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SCOTTISH STATUTORY INSTRUMENTS

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**2013 No. 60**

**The Police Service of Scotland (Conduct) Regulations 2013**

**PART 2**

**Misconduct investigations**

**Response to misconduct form**

**14.**—(1) On receipt of the misconduct form, the constable must notify the deputy chief constable as to whether the constable—

- (a) admits or denies any or all allegations of misconduct;
- (b) intends to make representations at the misconduct hearing;
- (c) intends to be represented at that hearing by another constable;
- (d) proposes to lead evidence from witnesses at that hearing (and, if so, the constable must provide the names of those witnesses); and
- (e) intends to be legally represented in any case where legal representation is permitted (see regulation 11(5)).

(2) The constable must provide the notification required by paragraph (1) by—

- (a) entering the information mentioned in that paragraph on the copy of the misconduct form;
- (b) signing that copy; and
- (c) returning that copy to the deputy chief constable within the specified time period.

(3) For the purposes of paragraph (2), the specified time period is the period of 14 days beginning on the later of the days on which—

- (a) the misconduct form was sent to the constable; or
- (b) the last of the documents mentioned in regulation 13(1), (2) and (as the case may be) (4) was sent to the constable.

(4) The deputy chief constable may extend the specified time period.

(5) The deputy chief constable may, on an application made in writing by the constable at any time before the misconduct hearing, permit the constable to lead evidence at the misconduct hearing from any witnesses not specified in accordance with paragraph (1)(d).

(6) The deputy chief constable must provide the investigating officer with the details of any witnesses from whom the constable proposes to lead evidence and the investigating officer must—

- (a) so far as is reasonably practicable, invite those witnesses to provide a statement; and
- (b) provide a copy of any such statements to the constable.