
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 43

The Police Service of Scotland
(Special Constables) Regulations 2013

PART 4

MISCONDUCT

Suspension

19.—(1) Where a report, complaint or allegation is received from which it may reasonably be inferred that an act, omission or an alleged act or omission of a special constable concerned—

- (a) may amount to misconduct; or
- (b) may constitute a criminal offence,

the special constable concerned may be suspended from duty by the deputy chief constable or, if regulation 12(2)(b) is applicable, the nominated officer.

(2) The deputy chief constable or, if regulation 12(2)(b) is applicable, the nominated officer—

- (a) may terminate a suspension imposed on the special constable under paragraph (1), with effect from the date of the suspension or any subsequent date;
- (b) must terminate a suspension imposed on the special constable concerned under paragraph (1) when—
 - (i) it is decided, in accordance with regulation 12(2)(b), that there will not be an inquiry into the report, complaint or allegation, unless the special constable concerned has submitted his or her resignation; or
 - (ii) misconduct proceedings have been completed but have not resulted in a disposal of dismissal from the Police Service or a requirement to resign from the Police Service as an alternative to dismissal, unless the special constable concerned submitted his or her resignation before misconduct proceedings were concluded.

(3) Where the deputy chief constable or the nominated officer have terminated the suspension of the special constable concerned, that special constable may not be suspended again in respect of the report, complaint or allegation which led to the initial suspension, unless further information comes to light and the deputy chief constable or the nominated officer, after considering that information, determine that it would be in the best interests of the Police Service to suspend that special constable for a further period.

(4) Subject to the provisions of this regulation, these Regulations apply to a special constable who has been suspended from duty.