paragraph (e) insert—

- “(ea) that if he is dismissed at misconduct proceedings, his full name and a description of the conduct which led to his dismissal will be added to the police barred list and may be subject to publication for a period of up to five years;”.

**Amendment of regulation 17 (police friend)**

**29.** In regulation 17(2)—

- (a) after “police staff member”, in the first place where it appears, insert “or designated police volunteer”;
- (b) in sub-paragraph (b), after “police staff member’s companion” insert “or designated police volunteer’s companion, as the case may be;”;
- (c) in sub-paragraph (e), for “a police staff member” substitute “the police staff member or designated police volunteer, as the case may be;”.

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(1) Subsection (1A) was inserted by section 38(2) of the Policing and Crime Act 2017.

**Amendment of regulation 24 (appointment of persons to carry out investigations)**

30. In regulation 24(4), for “and a police staff member serving in that force” substitute “, a police staff member serving in that force and a designated police volunteer serving in that force”.

**Substitution of regulation 27 (complaints or conduct matters concerning a person who has subsequently ceased to serve with the police)**

31. For regulation 27 substitute—

**“Complaints and conduct matters relating to the conduct of a person who has ceased to be a person serving with the police**

27. Where a complaint or conduct matter relates to the conduct of a person who has ceased to be a person serving with the police since the time of the conduct, the provisions of Part 2 (complaints and misconduct) of the 2002 Act and these Regulations apply—

- (a) as if the person were still serving in the position in which he last served; and
- (b) with the modifications to Part 2 of the 2002 Act and to these Regulations set out in Parts 1 and 2 of the Schedule respectively.”.

**Amendment of regulation 36 (disciplinary proceedings for police staff)**

32. In regulation 36(2) in the heading after “police staff” insert “and designated police volunteers”.

**New Schedule**

33. Insert the Schedule which is set out in Schedule 2 to these Regulations.

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(2) Regulation 36 has been amended but the amendments are not relevant to these Regulations.